EUROPEAN UNIVERSITY INSTITUTE
Department of Political and Social Sciences

CIVIL SOCIETY: THEORY AND PRACTICE IN EAST-CENTRAL EUROPE

By

Joerg FORBRIG

Thesis submitted for assessment with
a view to obtaining the Degree of Doctor of the
European University Institute

Jury Members:

Prof. Andras Bozoki (Central European University, Budapest)
Prof. Herman van Gunsteren (University of Leiden)
Prof. Philippe C. Schmitter (EUI)
Prof. Jan Zielonka (EUI/St. Anthony's College, Oxford) (Supervisor)

Florence, April 2004

Abstract

This study examines the concept of civil society from three distinct, yet interrelated, angles taking their departure from several shortcomings characteristic of current discourse on civil society. Firstly, the recent renaissance and subsequent expansion of thought and discussion about civil society have been accompanied by a noteworthy lack of conceptual and terminological clarity. A high degree of eclecticism prevails, with contributors choosing arguments and definitions commensurate with their own ideological, disciplinary and cultural positions but ignorant of the full conceptual wealth and development of civil society through history. Therefore, the first part of this study scrutinises the conceptual history of civil society, demonstrates how its analytical and normative content has dynamically developed over time and, against this backdrop, proposes and justifies a clear-cut definition. Secondly, it is striking to observe how thin the empirical knowledge base, in which the current debate is grounded, is. Theoretically oriented contributions prevail over empirical enquiries, and where empirical accounts have been provided, evidence is more often than not anecdotal, focuses on specific aspects of civil society, or addresses individual cases, countries or contexts. For this reason, the second part of this study provides a systematic, comprehensive and comparative analysis of civil society in East-Central Europe, and assesses developments in the region in comparison to the wider European context. Thirdly, and in returning to more theoretical considerations, little attention has been paid to the limits of civil society. Civil society is seen as a cure-all for many, if not all, problems plaguing societies today. However, inasmuch as it can be a blessing, civil society can also be a curse for democracy, as the last part of this study argues. The challenge civil society faces is to develop such features that make it a strong contributor to democracy, and the approach proposed in this study hopes to open up novel avenues for scholarly exploration and for the practical development of civil society.

Forbrig, Joerg (2004), Civil Society: Theory and practice in East-Central Europe
European University Institute

DOI: 10.2870/42402

List of Contents

List of Figures 5

Acknowledgements 7

Civil Society en vogue 9

1 The Concept: Civil Society in Historical Perspective 15

The Analytical Dimension of the Concept 17

The Normative Dimension I: Civil Society in the Classical Perspective 27

The Normative Dimension II: Modern Approaches to Civil Society 37

The Normative Dimension III: Civil Society in the Contemporary Debate 53

An Excursion: The Perspective of East-Central European Dissidence 65

Critics of the Concept 95

Conclusion: A Definition of Civil Society 101

2 The Reality: Civil Society in East-Central Europe since 1989 107

A Rich Heritage Ruined... 109

... And Remarkably Recovered 131

An Optical Illusion? 149

A Structural Legacy 153

Civil Society in its Social Environment 159

The Economic Significance of the Realm 183

Conclusion: Strong or Weak Civil Societies? 197

3 The Challenge: Civil Society, Democracy, and Democratisation 203

Regime Change to Democracy and Democratic Consolidation 207

Blessings: How Civil Society Contributes to Democracy 233

Curses: Democratically Dysfunctional Aspects of Civil Society 259

Properties and Ideal-Types of Civil Society 271

Conclusion: Patterns of Civil Society 283

Shifting Perspectives on Civil Society 293

Statistical Annex 307

Bibliography 319

Forbrig, Joerg (2004), Civil Society: Theory and practice in East-Central Europe
European University Institute DOI: 10.2870/42402

List of Figures

Figure 1 Concepts of Civil Society 64
Figure 2 The East-Central European Project of Civil Society 88
Figure 3 Organisational Growth of Civil Society in East-Central Europe, 1989-2000 136
Figure 4 Organisational Density of Civil Society in East-Central Europe, 1990-2000 138
Figure 5 Organisational Density of Civil Society in Western European Countries 140
Figure 6 Civil Society in East-Central Europe by Main Types of Organisations, 2000 145
Figure 7 Extinct Organisations in the Czech Republic and Hungary, 1990-2000 150
Figure 8 Civil Society Organisations in East-Central Europe by Period of Establishment 154
Figure 9 Civil Society Organisations in East-Central Europe by Main Fields of Activity 156
Figure 10 Membership in Civil Society in East-Central Europe, 1995/1998 159
Figure 11 Membership in Civil Society Organisations in Western Europe 161
Figure 12 Membership in Civil Society Organisations by Field of Activity, 1995/1996 164
Figure 13 Volunteerism in Civil Society in East-Central Europe, 1998 167
Figure 14 Volunteerism in Civil Society in Selected Western European Countries 167
Figure 15 Volunteerism in Civil Society Organisations by Field of Activity, 1995/1996 171
Figure 16 Geographical Distribution of Civil Society in East-Central Europe 174
Figure 17 Active Participation in East-Central European Civil Societies by Age, 1998 179
Figure 18 Share of Civil Society in Total Employment, East-Central Europe, 1995/1997 184
Figure 19 Share of Civil Society in Total Employment, Western Europe, 1992/1997 185
Figure 20 Operating Expenditures of Civil Society, East-Central Europe, 1995/1997 188
Figure 21 Operating Expenditures of Civil Society, Western Europe, 1995 189
Figure 22 Cash Revenues of Civil Society by Sources, East-Central Europe, 1995/1997 192
Figure 23 Cash Revenues of Civil Society by Sources, Western Europe, 1995/1997 192
Figure 24 Dimensions and Aspects of Democratic Consolidation 232
Figure 25 Blessings: The Positive Impact of Civil Society on Democratic Regimes 257
Figure 26 Curses: The Negative Impact of Civil Society on Democratic Regimes 270
Figure 27 Properties and Ideal-Types of Civil Society 281
Figure 28 Patterns of Civil Society: Democrat's Dream 284
Figure 29 Patterns of Civil Society: Democrat's Nightmare 285
Figure 30 Patterns of Civil Society: A Could-Be Mature Democracy 286
Figure 31 Patterns of Civil Society: A Could-Be Fledgling Democracy 287
Figure 32 Consolidation of Democracy: Changing Patterns of Civil Society 290

Acknowledgements

Doctoral research is, for most of it, a lonesome exercise. Nonetheless, its pursuit depends on the generous support from many sides, from institutions and individuals, at different times, in various forms, and in many places. The present thesis is no exception and it was fortunate to receive more of this support than I could have hoped for at the outset.

My research was inspired by my graduate studies at Central European University in Budapest, and it became possible through a scholarship at the European University Institute in Florence. A fellowship with the Centre for International Relations in Warsaw contributed additional time and resources, and my current position at the German Marshall Fund of the United States in Bratislava provided me with the flexibility to finalise this study. Throughout my research, government agencies, academic institutes and civic organisations across the Visegrad countries assisted in collecting the necessary data and documents, and offered their expertise and experience.

In numerous conversations, researchers as well as practitioners concerned with civil society in East-Central Europe and beyond patiently served as a sounding board for my own thoughts and gently guided me through the complexities of my research subject. Jan Zielonka accompanied, as my supervisor, this research project from start to finish and navigated me untiringly through the intellectual and practical challenges of doctoral research. Philippe Schmitter tremendously influenced my thinking on democracy and civil society, challenged much of my initial naivety and left a substantial imprint on this study. Andras Bozoki, my long-time colleague and friend, nourished my personal interest in East-Central European affairs, lent his personal and scholarly experience to develop my views and greatly encouraged this research project. Many others would deserve to be credited here for their intellectual stimuli and practical assistance but rather than taking the risk of an incomplete list here a personal thank you when meeting all of them soon appears as the preferable option.

Beyond purely intellectual issues, this research also and greatly benefited from a community of friends, and not only in celebrating another section completed or in commiserating another problem encountered. Many new friendships emerged, old ones were fortified. At the institute in Florence, Alana Lentin and “Punky” Iassen Lazarov created a caring duo of friends, with many others being around whenever needed, be it in the library or in the Bar Fiasco. In Warsaw, Monika Mazur-Rafal and Joanna Sielska shared the ups and downs of this enterprise, as did Fabian and Ludwig Kendzia in my native Erfurt, and Sebastian Büttner in a good many different places.

DOI: 10.2870/42402

The way to and through this dissertation was ultimately paved by my family, by my mother Irmgard and my sister Ellen. Their patience during this lengthy research and their generosity to support this research materially were simply admirable. Similarly encouraging was the interest, with which the subject matter of this study was received by David and Gidon Ohana. Above all, however, this doctorate owes to my wife Yael Ohana. As an immediate and most understanding recipient of the author's changing moods, in her capacity as my first and most critical reader, through her insistence on the fundamental values to guide democratic research and practice, and in accepting yet another weekend or holiday being taken over by my research, it is to Yael that all my gratitude and love is due in presenting this study.

To all those mentioned, and to many more unnamed, I am deeply indebted for their substantial and emotional support over the past years. I hope that the final result can at least partly justify their contributions, help and understanding. All errors, in turn, are solely my responsibility.

Civil Society en vogue

In the scholarly and public debate of recent years, few social science categories can claim to have attracted similar levels of attention as the notion of civil society. Over the last two decades or so, this term has made its way into virtually every sphere concerned with the current state and further prospects of contemporary societies. Scholars from a wide range of disciplines, from social and political theory to history, philosophy, law and economics, have adopted this notion to provide a framework for their analyses, and a plethora of articles and books has been published that figure under this heading. Different ideological strands, from the critical theory of the left through liberalism and neo-liberalism to the conservative right, have discovered the usefulness of civil society for their respective projects to advance the development of modern-day societies. Political actors rarely miss an opportunity to point out the importance of a vibrant civil society. In several cases, the strengthening of civil society has even become a political programme. Social actors of various kinds, from non-governmental organisations to players as far apart as corporate entities, media and churches, identify with this notion and the structures, strategies and goals it is seen to stand for.

Political, geographical and cultural borders have been no obstacle for civil society, and its significance, vibrancy, vulnerability or complete absence have come to be benchmarks for politically placing countries - North and South, East and West. Development efforts all over the world, by international and national, public and private assistance agencies alike, now address the advancement of civil society as a dimension equal in importance to political, economic and environmental progress. Supra-national processes have also left their imprint, with globalisation calling for the recognition of a global civil society and with European integration demanding the building of a European civil society. In turn, the rediscovery of the local has brought in its wake a stress on the importance of building and strengthening civil society in the environment where individuals primarily experience social life, that is, at community and grass-roots levels. Hence, extending across all possible contexts, spanning all disciplinary, professional and cultural backgrounds, and employed for almost every purposes one can think of, civil society is veritably en vogue.

In the first place, this overwhelming interest in civil society is a laudable development. It has drawn a wide spectrum of experiences, opinions and expertise into a common discourse that is scholarly, political, public and action-oriented, all at the same time. Within this discourse, civil society has become a framework for addressing a variety of challenges facing contemporary societies. Of the challenges identified, democracy is certainly the most important one. Indeed, it is hardly a coincidence that democracy is the one other notion that in recent years can claim to have

Forbrig, Joerg (2004), Civil Society: Theory and practice in East-Central Europe
European University Institute DOI: 10.2870/42402

had a similar career in scholarly and public circles as civil society. In its relation to democracy, civil society figures variably as an analytical indicator for the state of existing democracy, as a programme and means to strengthen democratic regimes, or as a strategy and vehicle to accomplish regime change to democracy. Across different stages of democratic development, civil society has shown remarkable flexibility as a marker for problems in the context of established, new or absent democracy, and it is widely hoped that it can satisfactorily answer these questions.

Yet the flexibility of this notion extends beyond questions of democratic politics and polities. For some, civil society holds the answer to the presently calamitous state of welfare provision in established democracies, while for others it is the key response to ever farther-reaching social differentiation and persistent social inequalities. Other examples could be cited, but what is common to all of them is that civil society has an astonishing aptitude to relate, and offer responses, to many questions of relevance today, be they more specifically of a democratic nature or be they concerning a range of political, social and cultural questions, more broadly. With this versatility, the notion of civil society has done much to expose pressing social and political challenges to a broader discourse, to raise awareness for such urgent problems among both specialised and broader publics, thereby enhancing and enriching reflection in and on contemporary societies.

However, these merits have not come without a price, and the current discourse on civil society also raises a number of critical questions. Three of these appear to be particularly striking. Firstly, the remarkable expansion of thought and discussion about civil society has been accompanied by a noteworthy lack of conceptual and terminological clarity. This notion has become so widespread that participants of the discourse typically assume that a shared understanding of this concept exists, and that conceptual and definitional questions simply do not arise. This renders the notion of civil society extremely volatile. It is almost entirely at the discretion of the individual user as to which meaning they attach to the concept. Given the observed pluralism of users, contexts and purposes, it should come as little wonder that the meanings associated with this notion diverge considerably and, at times, even contradict one another. Essentially, civil society has become a label that is freely attached to different phenomena by different users.

Secondly, the current debate on civil society is grounded in an empirical knowledge base that is surprisingly thin. In general, theoretically oriented contributions dominate over empirical enquiries in the literature on the subject. Where empirical explorations have been carried out, evidence is more often than not anecdotal, focuses on very specific aspects of civil society, or addresses individual cases, countries or contexts. Largely absent are systematic, comprehensive and comparative analyses that could place the reality of civil society in a given case or country within a larger context, and which would allow for its more detailed assessment. The extent, to which the empirical reality of civil society is under-explored, becomes clear if one compares research on this subject with the study of political institutions, socio-economic parameters or cultural characteristics of contemporary societies, all of which have been covered extensively. This illustrates that the current prominence of this notion is, to date, not matched by commensurate empirical analyses but has, to a large extent, remained at the somewhat lofty and abstract heights of discourse.

Thirdly, little attention has been paid to the limits of civil society. As mentioned earlier, many hopes and expectations are invested in civil society as a potential remedy for various political, socio-economic and cultural challenges. For many, it seems, civil society has become a panacea that provides answers to many, if not all, problems plaguing societies today. The cure-all qualities with which civil society is endowed should naturally provoke scepticism. What is more, if civil society does indeed have the potential to address relevant political and social questions in a constructive way, one may speculate as to whether or not it can also have effects that contribute to aggravating such or other problems. These possible limits of civil society have largely been omitted and consequently, a distinct lack of realism and criticism has become characteristic of current discourse.

The trends in the current vogue of civil society have resulted in a veritable cacophony of meanings, observed realities, and purposes being associated with this notion. This has not made debate in academia or the public sphere as constructive as it could have been, nor has it facilitated more effective strategies for developing civil society and enhancing its capacity. Indeed, if one compares the emphasis placed on civil society by discourse with the outcomes this debate has generated, it appears that the results are somewhat meagre. Examples of civil society having lived up to the expectations held by so many seem to be few, and most of the problems civil society is meant to effectively address persist to date. Yet if this is the case after two decades of increasing talk of civil society and if, as is in the nature of any fashion, the present prominence of civil society will eventually give way to other notions one wonders what will be left once this current vogue of civil society has passed.

Against this increasingly critical condition of civil society in present-day discourse, the present study asserts the significance and usefulness of civil society as a concept, and it aims at enhancing its conceptual, analytical and practical value. In order to do so, the following considerations will address the three major deficiencies of the current debate outlined above.

The first part of this study will scrutinise the conceptual history of civil society. It will be shown that this concept has been considered meaningful throughout the entire history of social and political thought. In order to maintain the applicability of this notion to changing political and social realities, its analytical and normative content has dynamically developed over time. This has resulted in a complex evolution of the concept, which is nevertheless characterised by some clearly identifiable trends and directions. These can serve as benchmarks, against which a plausible and appropriate definition of civil society can be established. In this first part, therefore, this study hopes to outline the broader historical and conceptual terrain, in which the current discourse on civil society takes place. The central claim put forward is that scholarly and public debate stands to gain much from such a more comprehensive account of the conceptual evolution and wealth of civil society. In proposing and justifying a clear-cut definition for civil society against this wider background, the considerations here also aim to contribute to introducing greater terminological and conceptual clarity to the ongoing debate.

In its second part, this study will shift to an empirical analysis of the reality of civil society in East-Central Europe. Based on the definition adopted in the first part of the study, this enquiry will fill the preceding theoretical considerations with a more practical content and meaning. The empirical phenomena that relate to this concept, and how they have developed over time, will be outlined. In taking a comparative look at the Czech Republic, Hungary, Poland and Slovakia, and by contrasting these countries with Western Europe, this analysis will more clearly determine the state of civil society in a specific context and expose a broad range of factors conditioning this realm. The complex picture drawn of civil society in the four countries aims to provide a substantiated, if somewhat sobering, assessment of the development of this realm since 1989. Nonetheless, it is hoped that this analysis will help to enrich the empirical knowledge underlying the discourse on civil society.

The last part of the present study will again take a more theoretical turn. It takes its departure from the observation that the current preoccupation with civil society is closely related to a similarly recent interest in democracy and democratisation, more broadly. Challenges to democratic regimes are one of the primary areas in which, according to the current debate, civil society has much to contribute. This is particularly pronounced in contexts, such as the post-socialist countries of East-Central Europe, where democracy has arrived only recently and where its consolidation is still very much underway. This constellation warrants a closer look at the link between civil society and democracy and will be scrutinised, in the last part of the present study. The central argument to be developed is that civil society has much to contribute to democracy, yet it can similarly exert influences that are rather detrimental to strong and smoothly functioning democratic regimes. Inasmuch as it can be a blessing, civil society can also be a curse for democracy. The challenge civil society faces is to develop such features that make it a strong contributor to democracy. Necessarily, what this requires is a greater and critical awareness of the limits of civil society, an attitude that, more often than not, is absent from current debates. The approach elaborated in the last part of this study, as well as the conceptual and empirical considerations preceding it, hopes to contribute such a more critical and reflexive tone to the current discourse, and to open up new avenues for scholarly exploration and for the practical development of civil society.

In approaching civil society from these three distinct, yet inter-related angles, this study hopes to contribute to shifting perspectives on this notion in several respects. These adjustments are of similar significance for scholarly and public discourse alike and, as will be argued in the conclusion, they will be crucial to tapping the full analytical and practical potential of this concept. In putting forward these considerations, arguments and suggestions, it is hoped that this study can help to prevent the idea of civil society from succumbing to the inevitable fate of many a vogue and, instead, to turn it into a lasting item on the agenda of scholarly and public discourse on democracy.

DOI: 10.2870/42402

1 The Concept: Civil Society in Historical Perspective

Undeniably, civil society has experienced a remarkable renaissance in recent years. After decades of absence from the scholarly debate, as well as from the public discourse, "all of a sudden, it has been taken out and thoroughly dusted, and has become a shining emblem".[1] The concept, or more often the mere term, seems to have travelled across all geographical and cultural, ideological and doctrinal, professional and disciplinary, institutional and organisational frontiers. It has been appropriated for a wide range of purposes, has been applied to a variety of phenomena, and has been attributed with a myriad of tasks and functions.

However, the history of social science provides ample evidence that the process of "secularisation" of any given concept or term is highly ambiguous.[2] At best, a concept may become a powerful tool for the analysis of social and political life and through such an analysis a means to affect the course of development of contemporary societies. This positive scenario requires that a concept is scrutinised in its conceptual and contextual history, critically re-evaluated in its applicability to contemporary societies and carefully defined for further empirical enquiry. At worst, a concept may degenerate into a slogan whose precise meaning, applicability and usefulness become highly unclear. Such a condition is not only prohibitive to any further scientific enquiry on the basis of a given concept, but also renders the concept in question extremely vulnerable to any criticism launched against it. The result of this negative scenario can equate with the marginalisation, if not disappearance of the respective concept, which can continue to exist only as a mere illustration of the *Zeitgeist* that gave birth to it.

This study is based on the assumption that civil society represents a category of some usefulness to social science. In the course of the present inquiry, it will even be attempted to increase the analytical power of this concept. The study thus aims at pushing the "secularisation" of the concept of civil society in a positive direction. This objective, however, is confronted with the present condition of civil society that rather reveals its status as a marginal or "sloganised" concept. At present, civil society is given many different meanings by many different people for many different purposes. In the public discourse, the concept of civil society seems to have

---

[1] Gellner 1994: 1.

[2] Alexander 1998: 2. Wolfe puts the same impression somewhat more polemically in stating that civil society became "too popular for its own good" (Wolfe 1997: 9).

Forbrig, Joerg (2004), Civil Society: Theory and practice in East-Central Europe
European University Institute DOI: 10.2870/42402

reached its peak.[3] The scholarly debate, on the other hand, has become increasingly critical of this concept, with voices ranging from constructive contribution to outright rejection.[4]

This tension between the stated aim of this inquiry and the present condition of the concept this study is based upon makes it necessary to devote some attention to a more detailed discussion of conceptual questions related to civil society. This chapter will, therefore, provide an overview of the various meanings civil society has assumed throughout its conceptual history. It will be demonstrated that, along with its analytical and normative dimensions, perspectives of civil society form a historical succession of three broad, yet distinct, strands: classical, modern and contemporary. This systematic overview will illustrate how historical developments have come to be reflected within thought on civil society, and how generations of political thinkers have sought to accommodate the political and social changes of their day within this concept.[5] What is more, it will be shown that the history of civil society is also characterised by a number of conceptual trends, which will have to be acknowledged and integrated into any modern-day definition of civil society. This long-range conceptual history will be complemented by an excursion into the particular thinking of East-Central European dissidence in the 1970s and 1980s. Their considerations, eventually subsumed under the heading of civil society, did much to trigger the renewed interest in this concept that has been so observable over the last two decades or so. It will therefore be informative for the present enquiries to relate the independent social and political thought that emerged under state-socialism to the broader conceptual development of civil society. Following on from this, a number of criticisms will be discussed briefly, which have been launched against this concept more recently, and it will be evaluated, to which extent these objections are justified and need to be accommodated within a definition that can claim both historical soundness and contemporary applicability. In light of these considerations, the chapter will conclude with providing a working definition of civil society, which forms the basis for the subsequent empirical and theoretical considerations of this study.

---

[3] With a delay of about ten years after civil society made its re-entry into public discourse in the United States and Britain, the concept is now also very fashionable in the continental democracies of Western Europe. Germany provides a particularly good example. Contemporary politics has forcefully appropriated the term as the very chancellor Schröder introduced the term to political debate in late 1999 (Niejahr 2000); an enquête commission devoted to the strengthening of civil society was subsequently established by the Bundestag. Public debate, on the other hand, seems to be rather critical of the term and depreciates it conceptually as a "rhetorical passepartout with all the attributes of a cultural fashion" (Heins 1992: 145) or an "ill-looking duckling" (Beck 2000), or pointing to the empirical reality of a well-established system of interest mediation and charities (Gaschke 1999).

[4] An overview and evaluation of these criticisms will be the subject of a later section of this chapter.

[5] Similar developments can be observed for many a social science concept, such as democracy or citizenship, whose meanings have undergone comparable adjustments in response to historical developments.

The Analytical Dimension of Civil Society

Within the numerous theoretical and empirical contributions to the concept of civil society, which have been made particularly in recent years but also in the more distant past, one can identify a number of trains of thought. Various authors have suggested categorisations of the manifold traditional and contemporary meanings of civil society.[6] Naturally, the distinctions proposed by these authors differ widely, as they usually depend on the particular disciplinary background of the respective author. Some of them, however, can serve as a useful map to structure the following conceptual considerations.

A first and most general distinction can be drawn between the analytical and the normative dimensions of civil society.[7] Analytical here refers to the empirical referent of civil society, that is, to the sociological realm civil society is said to encompass according to various authors. Normative, on the other hand, addresses the position of civil society within the larger framework of political and historical philosophy, that is, its relation to the axiomatic principle of a particular philosophical approach to politics and society. Such a categorisation is not to suggest that the concepts to be found in the older or more recent literature can be characterised in purely analytical or normative terms and therefore fall neatly into either the one or the other of these two groups. Typically, concepts of civil society have both a particular empirical referent and a philosophically normative claim.[8] However, this broad distinction is a useful device to structure the present overview. Hence, the following will first discuss the distinct concepts of civil society on the basis of the major analytical differences between them and then will attempt to shed some light on broad groups of meaning for civil society along with the various normative postulates.

A useful categorisation of concepts on the basis of their socio-analytical meanings of civil society was recently proposed by Víctor Pérez-Díaz.[9] According to him, three broad groups of concepts can be distinguished. A first group of authors use civil society, the term, in reference to an overall social and political system. A society is considered to be civil if it is characterised by particular sets of social and political institutions. The catalogue of these institutions, whose existence characterises a civil society, underwent significant changes throughout the conceptual history of the concept. For Aristotle, who in fact introduced the notion of civil society to political philosophy, the crucial institution was law as the institutionalised expression of a particular,

---

[6] Categorisations of a more or less sophisticated nature have been suggested by Seligman 1992: 201ff.; Bobbio 1993: 22-43; Perez-Diaz 1993: 55ff.; Shell 1994; Dziubka 1997: 31-51; Alexander 1998: 3-8; Pérez-Díaz 1998: 211f.; Sztompka 1998: 191ff., Keane 1998: 36ff.

[7] Seligman 1992: 201ff.; Keane 1999: 36ff.

[8] Marada observes that "the concept's recent usage bears one common feature. It is at the same time both a descriptive term and a normative idea. It reflects the character of a certain social and political practice, serving as a conceptual means of its theoretical analysis, and it is employed as a criterion of acceptability or desirability of that practice" (Marada 1997: 4).

Forbrig, Joerg (2004), Civil Society: Theory and practice in East-Central Europe
European University Institute DOI: 10.2870/42402

commonly shared, ethic that regulated the interaction of the citizens of the Greek city-state and their participation in the conduct of public affairs. These relationships among free and equal citizens on the basis of law stood in stark contrast with the relationships maintained by each of these citizens within their respective households, where their despotic rule over wife, children and slaves was based solely on force.[10] The community of free and equal citizens was ideal-typically described as *koinônia politikê*, whose closest historical approximation was the Greek *polis*. In the synonymous Ciceronian translations *societas civilis* and *communitas civilis*, this *koinônia politikê* entered the terminology of European political thought. This system-level perspective of civil society was basically maintained throughout late antiquity and the Middle Ages. The changes and adaptations introduced by various thinkers until early modernity, were mainly of terminological and contextual nature.

Terminologically, these thinkers applied varying translations of the original Greek term of *koinônia politikê*, such as William of Moerbeke's *communitas* and *communicatio civilis* in the thirteenth century, and Leonardo Bruni's *societas civilis* and *societas politica* in the fifteenth century.[11] By the 17th century the terms *societas civilis* and its equivalents *civil society*, *société civile* and *società civile* were well established in political thought. What is interesting to observe in this process of translation is that the original Latin pair of *societas* and *communitas* was supplemented by another synonymous pair, namely that of *civilis* and *politicus*. Both these pairs already anticipated the later, modern differentiations between civil and political, society and state on the one hand, and between society and community on the other. Until such time, however, these paired terms were used synonymously. These equations even developed such a terminological auto-dynamism and strength that led thinkers to continually attempt at defending their identity, and thus the maintenance of their reference to the overall political and social system, despite the various historical developments that rendered this terminology increasingly inapplicable, if not obsolete.

A second source of variation on the original Aristotelian use of civil society was contextual. Throughout the period from Greek antiquity to early modernity, a number of important historical developments changed the face of European society, to which the use of the concept of civil society was restricted. The decline of the Greek city-states, the rise and fall of the Roman republic, the advent of Christianity, the emergence of the medieval system of the *Ständestaat*, and finally the rise of absolutism embodied significant changes of the context, to which the term of civil society was applied. For a long time, however, the various thinkers were very successful in adjusting the concept of civil society to the changing context. The advent of Christianity led political thought to specify civil society qua worldly order in distinction from a

---

[9] Pérez-Díaz 1998: 211.

[10] Riedel 1972: 721ff.

[11] Riedel 1972: 726f.

transcendent divine realm.[12] This worldly order, then, encompassed the various pillars of rule, that is, the institutions of autonomous estates from feudal rulers to free towns to guilds to the Church, alike. A more serious challenge to political thought and its view of civil society, and one that was to significantly change this view, came with the rise of the absolutist state. Most prominently, the theory of natural law emerged as a result of the historical development towards monopolistic centres of power, and it attempted a comprehension and justification of this process leading to the establishment of the state. This interest in the state, however, did not yet lead to a modification of the terminology, in which the state, or political society, continued to be synonymous with civil society, which stood in juxtaposition to the state of nature.[13] The single most important institution defining this civil condition was a sovereign centre of power, whether that was a single person or an assembly.

The thinkers of the Scottish Enlightenment, who are often considered to be the "founding fathers" of the modern concept of civil society, largely maintained this reference to the overall social and political system.[14] The innovation, however, that was introduced by political thought of the eighteenth century in response to earlier theories of the absolutist state was an extension of the catalogue of institutions rendering a society civil, which came to include a free market economy along with the rule of law and a limited and accountable government.[15] The natural law tradition and thus this classical and early-modern version of civil society had their last major advocate in Immanuel Kant, for whom civil society and the state are "the same relationship viewed from opposing points of view."[16] Kant's perspective highlights the change of emphasis that was introduced by the Scottish Enlightenment. In distinction from earlier natural law thinkers, who like Hobbes subordinated the individual entirely to the sovereign, the Scots and subsequently Kant equipped both sides with competencies in a somewhat more balanced relationship. This empowerment of the individual found its foremost expression in the concept of private property propagated by the Scottish Enlightenment and in Kant's idea of the citizen as disposing of fundamental and equal rights.

---

[12] Riedel discusses the various adaptations introduced by scholastic and reformatory thought in reaction to these historical developments. Neither Thomas Aquinas nor the reformators did, however, change the Aristotelian perspective of civil society. Rather, they supplemented the social and political thus understood by an overarching coppola, namely religion.

[13] Bobbio 1993: 1.

[14] In Adam Ferguson's *Essay on the History of Civil Society*, the latter term is synonymous with the equally frequently used *polished* or *commercial nations*. In Adam Smith's theory of the four stages of society, "the necessity of civil government gradually grows up with the acquisition of valuable property," that is, the rise of commercial or civil society (quoted from Smith 1993: 408). Hume describes a civilised society in the comprehensive terms of its advancement of the liberal and mechanical arts, manners and political arrangements (Hume 1994: 105-114).

[15] The right of private property, that is, the link between the rule of law, limited government and market economy, was in fact one of the primary concerns of thinkers such as Adam Ferguson and Adam Smith.

[16] Williams 1983: 163.

With this institutional distinction between citizens and the state, however, eighteenth-century political thought had introduced an element that came to be considered as central to modernity and that was appropriately coined a "great dichotomy".[17] In the first place, what these authors had observed and consequently institutionalised was the distinction between private and public. This separation was fostered by the double dynamic, set in motion by modernity, of an accelerated loosening of traditional social links and, as a result, a growing concern with individuals on the one hand, and the necessity of regulating larger-scale social and political units, on the other. The derivative dichotomy that emerged was the one between civil society and the state. Many political thinkers of the eighteenth century sensed this distinction but tried, as did the Scottish philosophers and Immanuel Kant, to maintain their identity under the heading of civil society that was the analytical quintessence of the classical and early modern version of this concept.[18]

Others, however, soon conceptualised a realm distinct and separate from the state, and thus laid the foundations for a second (analytical) category of meanings to become attributable to civil society. In this more restricted sense, civil society refers to the non-state or non-governmental realm of a social and political system. Civil society is defined in contradistinction to the state with its hierarchical structures and it contains, as a residual category, all those social phenomena largely untouched by the activity of the state. Civil society in this sense approximates society. It encompasses variegated forms of horizontal association ranging from commercial enterprise to the media, from more or less narrowly defined interest groups to political parties, and from spontaneously formed single-issue groups to social movements. What these groups have in common, is their associative character that places them in an intermediary position between the intimate sphere of the individual and the state. However, the problematic aspect of this second view of civil society is the unclear position of the individual and of the intimate sphere of the family, which are frequently part of civil society according to this perspective.

At this point, therefore, a clarification of the position of the intimate sphere, and of the family in particular, is necessary. It was said earlier that it was only with the dawn of modernity that the distinction between private and public appeared and had to be conceptualised. Earlier political thought was, therefore, not concerned with the issue of the private, and the realm of the family embodying the core of the private (or intimate) sphere was seen as a natural background for any larger form of human association, be that in the village, the town, or the fiefdom. The family was only significant in the sense that its characteristics defined the position of its individual members within those larger social structures. It was thus exclusively through the family that mediation between an individual and the wider community took place. Modernity, however, supplemented (if not superseded) this ascriptive significance of the family by an element of individual choice and achievement. On the basis of their own choices and achievements individuals started to form associations, which mediated between their members as individuals and their wider social environment. Naturally, these individuals maintained an intimate sphere in the form of their families. These, however, were in their function reduced to reproductive purposes, while such mediation ceased to take place exclusively through the family but shifted to the associative structures of civil society.[19] This distinction between civil society and the family is often neglected in favour of the more prominent separation of the (extended) private and the public, that is, civil society and the state. Nevertheless, it is only through this distinction that it is possible to understand the notion of mediation and thus the intermediary position of civil society between the intimate sphere of each individual and the state.[20]

---

[17] Bobbio 1997: 1-21.

[18] The most important contemporary advocates of such a view of civil society are Gellner 1994 and Pérez-Díaz 1998.

The most important forerunner of a concept that considered civil society to be located between the people as individuals and the central power and functioning as a mediator between these two poles was Montesquieu.[21] His main concern lay with the question of how to ensure a moderated and restricted government and how to protect the political liberty of variegated social groups from the exigencies of a central power as well as of rival groups. In his view, political liberty was best guaranteed by a system of intermediary bodies, that being the nobility, parliaments, courts, the church, guilds, professional associations, and towns. Each of these intermediary bodies had specific, although not equal, rights, competencies and privileges that derived from tradition and historically inherited arrangements. The various groups could not be deprived of these rights, which thus posed a barrier to potential oppression, by either the central power or any one of the social groups represented by intermediary bodies.[22]

In contrast to Montesquieu's concept that presented a rather balanced (although deeply conservative) version of the relationship between central power and the people, later political thinkers concerned with the distinction between civil society, as understood in these intermediary terms, and the state typically emphasised one of the sides of this separation over the other, as will be discussed from a normative perspective below. A typical liberal approach placing the major emphasis on civil society was brought forward by James Madison, who was passionately concerned with the potential oppression minorities could suffer from a majority, be that through the state apparatus or through other hegemonic institutions, such as dominant churches. While, for Montesquieu intermediary bodies derived their legitimate rights from tradition, Madison advocated a civil society, in which interests and passions were free to associate and were equipped with equal rights. Where Montesquieu had conceptualised a diversity of privileges, Madison based civil society on the equal right to associate in diversity. Association, rather than privilege, was to be the best protection of groups and their differing interests against domination by any competing interest.[23]

---

[19] It is probably a commonplace to add that this shift from the family to associations as agencies of mediation between the individual and its wider social environment clearly entailed a shift from the involuntary to the voluntary. One is born into a family but one is, ideal-typically, free to join an association.

[20] Authors to acknowledge this important distinction are, for example, Nielsen 1995: 42, and Micheletti 1995: 5. On the other hand, some authors explicitly include the family in civil society; see Cohen & Arato 1992: ix; Held 1989: 6; Walzer 1995: 7, where one reads that "[t]he words 'civil society' name the space of uncoerced human association and also the set of relational networks – formed for the sake of family, faith, interest, and ideology – that fill this space."

[21] Montesquieu 1989. A description of intermediary bodies, the idea of which came to strongly affect thought on civil society, is mainly contained in the first eight books of *The Spirit of the Laws*.

[22] Montesquieu's view is an interesting illustration for what was said about the distinction between the family and civil society as an intermediary sphere. In his view, individuals were in the first place members of their

A contemporary understanding of civil society, drawing strongly on this Madisonian heritage, is represented by Ralf Dahrendorf, for whom "[n]o word describes better the 'parts, interests and classes of citizens' which civil society is about than *association*. The creative chaos of associations coalesces as if guided by an invisible hand into the setting in which the greatest number find the greatest life chances. In economic terms, the market describes that setting; in political terms it is the public. [...] The market and the public are where the associations of civil society interact."[24] In this conceptualisation no explicit reference is made to the state and its potential to threaten the free association and interaction within civil society. Rather, Dahrendorf considers the state to be only one of the possible sources of threat to civil society, while large enterprises or dominant religious denominations can also put the creative chaos of civil society at risk.[25]

Other authors, who conceive of the state as of the central referent of civil society, in both a threatening and an enabling capacity, more explicitly emphasise the distinction between the two. As John Keane put it in a recent definition, civil society is "an ideal typical category [...] that both describes and envisages a complex and dynamic ensemble of legally protected non-governmental institutions that tend to be non-violent, self-organising, self-reflexive and permanently in tension with each other and with the state institutions that 'frame', constrict and enable their activities."[26]

Particular nuances notwithstanding, these authors primarily appreciate a thriving realm between the individual and the state, namely civil society, as the expression of individual freedom. This line of thought takes its departure from liberty and explores how civil society as the realm

---

family, whose characteristics and inherited privileges determined the position of the individual in a particular intermediary body; see Richter 1977: 102ff.

[23] Madison 1974: 357-359.

[24] Dahrendorf 1997: 78. Note the obvious reference to both Madison and Smith through the cited "parts, interests and classes of citizens" and the "invisible hand," respectively. Italics in the original.

[25] Dahrendorf 1994: 67-73.

associated with liberty can develop in the most unconstrained manner. This perspective, however, did not go without fierce opposition. Several authors take, as their departure, a concern with order, harmony or social cohesion, and they inquire into the possibility of integration given the complexity of modern societies. This perspective leads them to view civil society with its free interaction of individuals, their interests and passions, to be a permanent source of disintegrative and disruptive social tendencies. These have to be counterbalanced, and the major actor to induce social integration is thus seen to be the state. In their extreme form, these approaches foresee the complete subordination of society under the state, as will be discussed later in the context of various modern ideologies. Distinct from these extreme views, an earlier and more balanced relationship between state and civil society was conceptualised by Georg Wilhelm Friedrich Hegel.[27] Moreover, it was also with Hegel's concept that a clear-cut analytical distinction came to be drawn between the state, civil society and the family; this definitional question had been largely neglected by earlier authors.

Hegel's perspective on civil society is closely linked to his ethical approach to the relationship between individual ends and communal goals. This relationship, as it existed in a reconciled way in the family, has been distorted through the emergence of the modern economic process with its complex system of the division of labour, production, distribution and consumption. Not only does the emergence of modern economies make it increasingly difficult for the atomised individual to conceive of collective ends; it also provides an incentive for each individual to pursue individual ends preferentially. Both the unfettered pursuit of individual and mutually conflicting ends (in the economy and more generally) and the emergence of social classes (as a result of different individual positions within the economic process) render the community as an integrated entity increasingly vulnerable.[28] The conflicts resulting from modern economic activity, therefore, require regulation and integration through a set of three institutions. The *Administration of Justice* provides the legal means for conflict-resolution, the *Police* is in charge of law enforcement and public policies, and *Corporations* are forms of social self-organisation and self-government. These three sets of institutions are thus means to channel particularities, to regulate conflicts, and to impute a basic measure of solidarity and integration into a social system that otherwise would be paralysed and unable to function.[29]

Civil society is then, in Hegel's view, the entirety of social practices permeated by modern economic relations (the *system of needs*) and of the three sets of institutions, which through their regulatory activity ensure the sustenance of social interaction. The three sets of institutions are a

---

[26] Keane 1998: 6

[27] Hegel 1991, in particular §§ 182-188.

[28] Cohen & Arato 1992: 98f.

combination of statist and societal means of social integration. Thus, Hegel's crucial point is that civil society is sustainable only through state intervention.[30] This position stands in remarkable contrast to the Madisonian position outlined earlier. However, despite their differential emphases on either the private or the public side of the great dichotomy, both perspectives are equally representative of a second broad concept that conceives of civil society in distinction from the state (and, although usually only implicitly, from the family).

The crucial link between modern economic relationships, civil society and the state expressed by Hegel gave rise to a third group of meanings that various authors attribute to civil society. In their perspective, civil society is an even more restricted realm that is distinct not only from the state (and the family). Instead, these authors claim that an overall social and political entity is composed of a number of sub-systems, such as the family, the state and the economy. Furthermore, they claim that both the characterisation of society on the system-level as being civil(ised) as well as the juxtaposition of civil society with the state are crude simplifications that cannot describe social reality and complexity in an appropriate and comprehensive manner. The various sub-systems, among them civil society, this third group of authors identifies are usually determined by some central characteristic, and it is with regard to this core feature of civil society that the authors belonging to this group differ significantly.

An important impulse to this view of civil society was provided by Karl Marx. In contrast to Hegel, Marx absolutises the economic character of civil society to the extent that "[t]he term 'civil society' is used to designate the sphere of economic life, in which the individual's relations with others are governed by selfish needs and individual interests."[31] Despite his reliance on state institutions as a regulator for social relationships, Hegel believed that civil society disposes of the corporation as a means of partial social integration. Marx, on the other hand, denies the existence of any such corporate bonds and sees civil society exclusively as the playground of economic forces leading to the complete estrangement of individuals from one another. The central characteristic of civil society is thus, according to Marx, inequality based on an individual's position within the economy. The inequality of the bourgeois in civil society stands in stark contrast with the formal equality of the same individuals as citizens in the political society.[32] The process of estrangement on the individual level within civil society is, thus, accompanied by a second process of estrangement between civil society and political society, that is, the state in

---

[29] Westphal 1993: 257-259. Hegel's concept will be discussed in greater detail in the following section on normative aspects of the concept of civil society.

[30] Keane 1998: 50; Cohen & Arato 1992: 102ff.

[31] Marx 1992: 58.

[32] Marx's points of reference here are post-revolutionary France, Britain and America.

Marx' terms. What lies at the root of this twin-process of disintegration is the economic character of civil society, or indeed its conflation with capitalism.[33]

The Marxian reductionism with regard to civil society was taken up by a number of later authors. While some of them maintained Marx's materialism of civil society,[34] others focused on different characteristics that they considered to be at the core of this sphere.

Due to his particular interest in modes of domination in capitalist societies, Antonio Gramsci's perspective of civil society is tightly linked to the notion of hegemony.[35] A dominant group consolidates and maintains its rule over society through both direct domination and hegemony. Direct domination is the exercise of force through the state apparatus. Hegemony, on the other hand, is the establishment of dominant cultural and ideological patterns further strengthening the position of the ruling group. Civil society, then, is "the sphere where ideological apparatuses operate and whose task it is to exercise hegemony and through hegemony obtain consensus,"[36] or in other words legitimacy for the group in power. Gramsci's particular point of reference is the institution of the Church. Its developed organisational and ideological framework puts it into the position to be either a powerful tool of hegemony, if aligned with the ruling group, or a serious obstacle to any consolidation of a dominant group's power, if in opposition. In this reading, the central characteristic of civil society determining which organisations, institutions and associations are considered to be part of civil society is culture. Those groups, which dispose of both an organisational basis and a developed system of cultural codes, are considered to be part of civil society, whether their relationship to the group in power is one of alliance or opposition.

Another concept narrowing the analytical referent of civil society on the basis of a central characteristic has been derived from Jürgen Habermas' notion of the public sphere.[37] Against the background of the genuinely modern dichotomy between private and public, Habermas searches for modes of integrating increasingly differentiated and conflictual societies. The state and the market are mechanisms, which co-ordinate social relationships within modern societies on the basis of power and coercion, and of money and profit, respectively. Besides these two modes, however, Habermas identifies the public sphere, based on discourse and communication, as an important third mechanism to co-ordinate life in complex societies. The close relationship between public sphere and civil society, indeed the former's position as part of the latter, was immediately acknowledged by Habermas himself.[38] On the basis of his distinction between state, economy and public sphere, some subsequent authors have conceptualised civil society on the basis of communication as its core principle. Recent definitions representative of this strand view civil society "as a sphere of dynamic and responsive discourse"[39] and of "relations of conscious association, of self-organization and organized communication."[40]

---

[33] Colletti 1992: 31ff.

[34] For those who maintained Marx' view, see Taylor 1990: 95-118.

[35] Showstack Sassoon 1987.

[36] Bobbio 1997: 29.

[37] Habermas 1989. For a comprehensive discussion of the concept, see: Calhoun 1992.

[38] Habermas 1989: 3.

Whether economic relationships and inequality, culture and hegemony, or discourse and communication, the various approaches taken to civil society by this third group of authors share two main features. Firstly, all these concepts of civil society refer to a sub-system within a larger social and political body, and secondly, this sub-system called civil society is set apart from other components of the same overall system through a distinct characteristic.

From the preceding considerations, it becomes clear that concepts of civil society differ widely with regard to the analytical point of reference they address. In general, the sociological realm civil society is said to encompass has gradually narrowed throughout the conceptual history of this notion. The system-level perspective of the classical and early-modern authors prevailed until the end of the eighteenth century. Throughout the nineteenth century, the dominant view was one of civil society in distinction from political society or the state. Particularly in the twentieth century, then, some authors further narrowed their perspective and applied civil society to a specific sub-system, although this view has not achieved the dominant position of its predecessors during their respective periods. This crude chronology is not to suggest that preceding concepts have been replaced completely by subsequent versions in scholarly (and public) debate. On the contrary, the present discourse on civil society as well as the cited definitions provide sufficient evidence of the contemporary coexistence of all three groups of concepts. It is, at least in part, due to this simultaneous application of the same notion to widely differing empirical phenomena that so much confusion has arisen around civil society.

A similar heterogeneity among concepts figuring under the heading of civil society can be found along with its normative dimension, which will be the subject of the following sections.

---

[39] Janoski 1998:12.

[40] Cohen & Arato 1992: x. Their working definition understands civil society "as a sphere of social interaction between the economy and the state, composed above all of the intimate sphere (especially the family), the sphere of associations (especially voluntary associations), social movements, and forms of public communication." Note the inclusion of the family in this particular definition given the earlier discussion of the difference between family and association. Many authors are therefore more reluctant, or at least less explicit, to include the family in civil society qua public sphere. See, among others, Bernhard 1996: 309 who defines civil society as "[1] 'a public space ... located between official public and private life', [2] 'populated by a range of ... autonomous organizations', [3] 'separated from the state by law', [4] guaranteeing actors within the public space 'personal and group liberties' enabling them to' ... pursue their broadly conceived interests."

The Normative Dimension I: Civil Society in the Classical Perspective

Much of the above discussion of the analytical use of the concept of civil society has already touched upon several normative issues. However, it is necessary to approach the range of normative questions related to civil society in a more systematic manner in order to clarify the reasons why generations of political thinkers once attributed a central role to this concept and why, in the contemporary context, it has experienced the renaissance mentioned earlier.

One of the problems that has been central to philosophy since time immemorial is the question of what constitutes good life. To the contemporary reader, a phrase as general and abstract as good life immediately provokes two bundles of questions. On the one hand, it has to be determined what good life actually is, who or what determines the standards and norms it involves, and how the more or less successful pursuit of good life is being judged. On the other hand, there is the problem of the environment required for good life. The circumstances, in which individuals or groups live their lives, can be enabling or prohibitive of the way of life determined to be good. The development towards a condition that allows for good life is then a related question.

Philosophers have usually tried to find answers to all these questions in recourse to some fundamental principle, such as nature or divine will, from which definitions of both good life itself and the environment required for its pursuit could be derived. The axiomatic principles identified by the myriad of thinkers throughout history, and the concepts of good life and environment resulting from these principles, differ largely. The questions, however, have remained and will continue to remain pertinent in contemporary society, not least given ongoing processes and changes commonly subsumed under globalisation.

It is indeed this abstract question that is also at the heart of thinking about civil society as an environment more or less conducive to good life. The focus of the following considerations will, therefore, be twofold. Firstly, the principles fundamental to the various thinkers who contributed to thought on civil society will be explored. Secondly, it will be shown how civil society relates to these principles. Along with these two lines of inquiry, it will be possible to distinguish three major normative perspectives of civil society, which can be coined classical, modern and contemporary.[41]

It was said earlier that civil society as a term and concept was introduced to political thought by Aristotle. His analytical understanding of civil society, in his words *koinônia politikê*, powerfully shaped the thought of subsequent thinkers until the Enlightenment, and in a similar manner the normative significance that he attributed to this concept proved to be influential for the centuries to come. In order to fully appreciate the Aristotelian input to the conceptual history of civil society, an important caveat is in place here. The use of "political" in the term of *koinônia politikê* must not be misleading for contemporary readers. Aristotle is not concerned, as would be implied by a more recent and present understanding of this term, with political or state authority, with the character of this authority and modes of its legitimation. Instead, political in his usage has a succinctly ethical connotation.[42] In his works on ethics, Aristotle attempts to find answers to the question of good life, and it is only on the basis of his ethical conception that he develops his thought on human communities in general and on the one form of community that embodies the ideal environment for living a good life, that is, *koinônia politikê*.[43]

---

[41] Contemporary is given preference over post-modern in naming the most recent group of approaches. It will be shown below that contemporary authors are both "modern" and "post-modern" at the same time. On the one hand, their approaches are a reaction to the shortcomings the thought of previous authors relevant for

This link between ethics and the political question of an environment enabling such a good life is made very clear by the two fundamental theses Aristotle's concept is based upon. Firstly, man is a *zôon politikon*. The debate about the exact meaning of this phrase notwithstanding,[44] it is safe to interpret that a good and happy life is impossible to achieve for an individual unless this individual is to some extent involved in community affairs and interacts in a social milieu extending beyond the household. This participatory and social nature sets man apart from animals (as well as women, children and slaves), and to live up to this nature is an important element of living a good life. Secondly, the *polis* is the result of the natural development of human communities. Aristotle observed that there exist various forms of human communities, or *koinônia*. The basic form of community is the household, in that the reproduction of the species and the survival of human beings require the relationships between male and female, and between master and slave, respectively, which are realised in the setting of the household. In a natural process of development, a number of households associate in order to better meet their economic and security needs, and thus the village emerges as an advanced form of human community. Through the further association of households and villages, the *polis* emerges as the next stage in the advancement of *koinônia*. It is at this point that the two principles coincide in that only the *polis* provides the setting in which man can live up to his nature as *zôon politikon*.[45]

---

civil society revealed. On the other hand, they are still modern in that they are concerned with the continuous and essentially modern dichotomy of private and public.

[42] Taylor 1995.

[43] The main ethical treatises are the *Nichomachean Ethics* and the *Eudamian Ethics*, which precede the *Politics* as Aristotle's main work on social and political communities (and thus on civil society). In addition, all the sources consulted on Aristotle maintain this order of thought and treat ethics first and politics thereafter. See: Edel 1982; Barnes 1995; Keyt & Miller 1991.

[44] Kullmann 1991.

[45] In Aristotle's own words, "[t]he first thing to arise is the family [...] established by nature for the supply of men's everyday wants[...] But when several families are united, and the association aims at something more than the supply of daily needs, the first society to be formed is the village. [...] When several villages are united in a single complete community, large enough to be nearly or quite self-sufficing, the state comes into

Neither the household nor the village is large enough to provide a sufficient space for community involvement and social relationships more generally but they are the natural stages of a development resulting in the *polis*. Larger human communities, such as the *cosmopolis* Aristotle identified with Babylon, on the other hand, are not the product of a natural development but came about by means of force, and the sheer size of the population they encompass renders difficult both genuine participation in public affairs and regular face-to-face social relationships among citizens.[46] The *polis* is thus in accordance with both the ethical and the historical pillars of the Aristotelian concept. Ethically, it comes closest to the ideal setting allowing for good life, that is to the *koinônia politikê* (or civil society), and it is therefore desirable. Historically, it emerges naturally from household and village. The *polis* is therefore the *telos*, that is, the norm and the ideal end point, of the development of human communities.[47]

The Aristotelian concept of civil society bears some distinctive markings. It is substantive in that it prescribes civil society as the singular form of human community that is appropriate and enabling for the conduct of good life. Nature is the axiomatic principle in that it caters for both the nature of man, and thus the Aristotelian ethics, and the historical development of human communities. The coincidence of ethics and historical development on the basis of nature as the sole principle endows the Aristotelian perspective on civil society with such a definite and concrete character that any alternative environment for good life cannot be conceived of and is, in fact, excluded.[48] This concept is also retrospective in that it conceives of civil society as the zenith of human development. Once a community has made natural and desirable progress towards civil society, human development is considered to be complete and further prospects for development are not envisaged. The Greek *polis* was considered to be the historical setting that comes closest to this ideal-typical civil society. As such, finally, Aristotle's concept served to justify a specific historical condition. The *polis* was civil society.[49]

---

existence, originating in the bare needs of life, and continuing in existence for the sake of a good life." Note that the various forms of community, or *koinônia*, in this translation assume a variety of terms, whose contemporary connotation renders them very misleading, such as association, society, and state. Quoted from Aristotle 1988: 3.

[46] Edel 1982: 319.

[47] Riedel 1972: 723. This seems to be the proper interpretation of the admittedly complicated formulation of the very first sentence of Aristotle's *Politics* that reads "Every state is a community of some kind, and every community is established with a view to some good; for everyone always acts in order to obtain that which they think good. But, if all communities aim at the same good, the state or political community, which is the highest of all, and which embraces all the rest, aims at good in a greater degree than any other, and at the highest good." Note again that the notion of the state is rather misplaced in this formulation; the original greek term here is *koinônia politikê*, or political community. Quote from Aristotle 1988: 1.

[48] This position is facilitated by the fact that man is exclusively the Greek citizen. The citizenry of the *polis*, however, was only a fraction of the population of the *polis*, and it was relatively homogenous in economic, educational and cultural terms. Thus addressing a group characterised by very limited diversity, Aristotle could realistically make substantial ethical claims.

[49] This statement can be qualified by way of distinction between actuality and ideal. Clearly, in that the *polis* existed as a historical form of human community, it was an actuality. Civil society, or *koinônia politikê*, in turn, was thought of as an ideal, a vision, of human community. However, the important assertion justifying the

With this concept, characterised by a substantial claim regarding the ethical conduct of life as well as a concrete environment enabling it, a retrospective approach to the historical development of human community and a justification of an existing status quo, Aristotle had laid the foundations for what can be coined the classical concept of civil society. The three parameters outlining this framework of civil society appeared to be of such a theoretical strength that it did not occur to subsequent thinkers for a long time to challenge its validity. Instead, they were preoccupied with accommodating, within this concept, the profound historical, social and cultural changes Europe faced over the many centuries that follow Greek antiquity.

Among the various developments affecting European history, the advent of Christianity in late antiquity and its expansion over an ever larger part of the European continent in the early middle ages was certainly the most important one. "The decisive change resulting from the message of the New Testament is probably to be seen in that it dissolves the unity of civic and cultural community characteristic of the entire universe of pagan city-states."[50] In other words, the congruence of social, political and ethical aspects of the human community to be found in the Aristotelian concept gave way to a separation between these two dimensions throughout medieval political philosophy. In its first, Augustinian formulation this distinction was drawn between *civitas terrena* and *civitas Dei*.[51] Scholastic thought, most prominently Albertus Magnus and Thomas Aquinas, separated *communitas civilis* from *communitas divina*.[52] The reformers, from Luther and Melanchthon to Calvin and Zwingli, continued this basic differentiation, although in differing ways and formulations, between secular and spiritual orders.[53] This distinction between civil society as the worldly order and the divine that runs as a common thread through the political thought of medieval philosophy, however, must not be interpreted as an opposition between the two realms. In the first place, the ethical aspect of human communities is taken out

---

formulation chosen here was that the *polis* was that historical form of human community that came closest to the ideal of the *koinônia politikê*.

[50] Riedel 1972: 725. Translation by the author. It is generally accepted that the relationship between secular and spiritual power became the great question of the Middle ages, examples include Riedel 1972; Dunning 1972: 205.

[51] In this form referred to by Riedel 1972: 725. Apparently, the concept of the two civitates has earlier origins, among others in Cicero's writings, and Augustine adopted and significantly developed this idea against the background of Christianity. See Kirwan 1991: 218-224.

[52] In this form mentioned by Riedel 1972: 728. An adjacent distinction flowing from the separation of secular and spiritual is Aquinas' concept of distinct laws: "The form of community {modus communitatis} to which human law is directed {ordinatur} is different from the form of community to which divine law is directed. For human law is directed to *civil community*, which is a matter of people *relating to one another*..." Divine law, on the other hand, extends beyond the regulation of interpersonal relationships and is also concerned with what is in itself good for each individual. For both the citation and further discussions, see Finnis 1998: 224.

[53] Two doctrines are central to Luther's thought: Firstly, he strictly separates secular and spiritual authority. The former contains, in an interesting twist on the German word "stad", three forms of secular government: towns, estates and states in the sense of feudal fiefdoms (see Riedel 1972: 730). The latter is made up by the Church, both in the sense of the Church's superiority in the hierarchy of earthly power as well as in the transcendent sense of Christianity. Secondly, the Christian obligation to submission to the established social and political order. In a similar form, all reformers conceptualised this distinction and justified the existing secular order. For an overview of the various reformatory thinkers, see Dunning 1972: 1-38.

of the historical context. If for Aristotle civil society was the coincidence of man's particular nature and a specific historical form of human community, by contrast Christian thought postulated the divine will as the fundamental principle that transcended all historical forms of human community. This enabled medieval thinkers to accommodate the variegated forms of human community that they observed in their times (the family as the persistent basic social unit as well as larger forms of human community such as feudal rule, free towns, and autonomous guilds) within a single scheme of worldly order, or civil society. On the one hand, the uncoupling of the ethic from a particular form of community made it possible to apply this ethic to people of such different status as feudal rulers and peasants, craftsmen and traders, beggars and scholars, lay people and clerics. As such, Christianity provided an important integrative mechanism for human communities that had already travelled far from the relative homogeneity of the Greek citizenry. On the other hand, this transcendent ethic also sanctioned particular forms of human community that had emerged with the medieval *Ständestaat*. Their shape, structure and privileges, and the specific position of the individual within this structure, were taken to be God-given and unchangeable.[54]

Civil society qua worldly order, as conceptualised by medieval Christian thought, thus, maintains the three basic elements already found in Aristotle's scheme. This concept rests on a substantive ethic that was established by God's word and transmitted in the Christian teachings. The absolute character of the ethic, upon which civil society in this line of thought rests, is amply evident throughout the middle ages, be it in its internal expression as during the inquisition or in its external expression as during the crusades. Integral to this ethic is the imperative to accept the worldly order, or civil society, in its existing God-given form. As such, civil society becomes the only form of human community in which it is possible to conduct a good Christian life. The concept is also retrospective in the sense that it has its origin in a preceding event, even though both the origin of the divine will as well as its earthly appearance in time immemorial can hardly be traced in history. It is historical in the sense that the institution of the Church exists with the numerous traditions it has developed and continued to maintain and the privileges it granted to the various medieval estates. It is, however, neither historical nor retrospective in that the notion of development, which is so prominent in the Aristotelian concept, is almost completely absent from the medieval idea of civil society qua worldly order. This order is simply assumed to have always existed in the present form, and it is seen as eternal and unchangeable. Civil society is thus not, as it was in the Aristotelian concept, the point of arrival at the end of a historical process of development but it maintains its final status, beyond which further development is both inconceivable and undesirable. As such, this reading of civil society also serves, as did the Aristotelian concept in its time, to justify the medieval status quo.[55]

---

[54] Riedel 1972: 729; Dunning 1972: 35.

While the predominant line of political thought until the end of the middle ages was thus the maintenance of the unified and unchangeable character of human communities in their, to use contemporary terminology, ethical, social and political aspects, a number of historical developments had already started to undermine this view and were soon to be conceptualised within political thought. In particular, a dual process had put this monolithic view of the worldly order, or civil society, into doubt.[56] Firstly, throughout the late middle ages the towns had acquired an increasing economic significance. Technological developments strengthened the position of craftsmanship and manufacturing, commercial relationships spanned ever longer distances. Agriculture, on the other hand, came to be increasingly dependent on the town both as a purchaser of its output, even if only for trade and not consumption, and as a supplier of goods, whether that be tools required for agricultural production or luxury goods that could not be provided by agriculture itself. The growing importance of the town in the middle ages, then, resulted in the rise and growing significance of its burghers, soon to become the bourgeoisie. This economic rise of the bourgeoisie, however, was not accompanied by an equal increase in their political significance. On the contrary, a second process led to the emergence of a singular centre of political power, the absolutist monarchy, thus replacing the earlier plurality of power holders subsumed under the medieval concept of the *Ständestaat*. The autonomous organisational structures the various estates had established in earlier centuries, such as the guilds of the medieval towns and even the institution of the Church remained intact, but their political influence was largely curtailed by the new monopolistic power holder.[57] The result of this dual process was an uncoupling of political power and economic potency. While both largely overlapped in feudal society, their separation represented a decisive novelty at the end of the middle ages.[58]

---

[55] As mentioned in fn. 46, the reformers made it abundantly clear that it is a Christian duty to submit to the established political and social order.

[56] The emphasis of this section on the twin process of economic and political development during the late Middle Ages is not to neglect other changes that occurred during the same period. Two other aspects certainly deserve attention. Firstly, the reformation had challenged the monopolistic position of the Catholic Church as the exclusive representative of Christianity (a similar process had already taken place with the schism between Rome and Byzantium; it had, however, affected Europe only at its periphery, while the reformation took place in the very heart of Europe, the reformation could therefore not be marginalised to the same extent as the "deviation" of orthodox Christian creed). This led to a (further) pluralisation of Christian churches and thus put into doubt the concept of a unchangeable secular order, or civil society. This static view of human existence, secondly, was also undermined by the development of science (Galilei) and technology (the engineering capacity of man). Despite the importance of these two further aspects, there is general agreement in the literature as to the utmost importance of the political and economic developments emphasised here. See Bobbio 1993: 10; for an even more rigid focus see Macpherson 1962.

[57] Cohen & Arato 1992: 86.

[58] Bobbio 1993: 11.

These developments posed challenging questions to political philosophy. There was the question of the origin and the nature of the state. The question of a single (secular) power holder was indeed novel in political theory. Neither Aristotle, whose *polis* was a community of equals (although each of these equals was a despotic power holder within his respective household), nor medieval thought (given the plurality of autonomous estates all of which were subject to the divine) faced this problem and therefore did not have to explain and justify it. Furthermore, it was necessary to conceptualise how such different realms like the state and the sphere of economic relationships, both of which became increasingly visible within what used to be considered one and the same community, could be accommodated if not reconciled within one framework. After all, both embodied diametrically opposed settings. The state represents a relationship of inequality and subordination, while economic relationships are, at least formally, ones of equality and co-ordination.[59] The different nature of these relationships and their simultaneous occurrence had important implications in ethical terms. First and foremost, political philosophy had to provide an explanation and justification for the fact that human beings, whose economic interactions came to be widely considered as between equals, would accept their subordination to a political centre. A derivative, ethical question is that of the principles, on which a common ethic could be founded that would account for the relationships both within the economic realm and between ruler and ruled.

The most comprehensive attempt at answering these questions and one which came to dominate political philosophy until the height of the Enlightenment was natural law theory. The use of the term "natural law theory" is not intended to neglect the significant differences between the various contributors to this line of thought, from Hobbes and Locke to Rousseau and Kant. Despite these variations, however, it is possible to derive from their writings a conceptual model of natural theory that contains the common elements of their thought.[60]

The starting point of natural law thinkers is the individual. In contrast to the Aristotelian and the medieval tradition, which viewed the life of human beings to be determined by their nature, their environment or the superhuman, natural law considers individuals to be subjects rather than objects. The prime agent of historical development is the individual, as opposed to nature in the Aristotelian view and to God in the medieval line of thought, who consciously deliberates about its condition and decides about the form of human community deemed desirable for good life. This view of historical development, as based on a conscious decision of individuals, is highlighted through the distinction and opposition of two conditions of human life. The state of nature is constituted by individuals who are free and equal. The communities they form are natural and primordial, that is, mainly familial structures. Natural law emphasises that the individuals in the state of nature are sociable but encounter various problems in those forms of human co-existence with others that extend beyond the bonds of the family or other primordial relationships. These problems essentially derive from each individual's free and equal status that results in conflict wherever the realms of individual freedom clash. The permanent potential, if not actual, conflict puts each individual's existence at constant risk. In acknowledging this existential problem, individuals seek ways to avoid potential and to regulate actual conflicts. By way of convention, the individuals agree to draw boundaries to individual freedom and to transfer certain previously individual competencies, most importantly the use of force in order to regulate conflict, to a particular agency, that is, the state. The state, then, is entrusted with guaranteeing the delimited realms of individual freedom and to regulate occurring conflicts, if necessary by means of force. With the establishment of the state through convention, the individuals have left the state of nature and entered civil society. In contrast to the previous concepts, civil society in the natural law tradition is an artificial state; it emerges as a result of the deliberate decision of all individuals involved. It is characterised by the existence of a particular institution, the state.

---

[59] This illustrates an interesting and complete inversion of the Aristotelian setting. With Aristotle, the economic relations contained by the household were of an unequal and subordinate nature, while the "political" relations of the citizens were ones of equality and co-ordination.

[60] For an excellent overview of this conceptual model, which also forms the main basis for the following sections, see Bobbio 1993: 1-25. His overview also systematically lists the differences between various natural law thinkers.

This very brief sketch of the main elements of natural law theory requires the clarification of some central issues. According to Bobbio, profound differences in thinking between natural law theorists mainly pertain to the characteristics of the state of nature, to the form and content of the convention that marks the transition from the state of nature to civil society, and to the competencies attributed to the state emerging from this convention. Nevertheless, as Bobbio emphasises, these variations do not affect the main line of thought of natural law theory, that is, the state of nature as the point of departure, civil society as the point of arrival, and the social contract as the means of transition from the former to the latter through the establishment of the state.[61]

Despite the introduction of the state to political philosophy that was to become a major referent for later approaches to civil society, natural law thinkers did not yet differentiate between the political and the social aspects of civil society. There is no better illustration for this equation than the famous front cover of Hobbes' *Leviathan*.[62] The individuals whose contract leads them into civil society are both a constituent part of the state (as the prime characteristic of civil society) as well as (total) subjects to it. It was not until the writings of the later Pufendorf and Gravina, and the dissemination of their ideas through the work of Montesquieu, that the distinction between these aspects was acknowledged.[63] Pufendorf as well as Gravina claim that the original convention in fact entails two dimensions. The social contract is both an act of unification of individuals, thus creating a social entity, and an act of subjection of all individuals under the authority of the newly created state. This duality of *pactum unionis* and *pactum subjectionis*, then, found its expression in a newly adopted terminology in that *civilis*, *civil*, *bürgerlich* came to refer to the newly created social entity and the relationships among individuals, while *politicus*, *political*, *staatlich* addressed the subordination of the same individuals, as well as of the social whole, under the authority of the state.[64] This internal differentiation between the social and the political not only opened entirely new perspectives on the functioning of the social and political entities at the dawn of modernity, but also laid the foundations for a conceptual change of civil society, as will be elucidated at a later stage. Until such time, and for as long as natural law theory dominated political philosophy in the seventeenth and eighteenth centuries, the traditional, more general, perspective of civil society was maintained that held it as a condition or stage of human development that was contrasted with the state of nature.

---

[61] Bobbio 1993: 4.

[62] A passage representative of Hobbes' view of civil society reads: "This union so made, is that which men call now a-days, a *body politic*, or civil society; and the Greeks call it πόλις that is to say, a city, which may be defined to be a multitude of men, united as one person by a common power, for their common peace, defence and benefit" (Hobbes 1966a: 122). In contrast to this early formulation, Hobbes replaces civil society by civilitas in later works, such as the *Leviathan* (Hobbes 1966b).

It is indicative that the term *civilisation* has its origins in the eighteenth century, that is, precisely when the above mentioned distinction was popularised by Montesquieu. Civil came to be synonymous with civilised, which was contrasted with rudeness, crudity, or indeed the state of nature.[65] It is the preoccupation of natural law theorists with juxtaposing civil as civilised societies with less refined, less developed ones, which creates a coherence in approach to civil society with Aristotelian and Christian thought and thus makes them belong to what this study refers to as the classical perspective.

Partly as a result of the association of civil society with progress, changing economic relationships began to occupy an increasingly prominent place in the thought of natural law theorists. In fact, it was more and more the economic aspect of societies at the dawn of modernity that was considered to be the driving force behind development towards civil societies. The main advocate of such a view was John Locke, who conceptualised the state of nature in overwhelmingly economic terms.[66] Individuals create private property, but whatever they accumulate is endangered due to the lack of sufficient mechanisms to protect this property.

---

[63] See Carr 1994: 14; Riedel 1972: 746. For Montesquieu's reference to Gravina, see Montesquieu 1989: 8.

[64] Riedel 1972: 746.

[65] Riedel 1972: 750. Riedel shows how the evolutionary moment gains in strength within the natural law tradition and how it finds its expression in an adjusted terminology: civilized society, société civilisée, civilisierte Gesellschaft.

The means to guarantee private property is, again, the convention, in which individuals accept the principle of private property and entrust the state with the enforcement of this principle. Hence, for Locke, the reason why civil society comes into being is the desire of individuals to protect their private property.[67] The significance of economic relationships for civil society was soon to be taken up by the philosophers of the Scottish Enlightenment.

From this brief overview of the natural law tradition, it should be clear how natural law theorists essentially maintained the three crucial elements of an approach to civil society that had already characterised the preceding Aristotelian and Medieval thought. Despite the fact that natural law theory was, in many respects, diametrically opposed to the previous lines of thought,[68] it maintained the characteristics of substantivity, retrospectivity and justification. The substantive character of this perspective is embodied in the concrete institution of the state, without which no society can be considered civil or indeed civilised. The central principle of natural law theory, from which this perspective of civil society is derived, is the individual that is free and equal. However, individual realms of freedom clash and generate conflict, which the individuals themselves are not capable of resolving due to their equality. This conflictual nature of human relationships can only be tamed through an external agency of force, the state, which is the prerequisite of civil society. Civil society is, in the natural law tradition, the stage at which the destructive potential of individual freedom is eradicated. This approach to civil society is retrospective, in that it refers to a previous state of nature and the founding convention of civil society, both of which can be either fictitious or factual. Civil society, in this view, is thus again the point of arrival of human development.[69] Finally, natural law theory contains an important element of justification of the state of affairs, in particular the existence of the institution of the state, which the various theorists observed in their respective countries. Depending on the particular context, these thinkers placed their emphasis on different elements, with some of them stressing the significance of the state and others accentuating social and economic relationships. These differential emphases notwithstanding, civil society was the desirable condition for natural law theory. The noted changes in the terminology towards civilised society, in application to the theorists' own countries, are a further indicator for this justificatory thrust.

---

[66] So much so that in an interpretation of natural law theory, Macpherson claims that Locke's state of nature was, in its second stage after the consent to money, already a developed market economy; see Macpherson 1962.

[67] Locke 1970: 336-348, especially § 87; see also Macpherson 1962: 210, and Riedel 1972: 737.

[68] Bobbio 1993 provides an overview of these differences between the Aristotelian tradition and natural law theory.

[69] Note that there is a prominent exemption to this view within natural law theory. Rousseau replaces the dichotomous view of state of nature vs. civil society by a three-stage model, leading from the state of nature through civil society to the state. In contrast to his predecessors, he views the state of nature as a condition

The Normative Dimension II: Modern Approaches to Civil Society

With natural law theory, this classical perspective of civil society as the ultimate stage in the development of human communities came to an end. As stated earlier, within natural law theory and under the still unifying heading of civil society, an important distinction had emerged between the political and social aspects of human community, as embodied in the twofold concept of the social contract containing a *pactum subjectionis* and a *pactum unionis*. What had shone through with this distinction but had not yet been developed conceptually and terminologically was what Norberto Bobbio was to call later the "great dichotomy" between public and private.[70] The same dualism is put forward by several other authors concerned with the problem of civil society, although often in the somewhat different terms of "the tension between individualism and community, between particular and universal interests,"[71] or "between the selfish goals of individual actors and the need for some basic collective solidarity in a moral community."[72] Hence, the primary question facing modern political philosophy was the problem of reconciling the social integration necessary for any human community with self-realisation on the part of increasingly emancipated and differentiated individuals. Faced with this challenge, modern political thought divided into two major strands, within which civil society occupied a prominent place.[73]

One possible answer to this question asserts the primacy of the private over the public, and in the broadest sense of the word, this strand can be coined liberal. The central axiom of liberal thought is the moral agency of the individual, the equal freedom to make choices in regard of economic and social, cultural and religious matters and thus to individually determine *good life*. The environment most conducive to *good life* in this liberal version is, accordingly, one that removes those constraints inhibiting individual choice to the extent possible.

Certainly, this shift towards the central role of the individual had already been suggested by natural law theory. However, particularly in the Lockean perspective, it had remained largely unclear whether civil society chiefly addressed the material organisation of modern societies, as the central role of private property would indicate, or whether it was to be a model for the political organisation of modern societies, as the institution of limited state power would suggest.

---

of happiness that has deteriorated to civil society as a state of war. Through the contract, the state is born out of this civil society and overcomes its cruel condition.

[70] Bobbio 1997: 1-21.

[71] Seligman 1992: 205.

[72] Hann 1996: 4.

[73] The particular significance the concept of civil society was attributed in resolving the problem of modernity has led many authors concerned with civil society to the conclusion that this concept is a genuinely modern one. The preceding explorations, however, should have shown that civil society has a long conceptual history preceding the advent of modernity. A representative example is Tester, for whom "[c]ivil society is best understood as a confrontation with the very possibility of society itself [...]." In: Tester 1992: 5.

Taking its departure from this ambiguity, liberal thought in the eighteenth century contributed to the idea of civil society in two major ways.

The thinkers of the Scottish Enlightenment, with Adam Ferguson, David Hume and Adam Smith as their fountainheads, focused on civil society as the embodiment of the latest and highest form of (material) civilisation. Preoccupied with the notion of development and progress, the Scots identified the economic interaction of individuals to be the crucial driving force behind the advancement of society. Within this historical sequence, a society based on commerce and industry, private property and the division of labour, capital and accumulation represents the highest stage of human development.[74] Lying at the heart of this understanding of history is the assumption that humans permanently strive to improve their position, and work directed at material production and exchange is seen to be the basic means for achieving this goal.[75] Although the intention of participants in economic relationships is individual self-interest, the interaction of all these self-interests is said to work for the good of society as a whole. Although this equation of civil society with capitalism was, indeed, to have a powerful impact on future thought on civil society, it would be grossly uninformed to reduce the contribution of the Scottish Enlightenment to this economic dimension. While asserting an economic centre of gravity in modern societies, the Scottish thinkers were well aware of the implications and consequences material relationships had for the functioning of human communities. This is more than evident from a number of recurrent themes in the works of the Scots. One theme that figures prominently is clearly the particular modes of political organisation that emerge at each stage of (economic) development. Commercial society is commensurate with novel political arrangements, most importantly limited government and the rule of law.[76] Without the constitutive and corrective framework provided by the various legislative and executive branches of government commercial society was unthinkable, and government thus became an important attribute of civil society.[77]

Another issue, which was of central concern for the Scottish thinkers, but has often been neglected by a laisser-faire reading of their works, are the moral foundations of modern, commercial and civil societies. The central question is how to prevent a healthy self-interest implied by the economic principle from turning into mere selfishness detrimental to social integration. The remedies thought of by the Scottish Enlightenment were manifold. First and foremost, the moral psychology developed by thinkers such as Hume and Smith acknowledged that human beings are never driven by purely self-centred passions alone, but that individual conduct is to a considerable extent motivated by a concern for others, within an individual's social milieu.[78] In addition to this psychological disposition, the state is considered to play an important role in developing a morality facilitating a smooth functioning of commercial society while at the same time ensuring its integration. The major means governments were thought to dispose of for the fulfilment of this role were justice and education.[79] Finally, the development and functioning of commercial society itself is said to have an impact on the ethical dispositions of individuals. This is clearly demonstrated by the emphasis the Scots placed on terms such as *politeness* and *civilisation*, being *polished*, *sensible* and *refined*. With knowledge and arts, technology and production being freed from previous restraints, ever more refined and delicate products could be provided by industry and culture alike, stimulating human minds and senses. At the same time, ever more frequent interaction with others and strangers is seen as developmental of the communicative skills of individuals, gradually replacing the heritage of rudeness and brutality. Hence, a learning process was an important trait of civilisation and of the emergence of civil society.[80]

---

[74] This evolutionary approach is particularly well expressed in the following chapters: David Hume "Of Commerce" (Hume 1994: 93-104), Adam Ferguson "Of the question relating to the State of Nature" (Ferguson 1995: 7-16), and Adam Smith "The Four Stages of Society" (Broadie 1997: 475-487). Smith's four stages are, in historical order, the ones of hunting, shepherding, agriculture and commerce.

[75] Skinner 1992; Skinner 1993.

[76] See fn. 12 for this link in Smith 1993.

In general, however, what lay at the origins of all these aspects, from the political setting to individual morals and manners, were economic relationships as the driving force, with all other developments derivative from it. This profoundly economic vision of civil(ised) society was clearly influenced by the historical context of England and Scotland in the eighteenth century, where the evident emergence of commercial society and its attendant political, cultural and social effects posed intriguing questions to political philosophers. It would certainly be a degradation of the theoretical project of the Scottish thinkers if one was to reduce their ambition to mere comprehension of an observable historical process. Various parts of their theoretical works contain detailed prescriptions for governmental policies aimed at fostering the emergence of civil qua commercial society. These various policy elements notwithstanding, the Scottish Enlightenment was not chiefly concerned with the active steering and engineering of commercial

---

[77] The two tasks of government constitutive for commercial society are the guarantee of property and contract. Besides that, equally constitutive are defence and foreign affairs, while economic policies and culture are of a more regulative and corrective nature. See Haakonssen 1993; Smith in Broadie 1997: 615-627.

[78] Werhane 1991; Penelhum 1993.

[79] Justice as a set of rules is moralised through the demonstration of its usefulness. Education, on the other hand, plays an important role for both the alleviation of the negative consequences of the division of labour and the further development of commercial societies. With regard to the former, education helps to overcome the stupifying effects of monotonous work; concerning the latter, the contemporary notion of intellectual capital may suffice here. On justice, see Hume, David, "On Justice," in: Anthology 581-597. On education, see Smith, Adam, Book V, Chapter 1 Of the Expenses of the Sovereign or Commonwealth – Anthology pp. 455ff.

[80] Warner & Livingston 1994.

society but remained at the level of correctives and regulations in reaction to negative effects of commercial society in the making.

In distinction from the Scottish perception and treatment of civil society, North America came to be the breeding ground for civil society as a genuinely political project.[81] The reasons for this specifically political character of civil society, as conceptualised by the Americans, have to be sought in the specific historical circumstances in which they developed it and in the explicit political goals that this concept was to serve. By the second half of the eighteenth century, the North American colonies had become increasingly alienated from the imperial centre. The theorists of American independence took a critical stance not only to the fact that the American colonies were subject to Britain, whose domination they sought to overcome, but equally to the very form of British government, whose propensity to the abuse of power they considered all too obvious.[82] This critical awareness of the permanent threat emanating from the state translated into far-reaching institutional devices for limiting governmental competencies. A second element affecting American thought on civil society can be found in the socio-structural characteristics of the American provinces as historically new and immigrant societies.[83] Neither inherited collective rights and privileges, as in the case of the various estates in Europe, nor the relative homogeneity characteristic of European societies, could serve as a basis for social integration. The solution suggested by theorists was an egalitarian, rights-oriented individualism that was subsequently instituted in the Bill of Rights. The individual was thereby equipped with a number of unalienable rights, which defended it against interference and oppression by other social groups and the state alike.[84]

These two pillars amounted to a concept of civil society that is markedly different from the one advocated by the Scottish Enlightenment. First and foremost, this concept clearly distinguished and juxtaposed (civil) society and the state. Thomas Paine formulated this distinction very clearly in the opening to *Common Sense*: "Some writers have confounded society with government, as to leave little or no distinction between them; whereas they are not only different, but have different origins. Society is produced by our wants, and government by our wickedness; the former promotes our happiness *positively* by uniting our affections, the latter *negatively* by restraining our vices. The one encourages intercourse, the other creates distinctions. The first is a patron, the last a punisher. Society in every state is a blessing, but government even in its best state is but a necessary evil."[85] Society and the state differ in their origins in that society is based on individuals equipped with natural rights, which are to be institutionalised and enforced through the state, while the state derives its legitimacy solely from society.[86] What is obvious from Paine's statement and what came to be characteristic of the American founding fathers is, however, not merely the strict differentiation between civil society and the state.

---

[81] Such is the distinction drawn by Cohen & Arato 1992: 89f.

[82] For an evaluation of the British government exemplary for American thought of the time, see Paine 1995: 9-12.

[83] ibid: 23.

[84] See the approaches by Madison and Dahrendorf mentioned earlier.

[85] Paine 1995: 6 (Italics in the original). The authors he refers to are clearly the thinkers of the Scottish Enlightenment.

The American concept expresses a clear preference for society as the realm, from which good and happy life naturally emerges. On the basis of fundamental rights, individuals are free to determine for themselves the interests and passions they consider worthy of pursuit and, thus, to define and conduct a good life. To this end, they dispose of maximum space for individual self-fulfilment. This concept entails the recurring assumption that individuals are perfectly able to deliberate about alternatives and to consciously make choices regarding their own lives. With regard to social life, it is considered natural that individuals will associate for the common pursuit of particular goals if they realise their shared character. This associative side is an important mechanism of social integration. Civil society, as society in all its aspects, is the embodiment of individual freedom and of societal pluralism. What is important to note with regard to this pluralism is that civil society in this view goes far beyond the narrow economic focus of the Scottish concept. The individual choices and the goals jointly pursued encompass the entire spectrum of political, social and cultural, as well as economic, interests that differentiate a society. The interplay of groups representing and promoting various interests and their public competition was expected to produce positive outcomes for society at large and, thus, to contribute to its advancement. The state, on the other hand, was not to determine individual and social affairs in a substantive manner. On the contrary, a more active contribution of the state was considered to be a threat to the self-fulfilment of individuals, social pluralism and, thus, the free development of society. State interference in substantive matters was to be avoided.

However, it would be misleading to assume that the American thinkers were driven by an overly romantic and harmonious image of civil society, where individuals voice their particular concerns without these differences leading to conflict.[87] On the contrary, the founding fathers were fully aware of the problematic aspects and the disruptive potential that came with the manifold differences expressed freely in civil society. It is here that the state enters the concept as both an enabling and a constraining agency. On the one hand, it is the state that provides and enforces the legal and institutional framework, individual rights in particular, which make civil society possible. On the other hand, the state is also the neutral arbiter and regulator of conflicts that emerge as a result of difference expressed in civil society and where pluralism is endangered.

---

[86] For the principal philosophical assumptions of the American founding fathers, see Fairfield 1981: xix.

[87] As an illustration, James Madison's famous reminder may suffice here: "If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary." (Madison 1974: 356).

James Madison puts this very clearly in asserting that "[i]t is of great importance in a republic not only to guard the society against the oppression of its rulers, but to guard one part of the society against the injustice of the other parts. [...] Justice is the end of government. It is the end of civil society".[88] Hence, society is civil only if it allows for the expression of difference and divergence, and the final guarantor of this pluralism is the state.

There is hardly a better illustration for this broadly conceived pluralism that is at the heart of the American concept of civil society than the observations of Alexis de Tocqueville as described in his *Democracy in America*. "Americans of all ages, all conditions, and all dispositions constantly form associations. They have not only commercial and manufacturing companies, in which all take part, but associations of a thousand other kinds, religious, moral, serious, futile, general or restricted, enormous or diminutive. The Americans make associations to give entertainments, to found seminaries, to build inns, to construct churches, to diffuse books, to send missionaries to the antipodes; in this manner they found hospitals, prisons, and schools. If it is proposed to inculcate some truth or to foster some feeling by the encouragement of a great example, they form a society."[89] In the Tocquevillean perspective, thus, civil society is the realm where individuals associate in the pursuit of some common goal. The entire universe of associations formed for numerous tasks and their interaction is the expression of the pluralism found in American society. This maintains the wider perspective introduced by the American founding fathers in that it comprises the entirety of differences typical for society. While Tocqueville explicitly mentions commercial enterprises as one important form of association, others are quoted and seen to be of equal significance.[90]

Besides the emphasis on pluralism, Tocqueville introduced the important notion of *association*. Distinct from other forms of social life, whether they be family structures or traditional communities, associations are voluntarily formed by individuals, who realise the shared character of a particular issue or concern, their otherwise social, cultural, economic and political characteristics notwithstanding. Associations are, thus, set apart from such forms of social life that, due to their ascriptive character, are not a matter of free choice on part of the individual (this is an important addition to the earlier discussion of the analytical position of the family). Associations are based on conscious individual choices and decisions, with individuals joining associations if they share the particular concerns pursued, and leaving them if the goal has been achieved or an individual is otherwise dissatisfied with the way the association functions. The central element of the *association* is, thus, the individual.

---

[88] Madison 1974: 357f.

[89] de Tocqueville 1994: II, 106.

[90] The associations referred to in the above passage from *Democracy in America* are coined civil associations, and as such they are distinct from political associations. While the former have no direct reference to political objects, the latter pursue explicitly political causes and they encompass political parties, conventions and bodies of territorial as well as functional self-government. This important distinction already indicated the separation between political parties and civil society so important for later theorists. On political associations, see de Tocqueville 1994: I, 191-198.

While it is on the basis of rights that individuals determine and conduct what they consider *good life*, associations give these varying views a social significance. It may be a concrete contribution to social life, such as a local development project, the construction of a church or synagogue, or the establishment of a school or university, that is fostered by a given association. Even if the activity of an association is not geared at such concrete, visible and material contributions, but addresses particular values, the competition of associations promoting differing values in public triggers a permanent reflection on the state of affairs in a given society and eventually produces suggestions for its further development. In these terms, civil society qua associations is both the bearer of a moral project and the prime motor behind the development of society. A lively civil society is, in this view, the single-most important factor for the advancement of the human condition or, in Tocqueville's words, "[i]n democratic countries the science of association is the mother of science; the progress of all the rest depends upon the progress it has made."[91] This illustrates again the significance, with which the American concept endows civil society, and the extremely restricted role assigned to the state: "Wherever at the head of some undertaking you see the government in France, or a man of rank in England, in the United States you will be sure to find an association."[92]

Despite the significant differences between the two approaches outlined here, a number of common elements should have become clear from the preceding sections. The problematic dichotomy between private and public, or the tension between individual self-fulfilment and social cohesion, could be reconciled through far-reaching individual autonomy. Essentially, man is believed to be the engineer of his own happiness and perfection. Man is perfectly able to evaluate alternatives and to make choices, merely economic in the Scottish concept and general in the American view, which make for a good and successful life on the individual level. Social integration, on the other hand, is fostered through the associative capacities of man. Whether it be matters of commercial enterprise, religious belief, cultural affiliation or any other goal, individuals are believed to freely associate if realising a shared cause. The interaction of the manifold particular goals, interests and passions was then to advance society as a whole and thus to have a universally progressive character.

Against the background of this individualist reasoning, civil society as the sphere where individual freedom and social pluralism would naturally unfold their positive potential was to be shielded against any influence that would distort the interplay of individuals and social groups. It was for this reason that the state, as the most likely source of any such intrusion, was conceptualised in a minimalist manner. Its main task was seen in facilitating and smoothening the workings of civil society, hence to assure procedures rather than to interfere in substantive matters.

---

[91] de Tocqueville 1994: II, 110.
[92] de Tocqueville 1994: II, 106.

Contrary to this enthusiastic view of civil society brought forth by liberal thought, a long line of thinkers presented a more critical if not outright dismissive perspective. Civil society, for these authors, came to represent the alleged down-sides of modernising societies. Depending on the particular author, civil society was the embodiment of the unfettered pursuit of selfish interests, the code word for the decline of morals, the signifier for disintegrating communities, in short, the symbol of the crisis they identified in their day. What lay at the root of these excesses was, according to this line of thought, the exaggerated emphasis on the individual modernity had brought about. This focus grossly neglected the social elements of human existence. The main problem they identified was that of social integration, which had fallen victim to exaggerated individual self-fulfilment. Their remedy was to shift to the primacy of the public over the private. The social environment, in which individual life is conducted, came to be seen as the single-most important factor. This dependence of the individual on society represents a complete inversion of the liberal approach outlined earlier. The understanding, however, of this social environment and consequently the preferred social and political arrangements varied greatly among the thinkers representative of this strand.

At first glance, it might be tempting to label this strand of modern thought conservative, as many of the thinkers stressing the importance of the social, communal and public found their preferred arrangements in a glorified past. However, it is interesting that the literature commonly attributes the most important impulse to this line of thought to a thinker, hardly suspect of conservative ambitions.[93] Jean Jacques Rousseau views civil society as an advanced stage of social development.[94] The preceding state of nature was characterised by individual self-sufficiency. The satisfaction of individual needs is not dependent upon others, and the rare social relations between human beings are thus not burdened with material expectations. Triggered by a gradual growth of needs as well as an advancement of the means for their satisfaction, interaction and interdependence of individuals in the pursuit of their interests have gradually grown. Civil society came into being when private property emerged as the major means of satisfying individual needs.[95] Private property exacerbates selfish and egotistic instincts. Parallel processes of technological development and increasing division of labour provided individuals with the means to exert domination over others. In combination, these processes have increasingly corrupted the original goodness of human beings, increased the inequality among them and led them into potentially violent alienation.[96] Civil society, then, is the pitiful condition Rousseau observed in his lifetime, a society run ragged by the pursuit of individual needs at the expense of others, permanently threatened by outbursts of violence. In the republican view advocated by Rousseau, the only solution to escape this inhuman state of affairs was to imbue individuals with respect and responsibility for their environment, for society at large. Deeply rooted in the natural law tradition, Rousseau suggested the establishment of the state through a social contract. One of the primary tasks of, in Rousseau's terms, the social or civil state was civic education, in order to increase the public awareness and loyalty of its citizens.

---

[93] Riedel 1972: 752.

[94] Rousseau 1997: 111-188.

Hence, Rousseau's point of departure was a severe criticism of the social implications of the process of civilisation. While the Scottish Enlightenment viewed this process, and thus the emergence of civil society, as a perpetual advancement and improvement of society, Rousseau conceived of very much the same processes, chiefly economic development, as detrimental to individual and social life. This identification of civil society with economic society and the emphasis on its negative consequences for society was to become the main postulate of those authors who favoured public over private concerns. The problem that had to be solved lay in the capitalist essence of civil society.

One of the most comprehensive answers to the presumed problem of deteriorating conditions of social and individual life was nationalism. Again, in that nationalism often served as an ideology of liberation, it is difficult to straightforwardly assign it to conservatism. Nationalism, can be read as a direct response to the undermining of traditional communities and the loosening of social integration that was thought to have been brought about by, in the first place, modern economic relations. While it is acknowledged that the small-scale communities of the past are irretrievably lost, the warmth, harmony and natural cohesion associated with these communities remain a desirable condition that is contrasted with the cold, conflictual, illoyal and disruptive reality of the market. The nation is asserted to resemble traditional communities on a larger scale, and thus, to recover many of their desirable attributes.

In this view, humankind is thought to be naturally divided into groups, that is, nations. These are defined by a number of cultural characteristics ranging from language and religion to

---

[95] The opening sentence of Part II of the Second Discourse reads: "The first man who, having enclosed a piece of ground, to whom it occurred to say *this is mine*, and found people sufficiently simple to believe him, was the true founder of civil society." See: Rousseau 1997: 161 (italics in the original).

[96] This is basically a dual inversion of the concept of the Scottish Enlightenment. Firstly, the features of the state of nature and of civil society are completely reversed. Secondly, the process of civilisation, in terms of the technological and economic advancement of Adam Smith's four stages, takes place in a similar form but produces opposite outcomes. Instead of developing polished manners, it corrupts human beings and leads them into rudeness.

Forbrig, Joerg (2004), Civil Society: Theory and practice in East-Central Europe
European University Institute DOI: 10.2870/42402

traditions, habits and historical memory. The framework of features, on which the identity of a given nation rests, assumes primary status, while all other differences that exist within a nation are considered to be secondary. On the social level, the nation is thus an important mechanism for integration. It sets the boundaries from without, in that it defines clearly who belongs to a given nation and who does not. From within, nationalism is egalitarian in that the commonalties characterising membership of a nation supersede the manifold social, economic and political, local and regional differences between members of that nation.

On the individual level, the primary assumption is that human beings are members (of the nation). The mechanism and feeling of belonging replaces the liberal paradigm of choice. The nation to which an individual belongs is not a matter of choice - membership is a given and unchangeable fact. As an individual is born and socialised into a certain nation and its cultural codes, it can realise itself only within this particular context. Good life on the individual level is life within and according to the codes defining a given nation. It requires respecting national heritage, speaking properly the respective language, upholding inherited traditions and remembering the national past. Hence, self-realisation is permanently constrained by the cultural framework defining a nation. Whenever other goals, such as economic undertakings or political views, come into conflict with the national interest, it is the nation that claims supreme loyalty.[97]

Given these theoretical foundations of nationalism, civil society as observable in the commercial societies of the late eighteenth and early nineteenth centuries must have appeared to be the perfect opposite of the desirable setting. The idea of the individual as a moral agent was interpreted to deny any reference to the larger social whole and its impact on individual lives. The mechanic workings of the market obviously contradicted the presumed organic, natural character of the nation. The primary pursuit of individual interests was seen to undermine social integration and result in complete atomisation of individual human beings. Hence if, against the background of a nationalist concept, individual good life, social integration and an advancement of the social whole were to be achieved, the market at the centre-stage had to be replaced by the nation. The state, or more precisely the nation-state, then assumed a very prominent role in this nationalist perspective, as its institutions came to actualise the collective of the nation. The market, on the other hand, was not necessarily meant to disappear but it had to cease being the central mechanism to co-ordinate individual and social life. In that nationalism basically equated the market with civil society, the latter had to be marginalised, if not disappear altogether.

---

[97] This is particularly obvious in situations of actual conflict between nation-states. An illustrative statement is an address of German Emperor Wilhelm II made at the beginning of the First World War: "I no longer recognise parties; I recognise only Germans," which was aimed at inducing a *Burgfrieden* (domestic political truce) in the face of war. See Retallack 1996: 83.

The Marxist approach was even more explicit about the inevitability of overcoming civil society. What is at the core of Marx's theory is the primary status of socio-economic processes. These are determined by two crucial elements, that being forces of production and relations of production. The forces of production are the creative capacities of human beings, whose realisation and steady progress is the essence of individual *good life* and the driving force behind the advancement of society. The extent to which these forces of production can unfold is crucially determined by the relations of production, that is, the social relationships through which material production is exercised. Forces and relations of production are dialectically intertwined. The dynamic character of the forces of production stands in contrast with the static nature of the relations of production. In other words, in any given socio-economic setting the relations of production gradually but inevitably become an obstacle to the further and equally inevitable advancement of the forces of production. The increasing tension between the two elements can be resolved only through a social revolution that establishes new relations of production commensurate with the progress the forces of production have made.

Civil society represents the relations of production of the bourgeois age. In a social revolution, the bourgeoisie replaced the feudal relations of production with ones more suitable for the needs of the then most advanced force of production, that is, the bourgeoisie. However, the establishment of market economies had, over time, given rise to a new force of production, that is, the proletariat. The mounting tensions between bourgeois relations and proletarian forces of production were expected to inevitably lead to another social revolution, replacing civil society with new relations of production. This new arrangement was what Marx called "true democracy," that is, economic democracy.

This term indicates the crucial characteristic of the socio-economic and political setting that was thought to be established by the proletarian revolution, namely the reunification of the social and the political. The social realm was entirely determined by the nature of the relations of production - it reflected the inequality of these relations. At the same time the political sphere, at least in those countries that had established major democratic principles already at the time of Marx's writing, pretended the equality of citizens. Marx dismissed these democratic institutional arrangements as merely formal, since they translated the inequality within civil society into political domination by the bourgeoisie. Hence, on the basis of the economic inequalities produced by civil society, the formal political equality in democratic regimes was a very thin veil. In order to overcome this tension and thus to establish true democracy, politics was to permeate economic relationships as well. The proletarian revolution was expected to bring about an arrangement, in which the state would take on the role of an economic co-ordinator. It would ensure that individuals would perform tasks, in which they could realise their creative and productive capacities to the greatest extent, as distinct from civil society where these capacities are constrained by the position held by an individual within the relations of production. These relations would, through state intervention, be transformed into equal ones, where individuals occupy positions according to their own (differing) capacities. This setting would not only establish true democracy by overcoming the tension between social inequality and formal political equality, but it would also facilitate the further development of productive forces, and thus, the advancement of society.

In terms of the primacy of the public over the private, this concept entails two decisive aspects, state co-ordination and class membership. As has been outlined in the preceding section, the state was expected to take on the task of economic co-ordination in this new arrangement. The invisible hand steering civil society in the liberal concept was to be replaced by a rational, centralised control and intervention by the state.

The class concept accompanying this perspective is another element revealing its collectivist character. Forces of production were thought to form classes. These classes are defined by their position within the relations of production, and this defining element is said to supersede any difference that may exist among the members of the thus defined class. Instead, a class consciousness develops over time that further diminishes the importance of any other internal differences. While this consciousness performs an important integrative function, its main role is to enable a class to play its historical role in the preparation and implementation of a social revolution.[98] This is put very clearly in the opening of the *Communist Manifesto*, where one reads that "[t]he history of all hitherto existing society is the history of class struggles."[99] Thus the class concept illustrates very clearly how the agency of the individual asserted by the liberal concept gives way to a view, in which human beings are objectively, externally defined by their position within civil society, a position that cannot be altered through individual effort, decision or choice, but only through collective pursuit.

Despite the significant differences between the three approaches, which were presented here as equally representative of that line of thought that asserted the primacy of the public over the private, all three perspectives share a number of characteristics. The great dichotomy is to be resolved in favour of the public. The main reason for this choice is the detrimental impact of the selfish pursuit of individual interests that is seen to undermine the moral foundations of society and to result in disintegration. The remedies offered by the various approaches differ, but share a prominent role for the collective, whether that be in the form of the state, the nation or the class.

---

[98] Class consciousness is what distinguishes a "class in itself" (*Klasse an Sich*) from a "class for itself" (*Klasse für Sich*). While the former is merely defined by its position within relations of production, the latter has realised its historical role of changing these relations of production. See Thomas 1991: 49.

[99] Marx & Engels 1998: 34.

Forbrig, Joerg (2004), Civil Society: Theory and practice in East-Central Europe
European University Institute DOI: 10.2870/42402

In all these approaches, the free interaction of individuals has to be significantly steered, regulated and channelled in order to maintain social integration. The agency to perform this necessary intervention is the state, and individual autonomy is to be significantly curtailed.

Civil society, in all these approaches, is basically reduced to the capitalist system of economic interaction. As the central mechanism behind and affecting social relationships, civil society is seen to be the central evil that consequently has to be overcome. This exit from civil society, as suggested by the three approaches, does not necessarily mean its complete abolition. In fact, only Marx is explicit about the revolutionary change that has to entirely modify economic relationships and leads to the disappearance of civil society qua capitalist market. In Rousseau's, as well as in the nationalist perspective, the treatment of the sphere of the market does not take as radical a form. Instead, in both cases modern economic relationships are to be overarched by the state, which would remedy the market's negative implications.

Having outlined the two broad answers to the problem of modernity, that is, the tension between individualism and an integrated social entity, it may appear that both strands have very little in common. Indeed, in various respects outlined above, these views and their differential emphases on either the private or the public side of the great dichotomy appear to be diametrically opposed. However, appearances should not distract from the fact that these approaches share a number of central characteristics, and it is for this reason that they are coined modern approaches within the present overview. First of all, each of these approaches claims to have discovered a fundamental principle that is sufficient to establish a vision of good life and that suggests particular social and political arrangements as the enabling environment for this good life. This axiom can be presented in the form of various images of man.[100] In the liberal version, man is an autonomous choice-maker. His choices can pertain exclusively to the market, or they can be seen to encompass social, political and cultural aspects as well. In any case, individuals are said to be able to deliberate about their situation and to opt for alternatives they deem best-suited for their individual life. For republican authors the focus lies with man as a participant in public affairs. Whether it be within Rousseau's setting of the social contract establishing the state, or in Tocquevillean associative life, it is the public and political community where good life is grounded. Somewhat reminiscent of Aristotle's *zôon politikon*, the involvement of individuals in affairs extending beyond their particularity and their commitment to the social and political community is the corner-stone of good life. The socialist answer asserts man-the-maker, *homo faber*. The creative and productive capacities dormant in all individuals are to be awakened. Good life in this reading is an economic activity that makes use of these capacities to the fullest extent. Finally, the nationalist solution claims man's character as a member. Man is born and socialised into a community that is circumscribed by a framework of cultural codes. These codes are fundamental for individual lives as sources of meaning and orientation. In that these codes are ascribed, individuals are deprived of self-determination. The exclusive way to conduct a good life is individual subordination to the nation defined by this framework.

---

[100] Walzer 1995.

Hence, all these modern approaches claim to have found the key characteristic of human beings. With the search for and, presumably once found, the enthusiastic assertion of such a single and central feature of man, all these approaches ironically continue an inherited mind-set. As pre-modern thought was based on a single principle that grounded concepts of good life and the appropriate environment in a substantive manner, the modern thinkers also felt compelled to assume the existence of a single principle, indeed, of a truth. This tendency was fostered by the more general mood of the Enlightenment that all phenomena are generally and objectively knowable if only they were subjected to exploration exclusively through reason.[101]

Once such a central characteristic was identified, definitions of good life and the environment required for its successful pursuit were derivative questions. In answering these questions and in designing social and political arrangements on the basis of the principle identified, the continuation of the mentioned inherited mind-set shows a second time. All the approaches presented earlier aimed at providing a master plan, a grand design, that was to replace traditional settings in their entirety and to establish completely new social and political arrangements. In order to understand this propensity towards completeness in redesigning society, it may be useful to remember Agnes Heller's notion of the "natural artifice." [102] The very term indicates how the perception of traditional arrangements changed with modernity. What seemed to be natural, given and eternal to the ancients came to appear artificial, constructed and changeable to the moderns. Moreover, not only were traditional settings deprived of their natural character, but it also became obvious that it was, in fact, man who created and maintained these settings. With this discovery, however, the deconstruction of the traditional had already been set in motion. This process started with particular elements of the old arrangement, such as Reformation and the emergence of economic markets. It soon accelerated and expanded until it affected, in fact existentially questioned, all elements of this setting. In the long run, therefore, the "natural artifice" was to be replaced in its entirety by an alternative arrangement. To design this successor setting was the declared aim of modern approaches to the great dichotomy, and to date this project has remained unfinished, as Heller emphasises.

Given this ambition, the point of reference for modern thinkers clearly shifted into the future. An alternative arrangement was to be established and developed, and civil society occupied different positions in this sequence. In the liberal perspective, civil society had already arrived in the form of the commercial society, or more broadly in the form of a society where individuals were endowed with unalienable rights that enabled them to make their choices. However, in both cases progress was not thought to have been completed with the establishment of civil society. Instead, as particularly well expressed by the notion of civilisation as a dynamic process, the further development of civil society was desired and had to be actively pursued. Hence, despite its historical presence civil society also embodied a vision. In the other three approaches, civil society was seen as an environment severely limiting both individual self-realisation and the advancement of an integrated social entity. Rousseau, Marx and nationalism thought to replace civil society by an alternative arrangement, that is, the social state, economic democracy and the nation-state, respectively. What is interesting to see from this very terminology is that it indicates a far-reaching blending of private and public. To overcome civil society was thus, in the latter three approaches, to dissolve the great dichotomy. In contrast with this abolition, liberal thought maintained the dichotomy between private and public, even though it puts the latter at the service of the former.

---

[101] Immanuel Kant's motto is the best illustration for this position: "Sapere aude – Dare to know."

[102] Heller, 1990: 145-159.

The most problematic aspect common to all these modern approaches to society in general and civil society in particular is their reductive and thus simplistic nature. All of them identify a particular and significant dimension of human existence but they also endow this specific aspect with absolute significance, with everything else being determined by this aspect. Such a view, however, cannot account for the complexity of both individual human beings and social communities. Man is capable of deliberation and choice, but more often than not both are constrained. Membership is not only of a nation, but also of various other communities. Man's capacity for public participation is restricted by a range of other, equally or more important, necessities. Thus starting from reductive and, therefore insufficient, premises, all these approaches in their pure form suggested social and political arrangements, which were not viable and conducive to *good life* on both individual and collective levels, as history has readily shown. Instead, and here, too, history is instructive, the reality of modern societies as they emerged in the nineteenth and twentieth centuries paid tribute to all four of the aspects advocated by the various lines of thought.

The Normative Dimension III: Civil Society in the Contemporary Debate

It is this complexity that is at the heart of the contemporary debate on civil society. Over the last two decades, the discourse conducted under the heading of civil society has increasingly become a contest between three major positions and their visions of civil society. Out of these three contestants, two are more or less modernised versions and amalgamates of the strands mentioned in the preceding sections.[103] Present-day liberalism derives its main impulses from both the Scottish Enlightenment and the American founding fathers, from the strict Lockean distinction between private and public and the primacy of the former over the latter. Civil society, in this view, serves pre-political, individual purposes rather than collective ones. Contemporaneously, communitarianism takes up the position that individuals are socially and culturally determined by their membership in a larger collectivity, most typically defined on a cultural basis. Civil society in the communitarian reading is a mechanism for the reproduction of those collective values and codes that constitute both individuals and community. Hence, while in the liberal version, civil society is the antidote to the state, communitarians assert the moral superiority of the community and the state's function to facilitate the reproduction of its cultural codes.

The third position, and the only genuinely new one, is most prominently known as discourse ethics, with Jürgen Habermas as its most renowned advocate. This approach takes its departure from the obvious deficiencies of both the liberal and the communitarian positions and attempts at a mediation between both, since "the liberal system of subjective rights and the communitarian-republican idea of sovereignty mutually presuppose one another."[104] However, before turning to those authors representative of this third strand within the present overview, it is necessary to devote some space to their most important forerunner, that is, G. W. F. Hegel.

At first glance, it may seem surprising to treat Hegel in one line with this most recent approach to civil society. After all, in developing his philosophy he preceded some of the authors mentioned to be representative of the modern strand, such as Tocqueville, Marx and various thinkers with nationalist tendencies. However, it will become clear that Hegel's concept of civil society, as well as his broader social and political concept, was far ahead of his time. Generally, he developed a view that took into account the complexities of modern societies and avoided the reductive and simplistic perspectives characteristic of many thinkers of his time. Moreover, he achieved a synthesis of the main contributions of his predecessors, while at the same time anticipating and building into his theory much that came to be prominent in later thought, most notably of Marxist and nationalist provenance. It is in acknowledgement of its sophisticated, complex and prudent nature that Hegel's approach has been rightly coined "the first modern *theory* of civil society."[105]

---

[103] Such are the distinctions offered by Barber 1998: 12-37 and van den Brink 1995: 13-22.

[104] van den Brink 1995: 19f.

Hegel's theory of civil society is embedded in a larger philosophical and socio-theoretical framework that attempts, in the most general terms, to reconcile a universal ethic in the Aristotelian tradition with the modern emphasis on individualism.[106] For the purposes of this overview, it suffices here to state that Hegel conceives of modern societies as a series of mediations between private and public.[107] In acknowledging that, in the institutions of modern societies, both private and public are permanently at work and that they are closely related, Hegel moves beyond the perspective of earlier, as well as many later, thinkers. It is a complex and dialectic interplay between the two sides of the dichotomy that has to find its expression in social and political arrangements, if both individual self-fulfilment and social integration are to be secured. Civil society, then, is the institutional realm where these mediations mainly take place.[108]

It was mentioned earlier that civil society in Hegel's view is analytically distinct both from the family as the pure realm of the private and particular, and from the state as the embodiment of the public and universal; civil society occupies an intermediary position. Internally, civil society consists of a number of levels. Firstly, the *system of needs* is essentially the realm of the market economy.[109] It is here that private individuals depend entirely on themselves in earning their own subsistence and welfare. In Hegel's words, "[i]n civil society each individual is his own end, and all else means nothing to him."[110] As such, the *system of needs* would appear as the realm of particularity and thus social disintegration par excellence. However, Hegel acknowledges that under the surface various moments of integration are at work in this realm, since "he cannot accomplish the full extent of his ends without reference to others."[111] This reference to others materialises through money, division and interdependence of labour, and social stratification. Through monetarisation, individual needs and the level of their satisfaction become comparable; an element of social recognition is added to purely individual pursuit. Through the division of labour, individuals increasingly depend on others in the creation of goods; final products are the outcome of a social rather than an individual process of production. Through social stratification, solidarities, identities and loyalties are generated on the basis of individual positions within the *system of needs*; estates and classes associate and integrate individuals through similarities from within and distinctions from without. These three mechanisms represent moments of universalisation and social integration that mitigate against unfettered individualism and disintegration.[112]

---

[105] Cohen & Arato 1992: 91. Italics in the original.

[106] Wood 1993: 216; Cohen & Arato 1992: 91.

[107] Hegel's main work outlining this approach is, of course, his *Elements of the Philosophy of Right* (Hegel 1991).

[108] Cohen & Arato 1992: 91-116.

[109] For a detailed treatment of the *system of needs*, see Hegel 1991: 227-239 (§§189-208).

[110] Hegel 1991: 220.

Far from being overly enthusiastic about the integrative capacity of these three elements, Hegel also acknowledges and elaborates upon their problematic potential. The underside of monetarisation is an enormous expansion of needs that may result in excessive luxury for some while leaving basic needs unsatisfied for others. The division of labour may result in monotonous and stupefying work for major parts of the population. The internal integration of estates and classes may be accompanied by increasing tension and conflict between them.[113]

Given the strong integrative as well as disruptive currents within the *system of needs*, it is evident that mediation between private and public restricted to this realm would be insufficient. It is for this reason that Hegel conceptualises two additional levels of mediation that are part of civil society. It is through the inclusion of the *Administration of Justice*, on the one hand, and of the *Police* and *Corporations*, on the other that Hegel decisively moves beyond the simple equation of the market with civil society.[114]

Law is the universal mechanism for regulating and resolving the inevitable conflicts arising among individuals in modern societies. In Hegel's view, the institutionalisation of justice extends beyond mere legislation. In addition to being posited as law, cultural processes are required through which a sense of justice is developed among individuals. Justice becomes actual only once individuals cease to consider laws merely as abstract obligations, but when they come to appreciate these laws as embodiment of their own freedom rather than restrictions of it. The *Administration of Justice*, as the second level of civil society, is consequently not responsible for legislation, which is assigned to the legislature as an institution outside civil society, but it is entrusted with the promulgation of law.[115] This involves the important element of publicity. Legal regulations are to be publicised in a generally intelligible manner rather than in the specific jargon of the legal profession. Legal proceedings are generally to be held in public. Thus facilitating the accessibility of justice to individuals, the *Administration of Justice* plays an important educational role and enables individuals to embrace justice cognitively and attitudinally. What is clear from the workings of the *Administration of Justice* is again the strong reliance on mediation between private and public that is expressed in the public facilitation of the development of individually favourable attitudes towards universal law.

---

[111] ibid.

[112] Cohen & Arato 1992: 98f.

[113] ibid.

[114] These two levels figure under varying headings in the literature. *Administration of Justice* is also frequently referred to as *Administration of Law*. The third level is often cited as *Public Authority* or *General Authority*, while Hegel explicitly uses *The Police and the Corporation* as subject heading. This is certainly significant, given the distinct logics of functioning of the two, and the use of a single term for the third level is therefore avoided here. The term used in this section are based on the translation by Nisbeth in Hegel 1991.

On the third level of civil society, the *Police* and *Corporations*, these mechanisms of mediation are further developed.[116] Here in particular, the integrative moments evolving from the public and the private, respectively, are institutionalised in their most clear-cut form in that the *Police* embodies integration through the state, while *Corporations* are a societal mechanism of integration.[117] *Police* in the Hegelian usage covers a wider range of competencies than is implied by the contemporary meaning of the term as law enforcement. Its activity addresses the consequences of two major problems resulting from the functioning of the *system of needs*. On the one hand, individuals may be unable or unwilling to provide for their own subsistence and welfare through the economic relationships of the *system of needs*. Through the provision of social welfare in the form of education, health services or poverty relief, the state physically enables individuals to meet their basic needs. Law enforcement, as the more typical police function, is equally important to maintain public order through the limitation of crime and tort. On the other hand, the economic mechanisms of the *system of needs* suffer from a number of systemic defects inherent to the division of labour and market competition. In order to alleviate the effects of these deficiencies, the state should also have the possibility to intervene into, and therefore have a role to play in, the economy. Areas of intervention are, among others, price controls, moderation of economic fluctuations and the regulation of industries.

Besides these areas of state activity aimed at alleviating the disintegrative potential of the *system of needs*, the very agent to execute these policies is an additional mechanism of social integration. In Hegel's view, the state bureaucracy forms a social stratum that has a universal nature. In that it performs tasks aiming at the public good of the society at large, the bureaucracy is seen to stand above the particular interests of the various estates and classes. At the same time as having its raison d'être at a higher level of universality, it is also meant to be the neutral arbiter in cases of conflict between various estates.

The logic of social integration from above, as embodied in interventionist policies and the universal estate,[118] is complemented by a second logic of social integration from below that originates in the *system of needs*. It was mentioned earlier that social stratification on the basis of individual positions within the *system of needs* is a major characteristic of modern economies. This socio-economic differentiation leads to the emergence of estates which, in distinction from their medieval predecessors, are based on achievement rather than ascription. The integrating force unfolded by these estates is based on the shared position of it members within the *system of needs*

---

[115] This second level of civil society is covered by §§209-229 in Hegel 1991: 240-259.

[116] §§230-256 in Hegel 1991: 259-274.

[117] Cohen & Arato 1992: 100ff.

[118] To be precise, the state disposes of two further means of social integration from above. These elements are the *Crown* and the *Executive*, that is, the higher public officials. Both are, however, located outside civil society in Hegel's scheme.

that becomes institutionalised in *Corporations*. These are associations of branches within the economy, whose primary tasks are economic co-ordination within and between branches, socialisation of its members, and education. In the Hegelian perspective, *Corporations* are mainly established within the so-called *intermediate estate* of trade and industry, that is, those branches identified as the carriers of the modern economy. Neither the agricultural nor the universal estate, (i.e. the bureaucracy) know this form of self-organisation and self-government.[119] A further omission in this context is the complete neglect of the working class that is said to be incapable of such integration and self-organisation. These problematic aspects notwithstanding, *Corporations* as a particular institutional form, as well as estates more broadly, elevate particularity to a higher, more universal level. This is also visible in other forms of associations that are somewhat less explicitly included in the notion of *Corporations*, such as religious bodies, learned societies, town and community councils.[120] This gradual universalisation starting from the individual and penetrating the public realm is further developed through a system of functional representation that Hegel foresaw in the form of an *Estate Assembly*. While estates and corporations reach a certain level of universality within a particular section of the population, this assembly aggregates these fractions and is, thus, a further elevation of universality. This assembly, however, is not part of civil society in Hegel's view. It is part of the state. Estates and corporations, in turn, are integral elements of civil society.

Throughout the three levels of Hegel's concept of civil society, *system of needs*, *Administration of Justice*, and *Police* and *Corporations*, the twin mechanisms of state and societal integration are prominent. The distinct feature of this perspective is thus a balanced and reconciled treatment of the public and the private. Both are systematically intertwined and equally necessary for individual self-fulfilment and social integration. The realm in which the various forms of mediation between the two sides of the dichotomy are institutionalised is civil society. It is here that both a "publicisation of the private" and a "privatisation of the public" take place.[121] Civil society, in this reading, cannot be simply equated anymore with either the private (as in most modern versions) or the public (as in pre-modern thought). It moves into an intermediary position where private and public, particular and universal are interrelated. With this concept of civil society where individuals, in their private capacity, act in a public that is not the public of the state, Hegel laid the foundations for what was to become a crucial element of contemporary

---

[119] The first paragraph of the *Philosophy of Right* concerned with *Corporations* reads as follows: "The *agricultural estate*, in view of the substantiality of its natural and family life, has within itself, in immediate form, the concrete universal in which it lives. The *universal estate*, by definition [*in seiner Bestimmung*], has the universal for itself as its basis and as the end of its activity. The intermediate estate, i.e. the estate of trade and industry, is essentially concerned with the *particular*, and the corporation is therefore specially characteristic of it." (Hegel 1991: 270).

[120] Knox 1975: 360.

[121] Bobbio 1997: 15-17.

Forbrig, Joerg (2004), Civil Society: Theory and practice in East-Central Europe
European University Institute DOI: 10.2870/42402

thought on civil society.[122] It is in this sphere that individuals live what Hegel, in distinction from other thinkers mentioned earlier, acknowledges as multiple identities; as producers and consumers in the *system of needs*, as legal persons in the *Administration of Justice*, as citizens and participants in public affairs in the system of functional representation, as members in socio-economic estates and classes, in local and religious communities, and in various forms of associations. Hegel's perspective thus overcomes the relatively limited image of man to be found in liberalism, republicanism, Marxism and nationalism.

What emerges as a central characteristic of the Hegelian idea of civil society is its pluralism. The multifaceted institutional character of civil society reflects the variegated aspects of the nature of man. Instead of highlighting the greater importance of a particular aspect over others, as did the various strands of modern thought mentioned earlier, Hegel incorporates all of them into his concept. As a consequence, he cannot make similarly strong and substantive claims in regard of individual good life and the commensurate social and political arrangements. Instead, the plurality of forms and ways of life is considered inevitable in modern societies, and their moderation, reconciliation and co-existence is the major task of modern institutions. Although he did not explicitly and systematically elaborate on that, Hegel's concept can be read as a first step towards a civil society, where consensus and thus social integration is achieved on procedural norms rather than substantive matters.

However, over the century or so that followed the *Philosophy of Right*, the development of social and political arrangements in modern societies took a path markedly less balanced than the setting suggested by Hegel. Various of the collectivist responses to modernity asserted themselves strongly as ideologies and shaped modern societies during much of the twentieth century. Those countries, where individual rights were explicitly guaranteed, gradually extended these rights in response to the societal pluralism that unfolded on the basis of individual rights. As T. H. Marshall has shown, the original civil rights were successively complemented by political and later social rights.[123] Although to differing extents in various countries following this latter path, party democracy and welfare state were the political and social arrangements corresponding to this extension of rights. As core mechanisms of mediation between the private and public spheres, political parties and welfare provisions developed and functioned relatively well in Western democracies, and it is for this reason that, as paradigms in scholarly research as well as public debate, they replaced civil society. During the 1960s and 1970s, however, these arrangements demonstrated increasing difficulty to perform their mediatory role due to changing social, economic and political conditions. The question of how the existing social and political arrangements could be reformed, modified, adjusted and amended in order to strengthen mechanisms of mediation, in essence the question of how to democratise democracy, became a prime issue for the agenda of political theory. In this situation, the old concept of civil society was re-discovered and soon presented as the remedy for democracy's indispositions. Depending on the particular diagnosis, civil society, as therapy, took on different meanings.

---

[122] Cohen & Arato notice that, although not systematically elaborated upon, notions of publicity are used frequently in the *Philosophy of Right*. Through terms such as public authority, public freedom, public spirit, public opinion, publicity and others Hegel conveys the idea of a public sphere that was to be taken up by later thought. See Cohen & Arato 1992: 109ff.

[123] Marshall 1992. Baynes 1995: 455 suggests to amend Marshall's three-part scheme by adding a fourth category that includes rights of cultural affiliation.

It was said earlier that out of the three approaches to civil society prevalent in the contemporary debate, only discourse ethics can genuinely claim to be novel, although it is obviously indebted to the Hegelian idea of ascertaining a mediation between private and public in a separate realm. Discourse ethics inquires, as did Hegel in a more restricted manner, into the possibility of arriving at agreements and establishing universally valid norms, even under conditions of increasing differentiation in modern societies.[124] It suggests that such norms can be validated on the basis of no other principle than the procedure that led to their formulation. The procedure advocated by discourse ethics is, as the name indicates, communication. Any norm can claim universal validity only if all those (potentially or actually) affected by it would, as participants in a discourse, agree that this norm be enacted or remain in force. The fundamental procedural principles, or meta-norms, on which discourse ethics rests, demand inclusivity, symmetry, reciprocity and reflexivity. In addition to defining the procedural requirements, discourse ethics also determines the kind of norms that are so validated. On this contents side, discourse ethics claims that norms to be arrived at through the communicative procedure must present a generalisable interest - in Habermas' formulation: "*All* affected can accept the consequences and the side effects its *general* observance can be anticipated to have for the satisfaction of *everyone's* interests (and these consequences are preferred to those of known alternative possibilities for regulation)."[125]

Discourse ethics, thus, establishes a procedure, through which universal moral and legal norms that regulate social interaction and relationships can be made subject to critical reflection at any given time. As a result of this discursive consideration, norms may be adjusted, modified, abolished or replaced. Compared to those lines of thought outlined earlier that assert the primacy of either the private or the public, discourse ethics occupies a middle ground. It combines the agency of the individual, through the potential participation of any individual in the establishment of new or modified norms, with the general recognition that no social entity can maintain its cohesion unless integrated on the basis of a number of universal norms. These universals,

---

[124] The Habermasian programme is outlined in more detail in Habermas 1990. For an overview and discussion of discourse ethics see Cohen & Arato 1992: 345-420.

[125] Habermas 1990: 65. Italics in the original.

Forbrig, Joerg (2004), Civil Society: Theory and practice in East-Central Europe
European University Institute DOI: 10.2870/42402

however, are not derived substantively from some external or eternal source, but are based exclusively on the procedure of validation prescribed by the above-mentioned meta-norms. This also means that discourse ethics introduces an important dynamism. Norms are not considered to be of an unchanging and everlasting nature. On the contrary, they are the product of a particular historical situation, and as social and political, economic and cultural characteristics of a given society change over time, norms established earlier may become anachronistic, dysfunctional or simply redundant. Through the reflexive process suggested by discourse ethics, the present condition of a given society is permanently held against the system of norms that regulate it, mismatches and deficiencies are identified and adjustments of norms proposed. Moreover, this dynamic process also affects the distinction between private and public. The sides of the dichotomy cannot be considered clearly and statically separated; this distinction is in fact in flux. Problems that may have been private at one time, may acquire public relevance due to changing circumstances.[126] The discursive process also allows for a dynamic re-evaluation as to which questions are to be considered of public relevance.[127]

Hence, discourse ethics is most obviously an attempt to come to terms with the accelerating and ever more profound changes affecting modern societies, most prominently their growing pluralism and complexity. Civil society, from the angle of discourse ethics, is precisely the domain where this permanent process of reflection takes place. It is only here that communication in accord with the above-mentioned meta-norms can take place. This becomes clear if civil society is compared with the intimate sphere of the family, the political public of the state and the private economic relationships of the market. Both the family and the state are associations of un-equals characterised by power relations, hierarchies and subordination.[128] The market, albeit formally a relationship of equals, permanently produces inequality. Besides the structural inequality prevalent in all three spheres, the fact that all of them function according to some fundamental principle, tradition, power and profit, respectively, similarly inhibits critical and reflexive communication. What is more, the dominant character of, in particular, the state and the market as mechanisms of co-ordination between private and public puts constraints on the reflexive and communicative capacities of modern societies. It is against this background of civil society as the locus of discursive mediation and, at the same time, the restrictions imposed externally on its functioning that various contemporary authors developed suggestions for institutional arrangements to strengthen it.

---

[126] A prime example is certainly the position of the woman in the family and the changes this position underwent, as exemplified by the introduction of rape within marriage as a criminal offence. More broadly, Claus Offe has argued that numerous questions, which had been previously considered private, have now firmly been established as public (or political); see Offe quoted in Baynes 1995: 432.

[127] Baynes 1995: 455.

[128] Bobbio 1997: 4f.

One approach figuring under the heading of "deliberative politics" strongly emphasises the role civil society plays for the political process in modern polities.[129] In this perspective, civil society is an important supplement to the political system in that it fulfils three main functions. Firstly, it is within civil society that social problems are initially detected and discussed. These are then, secondly, elaborated upon as explicitly political themes, they are substantiated with relevant information and dramatised in order to be perceived by political actors and included into the public agenda. Civil society thus informally prepares and provides important inputs to the formal political process. Thirdly, civil society is significant in that it controls the functioning of the increasingly bureaucratised and expert-dominated political processes. This supervision is one of both the state apparatus and of the main political actors, such as political parties and dominant interest groups. Through this control civil society increases the publicity and transparency of the political process.[130]

In order to make politics more deliberative in this sense, the various authors stress the importance of institutional arrangements, which enable civil society to perform these functions. Firstly, it is necessary to establish civil society qua public sphere and assure its functioning. Most of all, this implies the existence of a legislative framework through which the metanorms of discourse are firmly established and enforced. In order to facilitate communication within civil society, arenas need to exist where the manifold interest associations of civil society can articulate and aggregate their concerns. Secondly, then, the formal political system has to increase its openness and accessibility to societal problems as voiced by civil society. Hence, deliberative politics aims, as the term already suggests, at a further democratisation of the political process.[131]

Other authors take their departure from a broader concern with democracy as the central mechanism of mediation between private and public in modern societies. Cohen and Arato acknowledge that the compatibility of both the political system and economic markets with democracy is limited if the functioning of these two subsystems is to be ensured. Moreover, the administrative and economic dynamics in these spheres pose a permanent threat to democracy. Civil society has the potential to both balance these undemocratic tendencies and further democratise the interaction between private and public, as "democracy can go much further on the level of civil society than on the level of political or economic society, because here the coordinating mechanism of communicative interaction has fundamental priority."[132] It is for this reason that "[t]he further democratization of formally democratic polities must be posed with reference to civil society and not simply to the state and the economy.[133] Civil society, in this view, is seen as both an existent reality and a vision of further social development.

---

[129] Habermas 1986: 276; Baynes 1995.
[130] van den Brink 1995: 20f.
[131] Baynes 1995: 448-453.
[132] Cohen & Arato 1992: 417.

Hence with discourse ethics, as well as with the less innovative versions expressed in present-day liberalism and Communitarianism, the idea of civil society has once again entered the centre-stage of political thought and of public debate on the future of modern societies, more generally. It has become obvious from the preceding sections that the concept has travelled a great distance from its origins in Aristotelian thought to its present, if latest, conceptual condition. The manifold changes and twists in this conceptual history can be understood as clear reactions to the profound historical changes at different stages of the development of this idea. It has been attempted above to demonstrate that they can also be read as illustrations for shifting paradigms in political (and moral) philosophy. The pre-modern versions of civil society were all based on an uncontested fundamental principle that prescribed a particular form of life and, as a derivative, civil society as a specific set of social and political institutions. Modern thought maintained the perspective that such a singular axiom exists. Various principles were offered and claimed to have such a fundamental character, and they resulted in various social and political arrangements. Civil society occupied differing positions within these competing modern ideologies. Against the background of the historical experience of several ideologies that emerged with modernity, contemporary thought arrived at the conclusion that a fundamental axiom substantively prescribing a form of good life and the enabling environment for it cannot be determined. On the contrary, it is suggested to change the perspective towards "a type of *post-foundationalist* normative justification that itself recognises, and actively reinforces respect for, the multiplicity of often incommensurable normative codes and forms of contemporary social life."[134] Pluralism as a point of departure for conceptualising civil society is commonly accepted across the various strands in the contemporary debate, that is, liberalism, Communitarianism and discourse ethics.[135] However, it seems that only within the latter has civil society been conceptualised in a novel and coherent way that might indeed prove able to reconcile the two sides of the great dichotomy between private and public.

The diversity of views of civil society that appeared along with its normative dimension throughout the concept's long history parallel the variety of analytical content given to this term, as Figure 1 illustrates. The bewildering range of analytical and normative elements associated with it logically renders the concept of civil society very vulnerable to different kinds of criticism. Indeed, the recent renaissance of the concept has given rise to an increasing number of voices questioning the "usefulness of an historical term."[136] It is these various criticisms launched against the idea of civil society that will be subject to the discussion in the following sections. However, before turning to the critics of civil society, a brief excursion shall be undertaken to outline the ideas of those thinkers whose writings, and whose active pursuit of their idea of civil society, have triggered the contemporary debate on this concept.

---

[133] Cohen & Arato 1992: 419.

[134] Keane 1998: 53.

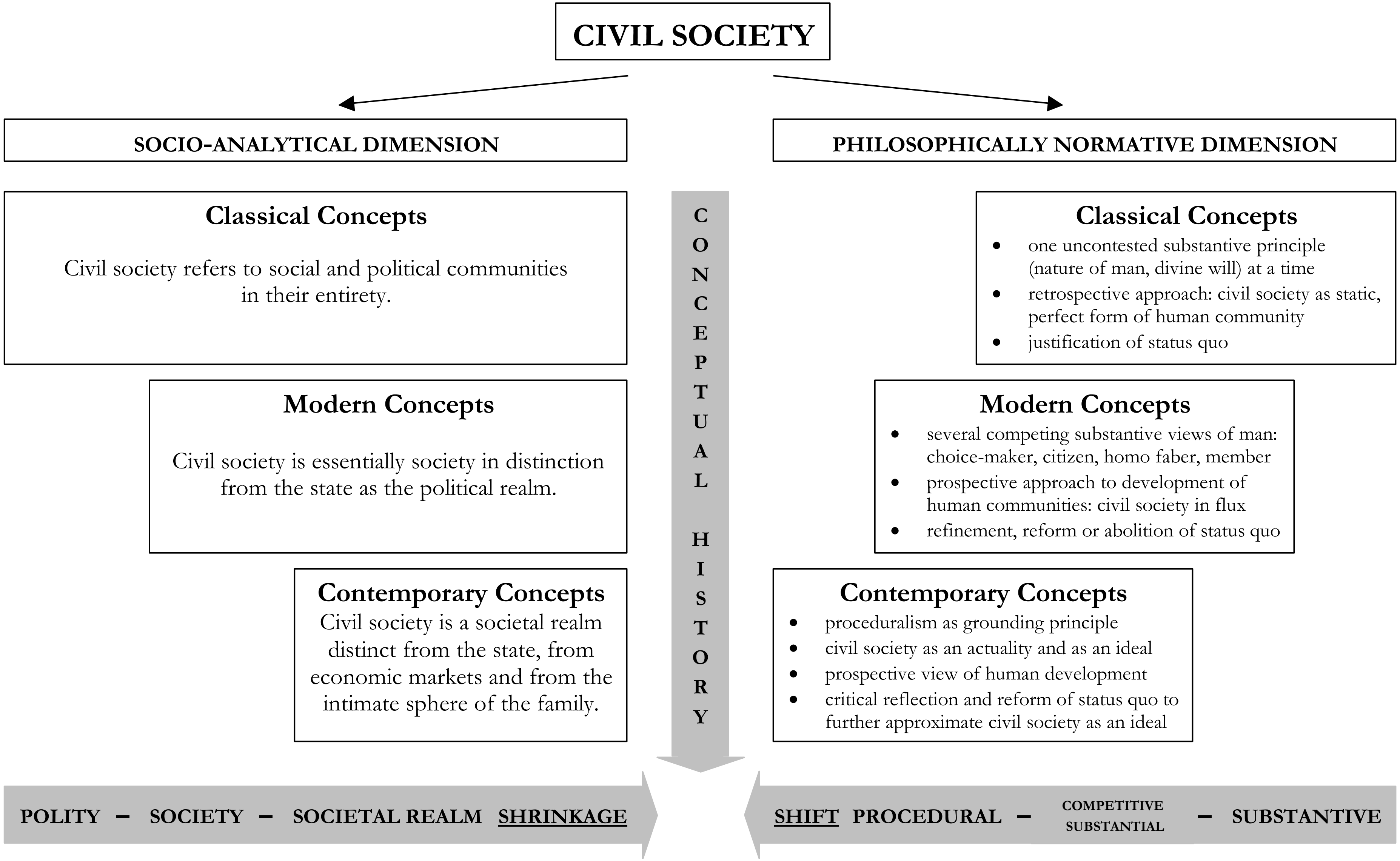
[135] John Keane, the author of the preceding citation, is representative of liberalism in thought on civil society. Michael Walzer, a communitarian, writes that "the civil society argument is a corrective to the four ideological accounts of the good life (these accounts are republicanism, socialism, capitalism and nationalism, J.F.) – part denial, part incorporation – rather than a fifth to stand alongside them. It challenges their singularity but it has no singularity of its own. [...] The associational life of civil society is the

---

actual ground where all versions of the good are worked out and tested [...]; see Walzer 1995: 16. For a similar view from the angle of deliberative politics and discourse ethics, see Baynes 1995.

[136] Kumar 1992.

Figure 1 – Concepts of Civil Society



CIVIL SOCIETY

SOCIO-ANALYTICAL DIMENSION

Classical Concepts

Civil society refers to social and political communities in their entirety.

Modern Concepts

Civil society is essentially society in distinction from the state as the political realm.

Contemporary Concepts

Civil society is a societal realm distinct from the state, from economic markets and from the intimate sphere of the family.

PHILOSOPHICALLY NORMATIVE DIMENSION

Classical Concepts

- one uncontested substantive principle (nature of man, divine will) at a time
- retrospective approach: civil society as static, perfect form of human community
- justification of status quo

Modern Concepts

- several competing substantive views of man: choice-maker, citizen, homo faber, member
- prospective approach to development of human communities: civil society in flux
- refinement, reform or abolition of status quo

Contemporary Concepts

- proceduralism as grounding principle
- civil society as an actuality and as an ideal
- prospective view of human development
- critical reflection and reform of status quo to further approximate civil society as an ideal

CONCEPTUAL HISTORY

POLITY – SOCIETY – SOCIETAL REALM SHRINKAGE

SHIFT PROCEDURAL – COMPETITIVE SUBSTANTIAL – SUBSTANTIVE

An Excursion: Perspectives of East-Central European Dissidence

In the preceding sections, it has been demonstrated that the evolution of the concept of civil society can be interpreted as a reflection of the changing historical and cultural, social, political and economic realities, in which human communities exist, function and develop. The region of East-Central Europe is no exception and vividly illustrates this relationship between context and concept.[137] A brief excursion shall therefore demonstrate how, given the conditions of Soviet-type regimes in the region, independent political and social thought, or dissidence,[138] conceptualised civil society during the 1970s and 1980s.[139] Against the background of some exemplary contributions to the development of the concept of civil society, it will be shown that it is possible to identify an approach to civil society that can be generalised across the region, various significant differences between countries and among critical intellectuals notwithstanding. Following on from that, it will be shown how this East-Central European idea of civil society relates to various aspects of the broader conceptual development outlined in the previous sections.

The ultimate starting point for deliberations relating to civil society in the region was the year of 1968. The experiment of the Prague spring, initiated by intra-party reformist forces, supported by an overwhelming part of the Czechoslovak population and aimed at political and economic reforms that were to result in a "socialism with a human face," was brutally crushed by the joint forces of the Warsaw pact.[140] The period of "normalisation" following this intervention terminated the reforms initiated during the Prague Spring, launched massive intra-party purges against reformers, re-established the party dogmatists' grip on power in the country, and effectively silenced openly critical voices in the society at large.[141] Although neither Hungary nor Poland had witnessed comparably open and comprehensive attempts at reforming the communist regime from within, similar processes of ideological cleansing and marginalisation of critique took place in those countries. In Poland, the infamous "March events" of 1968 took place against the background of a worsening economic situation, increasing dissatisfaction among the populace, and growing tensions between reformist and conservative forces within the ruling party. In an insidious move aimed at weakening intra-party critique, at providing a scapegoat for the public and at eventually regaining a firm control of power, the government unleashed a populist campaign arousing nationalist, anti-intellectual and anti-Semitic sentiments. As a result, critical and reformist thinking was effectively wiped out in the communist party as well as in the state administration and wide areas of Polish cultural and academic life more broadly.[142] In a more gradual manner, the Hungarian regime eliminated what it once considered its "loyal opposition," exemplified in particular by the Budapest School and the intellectual milieu surrounding it. Triggered by the intervention in Czechoslovakia, the previous tacit agreement between the party and critical intellectuals gave way to an increasing alienation, eventually leading to the expulsion of party members, the rescinding of academic positions, emigration and the formal closure of the Budapest School.[143]

---

[137] Similar observations have been noted by Bozoki (as quoted in Berényi 1999: 34).

[138] The term dissidence serves here as the smallest common denominator referring to independent activities across the region under state-socialism. Commonly, a distinction is made between dissidence and opposition in that the latter takes on a more structured nature and is characterised by some degree of organisation, programme and strategy aiming at some alternative to the status quo. Dissidence, on the other hand, encompasses rather unstructured expressions of dissatisfaction with official policies, that is, spontaneous and sporadic in form, undertaken by individuals and peer groups, and without an elaborated alternative vision. The relationship between these two broad forms of discontent seems to be a genetic one. Given a number of conditions, dissidence can develop into an opposition. In turn, any opposition emerges on the basis of earlier forms of dissidence. For this distinction, see Schapiro 1972, Rupnik 1979: 61 and 104, Ziemer 1986: 309ff. It is important to notice that the countries of East-Central Europe differ largely in the extent, to which dissidence/opposition emerged. For a detailed historical overview, see Tismaneanu 1992.

[139] The expression Soviet-type regimes will be used in the following in order to emphasise the nature of real socialism as a new social formation distinct from both market-oriented democracies and the Marxian utopia of socialism. The fact that the regimes of the region were markedly distinct from this utopia frequently falls victim to the label of communist regimes. The equally frequent description as Stalinist regimes, on the other hand, neglects the internal developments of the regimes in the region since the mid-1950s. The distinctiveness of Soviet-type regimes has been stressed by numerous authors including Kołakowski 1974 and Vajda 1991, who also elaborate upon their main structural characteristics.

[140] For a concise account of the developments leading to the Prague Spring as well as a more detailed list of the intended reforms, see Pelikán 1973. The developments following the intervention in August 1968 and leading to a reversal "[f]rom Prague to Moscow" are described in Mlynar 1979 as well as in Pelikán 1973.

The year 1968, the Prague Spring and the conservative consolidation of communist parties in the region became tantamount to the decisive defeat of revisionism. This line of thought had emerged among adherents of the socialist ideal during the "thaw" of the 1950s, with particularly strong repercussions in East-Central Europe.[144] It had been observed that the practice of ruling communist parties as well as the socio-economic circumstances in East-Central Europe had significantly parted from those originally conceptualised by Marx. Therefore, revisionism advocated a reassessment of Marxian theory in light of the changed conditions and an according adjustment of the role of communist parties in their relation to the state, the economy and society.[145] Through such theoretical revisions and practical reforms, the road to an authentic democratic socialism was to be embarked upon again. 1968, however, rendered any such revisionist hopes illusory. The Kremlin and its hard-line associates in the outer empire demonstrated their determination to maintain the Leninist dogma of the omniscient and omnipotent party, and to consequently punish any violation of this rule, using direct military intervention ending open revisionist experimentation, and purges terminating revisionist deliberation within communist parties. As one of the fountainheads of revisionist thought put it, with 1968 "[c]ommunism ha[d] ceased in general to be an intellectual problem, remaining simply a matter of government power and repression."[146]

---

[141] The extent of the post-1968 reversal can be illustrated by the sheer size of what came to be known as the "party of the expelled," which numbered about half a million people, that is, about one-third of the party membership prior to the Prague Spring (Kovanda 1977: 143). More detailed accounts of the Czechoslovak "normalisation" are provided by Pelikán 1973 and Ekiert 1996: 179-183.

[142] Although the "March events" in Poland cannot be reduced to an exclusively anti-Semitic campaign, the following figures are nevertheless illustrative of their extent. Fifteen thousand people, predominantly of Jewish origin, left the country in 1968-1969, among them 500 academics, 1,000 students, 200 employees from the media and culture fields, but also 200 functionaries of the Ministry of the Interior (Paczkowski 1996: 371).

[143] The idea of a "loyal opposition" in Hungary is tied to the Kádárist politics of "who is not against us is for us." In an attempt to win over critical intellectuals, the regime opened to reform ideas while retaining the prerogative as to which of these suggestions would be incorporated into official policies. The Budapest School around the late György Lukács and his disciples came to be the prime, although not exclusive, example for such a "[c]ompromise à la Hungary: Lukács and his disciples did not have to take back their opinions but the party leadership agreed only with those positions, which did not touch upon sensitive points" (Bence & Kis as cited in Dalos 1986: 18; own translation). The Prague Spring made this compromise untenable. The formal end of the "loyal opposition" in Hungary is marked by the official closure of the Budapest School in 1976 (Boella 1979: 59f.; Dalos 1986: 17-27).

[144] Important revisionist circles existed in all countries of the region, although differing in significance and theoretical orientation. In Hungary, one may mention the "Petöfi Circle," which was dissolved by the 1956 invasion, and the Budapest School evolving around the late György Lukács and his disciples (Markus and Markus, Vajda, Fehér, Kis, Bence, Hegedüs and others). In Poland, this line of thought is particularly associated with the name of Leszek Kołakowski but included many others (Lange, Lipiński, Hirszowicz, Brus, Pomian, Baczko, and Kula). In Czechoslovakia, the economist Ota Šik and a group of philosophers around Karel Kosik are most representative of revisionism.

The lesson learned from this defeat was the impossibility of any reform of the ruling parties and, as a result, of communist regimes from within.[147] This insight combined with another lesson taught by the earlier experience of Budapest in 1956, which had shown that any revolutionary attempt (change from without) at overthrowing the communist regime in a given country was equally impossible, as it endangered the sphere of influence that the Yalta framework assigned to the Soviet Union. Thus, 1956 and 1968 came to be the signifiers of the twin parameters, which defined the ultimate boundaries for any attempt at modifying communist regimes in East-Central Europe and beyond: the dogma of the Leninist party and the Yalta geo-political set-up.

The end of revisionism presented societies in East-Central Europe, and its critical intellectuals in particular, with a dilemma. With both revolution and reform being ruled out, only one alternative seemed to be left: to abandon any attempt at changing the status quo.[148] On the part of society, the prevailing attitude became one of resignation. This disposition was enhanced by what has been frequently, yet misleadingly, described as a "social contract" concluded between the party-state and society.[149] In a carrot-and-stick manner, the ruling party offered economic well-being, social welfare and limited cultural freedom in exchange for the complete surrender of open political criticism, ritualised regime-support and a retreat into privatism[150]. The citizen was to become a consumer. On a regular basis, society was reminded that any transgression of this agreement would be uncompromisingly sanctioned. For as long as the state fulfilled its promise of economic delivery, this had the intended tranquillising effects with the vast majority of people in the region. In turn, failure to satisfy such consumerism was likely to lead society to question this compromise.[151]

---

[145] Pelczynski 1988: 361. Kołakowski describes the principal demands of revisionism as follows: general democratisation of public life, including intra-party democracy and independence of labour unions and workers' councils; state sovereignty and equality among members of the socialist bloc; reorganisation of economic management (Kołakowski 1978: 458ff.). These claims were based in the philosophical objective of revisionism, which Kołakowski describes as "the vindication of human subjectivity in opposition to Leninist doctrine," involving a criticism of the superiority of the object over the subject as reflected in Lenin' "theory of reflection," a rejection of determinism and of any moral values derived from such historiographical schemata (ibid. 461f.).

[146] Kołakowski 1978: 467.

[147] Kołakowski noted that 1968, "despite all prosecution and repressions, finally liberated Polish culture from the ties with the Communist system and its ideology. There was nothing left to 'revise' anymore, and nobody was ready to expect any improvement from one or another party fraction (Kołakowski 1983: 62).

[148] Kołakowski suggested such in 1971; see Pelczynski 1988: 361.

However, a number of critical intellectuals, usually with revisionist leanings, and therefore still intrigued by the socialist utopia, were not willing to give in to the regime's carrot and thus to accept resignation. Instead, this offer confirmed their perception of Soviet-type regimes as exclusively power-based, exceedingly bureaucratised and excessively self-serving political structures that had long ago diverged from the thrust towards authentic socialism. In Poland and Hungary, in particular, the search for a more humane socialist alternative in the East-Central European context endured.[152] That search provided the main theoretical basis for the conceptualisation of civil society in the region.

If, as 1968 demonstrated, the ruling party, and thus the state, was not a feasible agent for reform, the search for a potential agency for changing Soviet-type regimes was to be undertaken elsewhere. In application of the state-society dichotomy which, as discussed above, was also at the origins of Marxist theory, it was society that attracted the attention of theorists. A first important impulse for the formulation of a theoretical approach that conceptualised society as an agent for change in Soviet-type regimes came from Leszek Kołakowski.

---

[149] Misleadingly, as a contract is usually concluded between equals who negotiate its terms. In the case of the so-called "social contract" between communist regimes and East-Central European societies, however, such a negotiation among equals never took place. The terms of the contract were imposed by the regimes, while society was forced to accept them. This fundamental inequality renders the idea of a social contract irrelevant, the improvement of social, political and material conditions this imposed agreement eventually offered notwithstanding.

[150] Privatism refers to the restriction of free and independent expression of individual opinions and lifestyles to the private realm of family and trusted friends.

[151] The nature and effects of this state-society agreement have been observed for all countries in the region; see Tismaneanu 1992: 87. More specifically for Kádárist Hungary, such accounts can be found in Fehér 1979, Boella 61, and Konrad 68ff; for Husak's Czechoslovakia, see Liehm 1975: 158f., Kovanda 1977: 145f., and Mansfeldová 1998: 14; for Gierek's Poland, see Michnik 1981: 71.

[152] Given their post-1968 marginalisation, this search was obviously confined to less formal and largely private deliberation, and complicated by unemployment, censorship and emigration. Nevertheless, significant parts of the revisionist milieu continued their theoretical and practical work. On Poland, Leszek Kołakowski did so in emigration, while some of his disciples, among them Adam Michnik and Jacek Kuroń worked from within the country. Parts of the Budapest School were also forced to emigrate (Vajda, Markus, Heller), while others stayed in the country (Kis, Bence) and were "responsible for the transformation of the Budapest School from an esoteric philosophical debating society into what became by far the most influential political opposition movement of the late Kadár era" (Tőkés 1996: 181).

Contrary to the widespread perception of Soviet-type regimes as totalitarian settings, where all aspects of individual and social, political and economic, cultural and religious life were subordinated to the control and direction of the ruling party, Kołakowski argued that these regimes were totalitarian only in tendency. Empirically, it could be observed that Soviet-type regimes were not absolutely rigid, that is, a given regime's ability to implement total control was limited despite its frequent claims to and attempts at such control. An important factor conditioning a given regime's rigidity is the extent, to which the populace living under the regime is actually convinced of and accepts this rigidity.[153] Doubt in or outright rejection of regime interference in a given realm of social life can significantly limit or disable control and thus mitigate against the totalitarian tendency. The thrust of this tendency is further weakened by the fact that Soviet-type regimes are burdened with a number of internal, irresolvable and increasingly blatant contradictions entailed by their bureaucratic, ideological and geopolitical nature.[154] Hence, both these factors, societal acceptance as well as the inherent mechanisms mentioned, create a counter-tendency to the totalitarian nature of Soviet-type regimes.

Under the influence of 1968 and the end of revisionism, Kołakowski consequently rejected the possibility that the internal contradictions of Soviet-type regimes might eventually lead to a more humane form of socialism. If left to their own devices, these regimes would attempt at overcoming their internal tensions only by ever newer and farther-reaching means of control and repression. In contrast to that, acceptance, or a lack thereof, of the rigidity of the system on the part of social actors did have the potential to counter the totalitarian tendency of Soviet-type regimes. Resistance and pressure exerted by social actors, in the form of self-defence on the part of society, could not only halt the aspiration of a given regime to control more areas of life but also wrestle others from its domination. East-Central Europe provided ample empirical evidence for these postulates as, although differing across countries, significant areas of life had asserted their independence from the regime, while in others official control had clearly been defeated and independent activity had been reinstated.[155]

---

[153] A similar observation was drawn by Karel Kosik who pointed out that the conditions in Soviet-type regime are not entirely determined by the rulers. Instead, it is necessary to invoke the "sense of co-responsibility" amongst the ruled (Kosik in a letter to Sartre, cited by Kovanda 1977: 146).

[154] Examples for such contradictions as identified by Kołakowski are as follows. Firstly, the unity of the apparatus necessary for absolute control clashed with tendencies towards de-centralisation and pluralisation deriving not least from the desire of individual apparatchiks to consolidate their position. Secondly, the existing regimes derive their sole legitimacy from an ideology, one which is no longer believed in by the majority of the population. Attempts at amending this ideology with specific national elements in order to increase this legitimacy, however, lead to new ideological contradictions. Thirdly, further technological and scientific progress is an important postulate of Soviet-type regimes, besides being a natural development. At the same time, however, it is the bureaucratic apparatus that is the main obstacle for achieving such progress. Finally, the geo-political setting is a source of further contradictions. On the one hand, it is the Kremlin that guarantees the existence of satellite regimes, while local regimes are simultaneously interested in widening their leeway for independent decisions in the pursuit of national interests (Kołakowski 1974: 127-135).

The implications of these considerations were tremendous. Firstly, they showed that Soviet-type regimes were by no means as rigid as suggested by the totalitarian paradigm and as they may have been in the heyday of Stalinism. Instead, and in a number of societal realms, such as religious life or individual economic activity these regimes exhibited significant elasticity. In these areas changes and development were possible. This suggested a strategy of partial structural change in those areas with greater elasticity, leaving other, more rigid aspects of Soviet-type regimes unaffected. Secondly, this view made it possible to conceive of society at least partially as its own subject.[156] In essence, this amounted to nothing less than a rediscovery of society in the context of Soviet-type regimes. In contradistinction to the claim of the ruling party to be the sole representative of society, it was argued that state policies were frequently inimical to the interests of society. In such circumstances, social activity, resistance and pressure were effective mechanisms for the self-defence of society. Society as an agent for change came to the fore.

Inspired by Kołakowski's theoretical perspective, a more strategic and action-oriented approach was formulated by Adam Michnik under the heading of "a new evolutionism."[157] In analysing the revisionist experience (as well as that of another strand labelled neo-positivism[158]), Michnik rejected the feasibility of any reform strategy based on the agency of the ruling party and acknowledged the potential of societal pressures from below: "I believe that what sets today's opposition apart from the proponents of those ideas is the belief that a program for evolution ought to be addressed to an independent public, not to totalitarian power. Such a program should give directives to the people on how to behave, not to the powers on how to reform themselves. Nothing instructs the authorities better than pressure from below."[159] If faced with constant pressure from below, he argued, significant concessions could be wrestled from the regime.

While this was essentially a reformulation of Kołakowski's proposition, Michnik specified further and more practical aspects of a strategy of pressure. Success or failure in this struggle, he suggested, were determined by the extent to which social forces putting forth societal demands availed of stable organisational structures.[160] As the foremost task of the Polish opposition, therefore, the new evolutionism identified the establishment of organisations separate from those controlled by the party. For the development of such a parallel organisational realm serving the self-defence of societal interests, the working class and the Catholic Church assumed particular importance. Given the ideologically, economically and demographically central position of industrial labour, Soviet-type regimes were expected to be particularly sensitive to demands expressed by the working class.[161] The church, on the other hand, was the only institution that had remained outside the realm of state control. It was deeply anchored in Polish society and had consistently taken an anti-totalitarian position.[162] Drawing on the power of the working class and on the institutional and moral support of the Catholic Church were therefore important, if not existential, ingredients for an organised self-defence of society. With stable labour organisations in place and the backing of the Church, a whole array of independent organisations could emerge and represent the significant pluralism of social groups and issues, which existed de facto, but had long been denied by the incumbent regime.

---

[155] Prime examples for social self-assertion are the continuity of an independent peasantry in parts of Poland, the partial liberalisation of religious life, and the toleration of second economies in Hungary and Poland, as well as the decreasing restrictions on travelling to the West in those two countries.

[156] Arato 1980: 28.

[157] Michnik 1985: 135-148.

[158] Neopositivism, as exemplified by Stanisław Stomma and the Znak group in Poland, is a strategy of temporary accommodation. It acknowledges the geopolitical status quo and asserts that, for the time being, no action must be taken that is directed against this constraint. At the same time, it rejects socialist ideology and holds Catholicism against it, which is believed to be the prime source of Polish national identity and public life. On the basis of catholic religion, a movement is to be created that can lead the independent Polish nation once the geopolitical conditions change (Michnik 1985: 135f). This line of thought has important predecessors in the region going back to the 19th century.

[159] Michnik 1985: 144.

In this strategy, intellectuals occupied an important yet not exclusive position. Their task was the formulation of alternative goals and the advocacy of basic principles guiding the self-defence of society, which will be mentioned shortly. The critical intelligentsia, to which Michnik appealed, comprised a wide range of intellectual traditions and social backgrounds. He urged them to "renounce material profit and official esteem in order to fulfil this exceptional responsibility, so that we can expect the truth from them."[163] In this view, then, intellectuals were crucial contributors to, although not exclusive carriers, of opposition to the regime.[164]

While a dense network of independent organisations was suggested to be a powerful means of society's self-defence, any such activity was to be guided by three fundamental principles. Firstly, the above-mentioned parameters of the dogma of the Leninist party and the Yalta geopolitical setting defined the boundaries, within which independent activity could be carried out. Any social action or claim that infringed upon these parameters would inevitably lead to disaster, as historical experience in Hungary and Czechoslovakia had amply demonstrated.[165] Derived from this, a second principle based the strategy of a new evolutionism on strict non-violence. Michnik insisted that "[n]o one in Poland is able to prove today that violence will help us to dislodge Soviet troops from Poland and to remove the communists from power. [...] In other words: we have no guns."[166] Instead of using revolutionary tactics, change had to be pursued peacefully.[167] This led to the final principle of gradualism. The slow and piecemeal pursuit of possible changes was clearly a function of the expected protracted struggles with the one-party regime as well as a derivative of the non-violent nature the strategy proposed. In addition, and no less importantly, the gradualist approach also acknowledged the fact that the establishment and maturation of an independent organisational realm required a significant amount of time and effort and was, therefore, a lengthy process.

---

[160] The obvious example substantiating this claim was the Church in Poland. In turn, an example for failure due to the lack of organisational structures can be seen in the workers' unrests in Poland in 1970 and 1976.

[161] The fact that the "'[n]ew evolutionism' is based on faith in the power of the working class" also reflects the experience of frequent workers' unrest in Poland, where workers, "with a steady and unyielding stand, [have] on several occasions forced the government to make spectacular concessions" (Michnik 1985: 144). Such was the case, for example, in 1970 when the government had to take back price increases for various foodstuffs. In addition, this focus on the working class also signals that some critical intellectuals in East-Central Europe continued to adhere to socialist ideals.

[162] Michnik 1985: 145.

[163] Michnik 1985: 147.

[164] This position was the result of a painful learning process that highlighted the importance of an alliance between dissenting intellectuals and the working class. The "March events" in 1968 had seen critical intellectuals under increasing pressure, with the working class largely passive or joining the anti-intellectual campaign launched by the regime. In 1970, on the other hand, when workers' unrest erupted in various Polish coastal towns and was brutally crushed by the regime, it was the intellectuals who remained silent. Derivative from that, according to Michnik and many an observer, was the central importance of an alliance between both groups (Michnik 1981: 70).

On the basis of these principles, the evolutionary strategy pursued both short-term and long-term goals.[168] The immediate and very well spelled-out task was "the reconstruction of society" and is mainly related to social and cultural aspects.[169] It was essential to revive the social bonds and networks weakened under the influence of Soviet-type regimes and thus to strengthen the solidarities generated by them. All kinds of independent organisations were to be established and assert their autonomy against the authorities. Organisational pluralism had to be achieved in order to allow for the widest possible range of goals pursued and actions taken by society. Norms of non-violence and moderation were to be promoted to prevent public anger from explosive outbursts detrimental to the achievement of societal interests. And a common identity had to be created in order to integrate the emerging parallel society, shield it from falling into political sectarianism and set it apart from official society, that is, from those areas and organisations controlled by the party-state.[170] In sum, what was envisaged in the short run was society and its renewal, as an end in itself.

In a longer-term perspective, on the other hand, more explicitly political ends entered the agenda of the new evolutionism, in the pursuit of which a revitalised society figured as the primary means. This aspect, however, remained much more opaque and strategically underdeveloped within this approach, and a shortcoming as the developments in Poland came to show. It was projected that the struggle was to take place between two main antagonists: the unreformed Soviet-type regime on the one hand, and the newly organised society, on the other. In form of a political compromise, the regime was to be forced to explicitly acknowledge selected civil liberties and human rights. Although it was clear that any such concession was tantamount to a significant de-totalisation of the regime, advocates of an evolutionary strategy believed that such claims could be acceptable to the incumbent rulers, if and since they left the leading role of the communist party and the geopolitical status quo untouched. Such an agreement, then, would establish a new equilibrium between state and society assuring the latter of significant autonomy from regime interference, while formally maintaining the Soviet nature of the former. This compromise, however, would differ markedly from those earlier "social contracts." Where the state had once confronted an unorganised society, it would now face a highly organised associative realm representing social demands. Where the regime was once able to impose its own terms of agreement, it would now be forced to make concessions.

---

[165] In Michnik's words, "[t]he Soviet military and political presence in Poland is the factor that determines the limits of possible evolution and it is unlikely to change for some time." However, he also acknowledged that any military intervention would not only be a humanitarian disaster for the Poles but equally a political liability for both the Polish regime and the Kremlin. The presumed reluctance of the Polish and Soviet authorities, therefore, "delineates the area of permissible political maneuver" (Michnik 1985: 143f.; see also Pelczynski 1988: 362).

[166] Michnik 1985: 86.

[167] It has been argued that the non-violent nature of a new evolutionism was a prerequisite for the strong support the Polish opposition received from the Catholic church; see Lee 1994: 124.

[168] Arato 1981, see also Lee 1994: 126.

[169] Wojcicki 1981: 103.

[170] Michnik 1985: 150; Pelczynski 1988: 362.

It is important to note that besides this new contract between the state and society, Michnik emphasised the simultaneous necessity of "an agreement that society had to make with itself."[171] For as long as diverse social actors confronted an unchanged Soviet-type regime, these were negatively integrated through their shared opposition to the state. Once the regime would start to acknowledge social demands and to make concessions to society or parts thereof, this unity was to be expected to wither very quickly and to give way to a competitive and conflicting articulation of variegated social interests. While, in the first place, this call for a second social contract was aimed at maintaining a sense of solidarity within society and at calling for an attitude of self-limitation on the part of all social groups, it also highlighted the need for more structured and institutionalised channels of interest representation and mediation in the wake of a re-negotiated relationship between state and society. With regard to such an institutionalisation of societal pluralism, however, the new evolutionism remained silent as to the nature of the new state-society contract more broadly.

Although specifically conceptualised for the Polish context, this evolutionary strategy and the developments that ensued from it in that country had significant resonance with critical intellectuals across East-Central Europe. In particular the short-term nature of this approach, the reconstruction of society in contradistinction to the unreformed state, was increasingly agreed upon and paralleled in the writings of numerous social and political thinkers, as a brief survey of Hungarian and Czechoslovak dissident thought readily reveals. Such a review, however, also illustrates how the longer-term vision of such a programme, namely the reshaping of state-society relationships, gave rise to much disagreement and debate that struggled to find a theoretically sound, strategically viable and widely acceptable approach, thus retaining the programmatic weakness of the original new evolutionism.

---

[171] Michnik 1981: 73.

In Hungary, important theoretical impulses came from András Hegedüs, János Kis and György Bence. In a first attempt at re-introducing society to the politics of Soviet-type regimes, Hegedüs suggested that "society form autonomous organizations, independent of the party, which are not only tolerated by the communist party, but legalised. They should create a public opinion which contributes to a modernization of the power structure and leads to a gradual dissolution of bureaucratic formations, which today are crippling economic and political life."[172] Fully in the spirit of the new evolutionism, Hegedüs acknowledged the potential of society to trigger changes in the existing system, whose excessive bureaucratisation he identified as the major problem of Soviet-type regimes. In order for society to provide such impulses, larger social groups such as workers, farmers and intellectuals had to be encouraged to establish autonomous organisational structures, which would articulate aspects of the existing societal pluralism in a public sphere distinct from the state. He believed that through the very articulation of variegated social interests by way of autonomous organisations and an independent public opinion, pressing (mainly economic) issues could be addressed and bureaucratic excesses controlled and limited. On the level of social groups, it was to be ensured that significant social interests found expression – on an individual level, organisations would protect people from persecution by the apparatus.

However, and in stark contrast to the new evolutionism, Hegedüs also claimed that these autonomous forms of organisation and articulation be legalised by the state. The assumption behind this postulate is one of an interest coalition between society and the state, more precisely within the ruling party, or parts thereof. Presumably, such an enlightened attitude from above relied on the assumption that reforms were understood as necessary and desirable, that they could be achieved only with the help of organised social partners, and that therefore legal guarantees should apply to the autonomous organisation of social groups in order to facilitate reforms. What is more, the reformist forces within the party were assumed to be strong enough not only to establish these legal guarantees but also to commit the regime to respect them in the long run. As the historical experience of revisionism had shown, however, none of these assumptions could be made. Nonetheless, in making these assumptions, Hegedüs essentially reversed the dynamics of society's evolution. Rather than viewing a new social contract (including, among others, legal guarantees for independent organisations) as a result of social self-organisation and pressure, only "a great historical compromise" between state and society

---

[172] Hegedüs 1981: 134.

(establishing the very same guarantees) could facilitate the emergence of strong and autonomous social organisations in Hegedüs' view.[173] This reversal deprived social self-organisation of its prime goal, namely the right to independent organisation. Beyond this question, it is left very vague, which further reforms could be achieved through the social pressure exerted by such independent organisations.[174]

The naïveté of this view, or more precisely its empirical inadequacy, was subsequently criticised by Kis and Bence. Their rejection of Hegedüs' proposal, however, was based on a different, more realistic evaluation of independent movements in the region: "The movements are both stronger and weaker than Hegedüs wants. Stronger, whether they can realize their goals does not depend on the power structure's good intentions. Weaker, because they cannot replace independent institutions of representation."[175] In acknowledging the potential of independent social organisations, they refused to base possible change on an interest coalition between society and parts of the regime. Instead, they adopted the original position of the new evolutionism and argued that a "counter power" can force the regime to undertake partial reforms, provided that autonomous organisations of social self-defence and an independent public opinion exist and make themselves heard.[176] Much more than Michnik in his initial proposal, however, Kis and Bence emphasised the issue of human and civil rights. Central to social self-defence was to address the blatant discrepancy between the official ratification by East-Central European regimes of the Helsinki Final Act on the one hand, and their day-to-day domestic practice of "socialist legality" on the other. This contrast, they argued, could be fruitfully addressed through independent social activity, and they further demanded: "Let us act as if not penal laws or administrative measures embodied the standard of conduct but higher legal principles; let us create a press free of censorship, let us found committees for the defence of civil rights, let us initiate free trade unions."[177] Through such an exemplary exercise of human and civil rights, society would become sensitive to the permanent violations of these rights by the authorities; social pressure would force the regime to eventually adhere to those principles it had accepted in international treaties.

What contrasts with this potential of independent social activity, as Kis and Bence also realised, is its weakness when it comes to the mediation of pluralistic social interests. They pointed out "that without representative institutions there are no mechanisms of compromise among social movements – except when imposed from above."[178] Once the negative unity of opposition to the party-state gives way to relative freedom of independent organisational activity, pluralistic interests will necessarily compete and clash with one another. Neither Hegedüs' proposal to restrict independent organisational activity to the articulation of social interests, nor Michnik's appeal to society to conclude with itself a second social contract mitigating against such tensions, were considered sufficient by Kis and Bence, for whom such unregulated social pluralism was likely to lead to pacification from above, that is in the last resort, suppression of independent organisational life altogether.

---

[173] Hegedüs 1981: 135.

[174] For Hegedüs, "[t]he reform must be a comprehensive one. It is not just a matter of economic reforms recognised as necessary, but also of social reform" (Hegedüs 1981: 136). Mechanisms for achieving such encompassing change are, however, not specified. At most, one finds a clear rejection of both party pluralism and interest representation through independent trade unions (Arato 1981: 31).

[175] Kis & Bence as quoted in Arato 1981: 31.

[176] Bence 1981 uses the term "counter power" to describe a form of power that does not aim at substituting itself for the incumbent power holders (in Arato 1981: 33, fn. 33).

This problem of social conflict was further aggravated by the specific characteristic that much of Hungarian critical thought took its point of departure from economic questions. By the late 1970s and early 1980s, Hungarian economists as well as independent thinkers from other fields had come to the conclusion that the potential for further economic development was exhausted. The view was commonly held that only encompassing economic reforms introducing decentralised and market mechanisms could "arrest the process by which the country is sliding to the level of the third world's stagnating regions."[179] The introduction of such mechanisms, however, was seen to inevitably lead to an intensification of social conflict. Within a comprehensive reform programme, therefore, necessary economic reforms had to be accompanied by socio-political reforms allowing for, regulating and reconciling social pluralism. In the Hungarian context, what ranked prominently was the search for institutional arrangements accommodating and mediating conflicting social interests.

The ultimate conclusion from these considerations was that the reconstruction of society, expressed through autonomous organisational life, could be sustainable in the longer run only if accompanied by changes on part of the regime. "[O]rganic growth has reached the limit beyond which it can go on with unbroken elan only in the presence of legal guarantees. The illicit economy has produced enterprises […] that […] can stabilize their position and achieve further growth only within legality. The proliferation of small groups and informal circles which gather and dissolve under the temporary protection of private homes, an occasional club, and community centers is about to reach the point where the sheer temporary tolerance of the authorities is not sufficient anymore. Legal rights are also necessary for the further growth of the various nascent intellectual and cultural movements"[180] Consequently, this constellation required that the state shifted from merely tolerating independent social life to legally and institutionally guaranteeing those rights it had officially granted; what was necessary was the transformation

---

[177] Kis 1986: 165 (own translation from the German).

[178] Arato 1981: 32.

[179] Kis 1989: 93. The same author gives a detailed account of those economic measures that had to be taken to trigger a renewed positive development of the Hungarian economy; see Kis 1989: 100ff.

from a discretionary state (*Maßnahmenstaat*) to an authoritarian state of law (*Rechtsstaat*).[181] Concerning certain facets of social pluralism, the state had to act as an independent guarantor of those differentiated interests it officially acknowledged as well as an impartial arbiter in conflicts between them; what was necessary was the anchoring of a limited social pluralism in law and the establishment of institutionalised channels of interest representation and mediation. With these considerations, Hungarian thinkers went beyond Michnik's original evolutionary scheme, where the nature of the state-society relationships to be re-negotiated had remained largely unclear. Gradually, their propositions developed in detail and radicalism, and they culminated in the 1987 *Social Contract*, drafted by the editorial committee of the *Beszélő* samizdat quarterly.[182] The *Social Contract* was an explicit programme for political change that "involved the restoration of civil society in all its dimensions and a reform of the political system to include elements of genuine parliamentarism, a responsible government, and a reconstruction of the place and role of the Communist party that would preserve some of its prerogatives, but only within a framework of constitutional legality."[183] The realisation of this programme, or the "public renegotiation of the unwritten social contract between the people and the regime," was presented as the only viable way leading out of the current crisis.[184] The motor behind the changes envisaged by the *Social Contract* was society, in the form of independent groups, associations and movements, which only could force the regime to the negotiating table. With this focus on society as an agent for political change, Hungarian thinkers thus retained the most important element of the new evolutionism.

This longer-term amendment of the evolutionary reform programme also embodied the bitter lesson of the Polish experience in 1980 and 1981. During the late 1970s, the Polish example had demonstrated how viable a strategy of reconstructing society through establishing autonomous organisations was. Between 1976, when another round of workers' unrest and its repression by the regime led to the establishment of the "Committee for the Defence of Workers," and the dawn of "Solidarity" in 1980, an ever more developed network of independent initiatives and organisations emerged and expressed an ever broader pluralism of social groups

---

[180] Kis 1989: 121.

[181] Cohen & Arato 1992: 63.

[182] *Beszélő* ("Speaker") was established in 1981 and devoted to political problems. It soon emerged as the leading samizdat publication of the Hungarian democratic opposition. Under the original title *Social Contract – The Requisites of Political Crisis Management* ("Társadalmi Szerződés – a politikai kibontakozás feltételei"), this reform programme was published in June 1987.

[183] Cohen & Arato 1992: 64. Very similar ideas were put forth by Vajda, for whom "[a] concordat of this nature may leave all political power in the hands of the rulers, and at the same time allow a fair measure of independence for society as a whole," the latter being expressed through "genuine trade unions, independent interest groups, a free and open cultural life, an independent judiciary" (Vajda 1988: 358f).

[184] The authors of the *Social Contract* presented two alternative options for overcoming the current crisis. On the one hand, the Romanian scenario could be imagined that combined Stalinist terror with nationalist demagoguery, political mobilisation and regime-led pacification. On the other hand, South Korea, with its combination of police state and market economy, was presented. The authors left, however, no doubt that neither of these alternative scenarios was desirable; see Tőkés 1996: 201.

and interests in Poland.[185] With the historic Gdańsk Accords of August 1980, Polish society forced the authorities to officially acknowledge autonomous social actors and allow for social activities beyond the realm of official control. While this breakthrough even further facilitated the resurrection of Polish society, the question of consolidating the achieved autonomy of society moved to the fore and revealed itself in its full complexity. This problem remained unresolved. The new evolutionism could not equip social actors with a clear programme demanding mechanisms guiding a new relationship between state and society, such as legal and institutional guarantees for human and civil rights, and schemes for the regulation of relationships within society, for the representation of pluralist social interests. Nor did the regime have the will and vision (or the external consent of the Kremlin) for such reforms. Not bolstered by any such intermediary, Polish society acted directly upon an unreformed Soviet-type regime, at the same time as becoming increasingly burdened down by its own plurality of interests. Eventually, the regime's response to the social challenge struck Polish society with an equally direct, unmitigated and undifferentiated blow, in the form of the 1981 Martial Law, which completely abolished open expressions of autonomous social life for years to come.

In Hungary, on the other hand, a comparably large-scale reconstruction and mobilisation of society never occurred. While in Poland, an aggravated economic crisis had long rendered the state-society "contract" irrelevant, this tacit agreement trading social welfare for political apathy prevailed among the majority of Hungarians, owing mainly to the relative economic stability of this country in the 1970s. Comparing these two countries, one is thus left with a paradox. Poland witnessed the rapid development of a broad social basis for reform but, once a window of opportunity surprisingly opened, lacked a clear programme for institutional reform that would establish a new state-society relationship. Hungary, on the other hand, saw the gradual development of a programme that increasingly clearly and radically outlined the reforms necessary but the predominantly intellectual and academic environment that advocated such a programme continually failed to reconstruct and mobilise the broad social base that would back those reforms.

Compared with these intellectual developments as well as more practical experiences, critical thinking and action in Czechoslovakia, the third country in East-Central Europe, took yet another direction. Rather than focusing on social renewal, as in Poland, or political reform as was central to Hungarian critical thinking, Czechoslovak thought revolved around the condition of the individual in Soviet-type societies.[186] In the words of the prime instigator of this school of thought, Václav Havel, this individual condition was one of "living in a lie."[187]

---

[185] In somewhat more detail, see Chapter 3.

In order to understand the essence and implications of this condition, it is useful to remember the "social contract," appropriately understood as a truce between state and society, mentioned earlier. Closely related, indeed an intrinsic element of this deal, is the role of communist ideology, "an incomparably more precise, logically structured, generally comprehensible and, in essence, extremely flexible ideology that, in its elaborateness and completeness, is almost a secularized religion."[188] In various ways, this ideology provides a "bridge between the system and the individual as *an individual*."[189] Not only does ideology appear to be an omniscient source of answers and thus equips individuals with certainty in the face of a complex reality, moreover ideology proscribes in detail the ways of public (nota bene: not private) behaviour expected from each and every individual under the "social contract." In turn, communication through ideology also functions in the opposite direction from the individual to the system, as it is through acceptance of this ideology and compliance with its rituals that individuals demonstrate their "worthiness" of the material blessings offered by the system.

According to Havel and other Czechoslovak thinkers, state-imposed ideology has a threefold impact on the psyche of individuals.[190] Firstly, it undermines the individual's ability to critically reflect and rationally plan action by creating a constant state of fear. Given the congruity of ideological, administrative and economic structures in Soviet-type systems, it is only through the performance of the ideologically proscribed rituals in public that individuals can somehow assure themselves of a private existence without administrative harassment and with a relative level of material well-being. This search for a quiet life in private is accompanied by the awareness that any failure to observe the proscribed rituals, not to speak of their conscious breach, will have existential consequences, not only for the individual in question, but also for those close to him or her. The resulting anxiety to comply with the system's norms of public behaviour, however, becomes ingrained in the individual personality and eventually also overshadows private existence: permanent fear undermines the status of an individual as a rational being.[191]

Secondly, similarly devastating effects relate to the moral dimension of individual existence. Life is lived in two realms, which are distinct and oftentimes even contradictory to one another. Public life is entirely colonised by the state-imposed ideology, the rituals performed therein are required from everybody, individual belief in or rejection of the system notwithstanding. Individual conduct in public is not determined by any moral commitment but guided by the purely instrumental interest of receiving the material gratification offered in return. Individual identity cannot unfold in public. It surrenders to the identity of the system as characterised by official ideology. In the conduct of private life, on the other hand, individuals are almost entirely left to their own devices, they are free to pursue interests, follow moral commitments and nourish identities of their own liking. Indeed, they "may curse, revile, and rail against allies, and profane all the Soviet sacraments. So long as they keep it for their private life and display their adapted faces in public and so long as no spiteful person reports them, the State makes no attempt to save their adapted souls. [I]t is happy to allow this safety valve since private anti-communism, like the proverbial dog's bark, will not reach celestial ears."[192]

---

[186] This specific characteristic of Czechoslovak critical thinking has been emphasised and discussed by Rau 1990 and Marada 1997. The following discussion owes much to their excellent reviews of this line of thought.

[187] Havel 1985: 31.

[188] Havel 1985: 25.

[189] Havel 1985: 31 (italics added).

[190] The epitomy of the individual under Soviet-type regime has become Havel's greengrocer, the illustrative example the author uses to analyse the devastating effects of ideology on people (Havel 1985: 27ff).

[191] Rau 1990 based on Kusy 1981.

As a result of this stark public-private schizophrenia, individuals are exposed to permanent distinction and contradiction of utilitarian motives and moral commitments, of the identity of the system and that of the self. What is more, the conflict arising from these distinctions is not one between two clearly separated realms, between groups of people, between "them" and "us." Rather, this line of conflict runs through each individual personality, "it is much more than a simple conflict between identities. It is something far worse: it is a challenge to the very notion of identity itself."[193] In that it leads people to permanently question the one or the other in their search for integrity of their individual morals and identity, ideology significantly weakens the status of individuals as moral beings.

The weakening of the rational capacity of the individual as well as the disintegration of its identity leads to a third effect, namely an inability to take responsibility in public life. Ridden by permanent fear for their private existence, individuals are unable to act in a situation that would require them to place anything, in this case public affairs, above their personal well-being. The disintegration of their identity deprives individuals of the moral standards and commitments that could be applied to public life. Or, in the analysis of the Czechoslovak thinkers, "the inability to act according to your own reason and conscience and to give independent consideration to the matter of human rights, justice, and the welfare of the nation [results in a] state of total abdication of personal responsibility.[194]

In sum, the result of accepting the "social contract" and of performing the rituals of ideology is a complete surrender to the regime on the part of the individual as a citizen with a role to play in the public sphere: ideology becomes "a bridge between the system and the individual as a *component of the system*."[195] What is more, however, is that besides distorting the notion of the individual as a citizen, ideology also puts into question the notion of society. While, in the first place, constant fear and disintegrating individual identities result in painful personal pathologies, their consequence, the eradication of responsibility for a commonly defined, acceptable and defendable public good, threatens the health of society altogether. Rather than evolving and integrating around a genuine and shared set of values, the social community is held together by an external force, by an ideology that demands, sanctions and receives loyalty from (almost) everyone. As distinct from the Polish analysis, it is not so much the suppression by the regime of well-defined social interests and commonly perceived social values but the inability of individuals to conceive of such interests and values in the first place. Consequently, Czechoslovak critical thought had to take one step behind the perspective of their Polish contemporaries: rather than conceptualising the agency of society in the pursuit of its interests, central importance lay with the individual and its capacity to conceive of and commit to values in public life, which in turn only provide the foundation for a vital society.

---

[192] Šimečka 1984: 144.
[193] Havel 1985: 38.
[194] Černy 1985: 131.

The critical task for each individual is its understanding of and emancipation from ideology. In the first place, it is crucial for the individual to realise that the seemingly innocent rituals performed in public, more often than not without any belief in the underlying ideology and perceived in purely instrumental terms, have the very subtle effect of inducing fear, corrupting identity and morality, and of abolishing responsibility. Indeed, what is to be understood is that the loyalty games based on material gratification inevitably make an individual part of the system, which it may so much despise deep inside. This rationalisation on part of the individual can emerge for various reasons, be it a decline of the material gratification granted or an intensification of the rituals to be performed, be it that the psychological costs involved exceed a certain threshold or that other people's behaviour has role-model effects. The concrete cause or occasion notwithstanding, understanding this condition will help the individual to command the fear that guides its behaviour in public. In the absence of this fear, a person will regain the capacity for detached reflection on and independent judgement of the situation. This will open choices as to the moral values this person espouses in private and may consider worth supporting in public; in other words, the opportunity to reintegrate its individual identity emerges. Should a given individual rationally decide that certain values determined and pursued in private are also relevant for life in the social community, it will take on responsibility for public affairs and thus recover as a citizen. In the perspective of Czechoslovak thought, it is only through such authentic individual conduct – authentic in the sense of being in accord with the rational decisions and moral commitments of the individual – that will lead to "living in truth."

---

[195] Havel 1985: 31.

The broader result of authentic conduct on the part of many individuals is, as will be shown shortly, the re-emergence of a genuine society guided by values and principles other than those imposed by official ideology.

The importance of this analysis lies with the "technology of the self"[196] it suggests. The process described is to take place on a very personal level and within each individual, it "matures in private, in silence, without any witnesses," and it requires that "one has to weigh carefully one's values and at least learn to give them a name."[197] Only through personal deliberation and decision can an individual eventually get "back to the solid ground of his own identity [and] regain control over his own sense of responsibility."[198] Having discovered the orientations worth guiding one's conduct, individuals were to search for and test enclaves of public life where authenticity could be applied. Whether it be at one's workplace or through the arts, in one's neighbourhood or the hobby club of which one is a member, a broad range of possible contexts comes into sight through the "technology of the self."[199] Similarly, the scope of authentic conduct is exclusively subject to individual decision. Having understood its own condition under the Soviet-type regime, an individual is aware of the fact that authentic public conduct could eventually have harsh material and even existential consequences. How big a sacrifice one was to risk was, then, entirely within the choice of the individual.

If Czechoslovak critical thinkers thus appealed to their countrymen to first and foremost help themselves to get out of the miserable condition of "living in a lie," this call should not be viewed as anything other than a realistic minimalism. They acknowledged that, given the relative prosperity of Czechoslovakia in the 1970s and 1980s, and thus the sustainability of the "social contract," only a fraction of the population would be willing to take the risk of openly refusing to perform the rituals of official ideology. What is more, they clearly saw the danger of isolating these few courageous dissidents from the vast majority of society.[200] In the face of such large-scale reluctance to embark on the path of authentic conduct, intellectuals and artists assumed particular importance in that they were to establish "islands of positive deviation,"[201] such as Charter 77. By way of signalling to wider social circles that public activities independent of the ideological code were indeed possible, it was seen to be the task of dissidents to encourage their countrymen to search for niches of authenticity beyond their private existence.[202]

---

[196] Eyal, Szelényi and Townsley 1998: 92.

[197] Šimečka 1981: 34.

[198] Havel 1985: 44f.

[199] Marada 1997: 7. Havel 1985: 62f. illustrates such a situation through the anecdote of the beer brewer, whose sole intention is to improve the quality of the beer produced, which in due course made him the "'dissident' of the Eastern Bohemian Brewery." Another illustration is the event that gave rise to the first activities of Charter 77, namely the trial of the rock band "The Plastic People of the Universe."

[200] Thus argues Marada 1997 based on Petr Pithart and Ludvík Vaculík (Marada 1997: 8, fn. 15).

[201] Bútora, Krivý & Szolományi 1990.

Neither was it the intention of Czechoslovak thought to understand such activities as a political opposition to the ruling system aimed at replacing the incumbent regime by an alternative socio-political arrangement.[203] Instead, these thinkers imagined a "parallel polis,"[204] to emerge from the spread of authenticity and its eventual materialisation in independent organisational structures. What was to emerge was an independent public sphere separate from the one dominated by the system and distinct in its fundamental moral codes. These separate organisational structures were not in the first place to directly challenge the political regime; their anti-political essence lay in the stabilisation and maintenance of arenas where authenticity of conduct was possible. As such, they were thought to facilitate the (moral) renewal of society, and at this point Czechoslovak thinkers paralleled their Polish contemporaries. Distinct from these, however, was that at the origin of alternative structures was not, as in the Polish or Hungarian cases, a more or less conceived social or group interest but the individual pursuit of authenticity.

In further distinction from the Hungarian thinkers, but again similar to Polish thought, longer-term visions of how the developing "parallel polis" would coexist with the official regime, and the public sphere it commanded, remained largely unclear. At most, what one finds is the acknowledgement that the relationship between the system and the independent society would inevitably be characterised by conflict. Concerning the resolution of that conflict, only two broad visions could be imagined: repression and adaptation. On the one hand, the regime might increase its efforts to suppress any social life beyond the realm controlled by ideology, "thus inevitably coming closer to some dreadful Orwellian vision."[205] Alternatively, independent structures might occupy an ever wider space and assume functions, which official society was increasingly incapable of performing despite efforts to adapt, reform, differentiate and pluralise itself. In the last resort, this might lead to the disappearance of official, ideological structures and their replacement by alternative, genuinely social ones.[206] Generally, however, Czechoslovak thinkers stopped short of formulating theoretically sound and strategically applicable approaches to developing the relationships between the official regime and independent society in the long-run. This is all the more understandable as Czechoslovak thinkers and activists faced enormous difficulties in motivating their countrymen to authentic conduct in the first place; with the independent structures that would have resulted from such conduct largely absent, critical thought felt little compelled to search for such long-term arrangements.

---

[202] Havel 1985: 82: "The primary purpose of the outward direction of these movements is always, as we have seen, to have an impact on society, not to affect the power structure, at least not directly and immediately."

[203] See Havel's discussion on the terminological problems arising from the notion of "opposition" in the context of East-Central Europe (Havel 1985: 53ff.). Elsewhere, it is made explicit that "these 'dissident movements' do not have their point of departure in the invention of systemic changes but in a real, everyday struggle for a better life 'here and now'" (Havel 1985: 88).

[204] Such was the expression coined by Václav Benda in a 1978 paper. The idea was to create "parallel structures that are capable, to a limited degree at least, of supplementing for generally beneficial and necessary functions that are missing in the existing structures, and where possible, to use those existing structures, to humanise them" (Benda 1991: 36). An example for successful parallel structures was the "second culture."

[205] Havel 1985: 88.

[206] Havel 1985: 84f., also Těšar 1981: 99.

Having thus reviewed some of the main currents in East-Central European critical thinking during the 1970s and 1980s, the question arises as to the relevance this thought bears for the concept of civil society more generally. This issue is particularly important given the initial general reluctance of thinkers in the region to apply the very notion of civil society to the realities of East-Central Europe and their avoidance of using it.[207] Indeed, much of the independent thought did not figure under the heading of civil society but was captured by a range of alternative terms, such as "new evolutionism," "social self-defence" and "reconstruction of society" in Poland, "counter power," "anti-politics" and "second society" in Hungary, "parallel polis," "second culture" and "anti-political politics" in Czechoslovakia.[208] It was only with the Polish events of 1980 and 1981 that the term civil society assumed more widespread, though not equal, currency in critical thinking across the region.[209] In part, this was due to the language used by outside observers to describe the developments in the region. In many cases, these observers rediscovered civil society as a suitable term spanning not only the ascent in East-Central Europe of genuine and independent social activity but also the emergence of new social movements in established democracies. By way of blending the equal relevance of their social and political thought to West and East in the term civil society, outside observers and Western scholars greatly contributed to the renaissance of the term and concept, in East-Central Europe and beyond.[210] On the other hand, for dissident thinkers and activists in the region, the term made it possible to frame and strengthen a common identity across East-Central Europe. Although their efforts were directed at a similar goal, namely the broadly understood "restoration of hope for social change,"[211] the markedly different conditions in their own home-countries and the resulting differences between the specific theoretical and practical approaches they advocated oftentimes made it difficult to conceive of the various elements they shared in striving for change. Here, the term civil society offered an integrative potential and was soon adopted by dissidents across the region.[212]

---

[207] Surprisingly enough, this reluctance is rarely acknowledged in the recent and current literature on civil society; for an exception, see Szacki 1995: 90f.

[208] In this order, the terms were introduced by Adam Michnik (Michnik 1985: 135ff.), *KSS "KOR"* (Lipski 1985), Kazimierz Wojcicki (Wojcicki 1981: 98), György Bence (Bence 1981: 34), György Konrád (Konrád 1984), Elemér Hankiss (Hankiss as cited in Berényi 1999: 35), Václav Benda (Benda 1991), Ivan Jirous (referred to in Havel 1985: 78), and Václav Havel (Havel 1988), respectively.

[209] Szacki 1995: 91 observes that, after the described initial reluctance, the usage of this term came to be very widespread in Poland, somewhat less so in Hungary, and quite rare in Czechoslovakia, where "parallel polis" was the expression more commonly applied.

[210] Jacques Rupnik and Andrew Arato seem to have been particularly influential here. In 1979, Rupnik published an analysis of the intellectual developments in Poland under the title "Dissent in Poland, 1968-78: the End of Revisionism and the Rebirth of Civil Society in Poland" (Rupnik 1979). Somewhat later, Andrew Arato analysed the events in Poland 1980-81 under the headings of "Civil Society against the State" and "Empire vs. Civil Society," respectively (Arato 1981; Arato 1982). Although both authors focus in their analyses on the developments in Poland, these articles are considered to mark the reintroduction of the notion of civil society to the region more generally. Later in the 1980s, the Western editor of a representative collection of articles by authors from the region chose the explicit title "Civil Society and the State" whose introduction provides a very detailed account of the factors that triggered the renaissance of civil society (Keane 1988).

This tendency towards unifying the language notwithstanding, the question is still open as to whether or not it is legitimate to speak of a concept of civil society that can be generalised across the region. A related question is which particular elements characterise this concept. In the broadest sense, thought on civil society in East-Central Europe bears two distinct features that characterise its essence. Firstly, the project of civil society was formulated in explicitly programmatic terms and suggested a strategy for change towards a more humane condition under Soviet-type regimes, whether it focused on the individual, social or political dimension of that condition.[213] It opposed the widespread view that life under state socialism was entirely at the mercy of the incumbent rulers. Instead, it argued that an agency outside the regime existed that could pursue change, be it individuals, social groups or society at large. The quest for civil society in East-Central Europe was essentially defensive in nature, attempting at securing areas of public life from intrusion, influence and control of a regime that was potentially all-penetrating and all-encompassing. Once social relationships independent of the regime's control had been stabilised, civil society was to assume a more proactive role aiming at an eventual renegotiation of its relationships with the official regime. This longer-term aspect, however, remained problematic in the critical thinking across East-Central Europe. It lacked the theoretical soundness that had been achieved with regard to the short-term aspect of social renewal. As a result, it is not possible to identify, similar to the short-term question of the reconstruction of society, a core set of ideas and strategies for the longer term that could be generalised across the region. It is therefore suggested here to view civil society in East-Central Europe mainly in terms of a strategy aiming at social self-defence and renewal.

The second main characteristic that is related to this defensive nature is the stark juxtaposition of the state and civil society. Obviously, this dichotomy was a response to the bureaucratic and ideological colonisation of, at least potentially, all aspects of life under Soviet-type regimes, which the civil society project opposed by postulating an independent realm. The fault line between the state, equated with the regime and all those areas of life it controlled, and civil society is best expressed in the very language of critical thinkers, who frequently took recourse to a range of binary pairs characterising the two sides of the dichotomy, such as "official" vs. "independent," "first" vs. "second," "political" vs. "anti-political" or "living in the lie" vs. "living in truth."[214] As indicated by the last of the examples, these pairs frequently also carried an explicit value judgement, assigning an overwhelmingly positive, moral or good quality to civil society, while branding the state as negative, immoral and evil.[215] This polemical use of the juxtaposition, its effect of greatly simplifying reality notwithstanding, certainly lent strength to the project of emancipating civil society from the state advocated in East-Central Europe, since it was an image that could be easily recognised by all those living in a Soviet-type regime.[216]

---

[211] Tismaneanu 1992: 115.

[212] Examples of thinkers who had adopted the notion of civil society by as early as 1981 are Adam Michnik (Michnik 1985: 124), Jan Těšar (Těšar 1981: 99), and Jakub S. Trojan (Trojan 1981: 73).

There is, however, one problem arising from this juxtaposition that deserves further inquiry here. The simple distinction between the state and civil society implies that all those aspects of life that evade official control are to be considered part of the latter, hence that civil society has a somewhat residual character. Consequently, important questions appear with regard to a number of realms. There is the private sphere of individuals, from influencing which the regime largely withdrew under the "social contract." There are informal economic structures, which were a permanent feature of socialist economies. There are also questions concerning groups with a radical political agenda, in particular those advocating to overthrow the Soviet-type regime in a given country. The status of these realms in their relation to civil society cannot be decided unless a number of more specific features characterising civil society in the East-Central European context are clarified.

In this context, it has been observed that by the late 1970s "an increasing consensus [emerged] around the following four points, at least among Polish and Hungarian intellectuals: (1) The limit of reform from below is constituted by the given state institutions [...]; (2) The means of pressure from below are organized as open and public, un-conspirational and non-avant garde social movements – each representing one constellation of interests; (3) Pressure from below can force the existing system to adhere to its own legality as well as to the *de facto* toleration of the plurality constituted by social movements; (4) The organization of plurality, in particular of an

---

[213] Among the numerous authors who stressed this strategic quality are Pełczynski 1988; Ogrodziński 1991: 70ff.; Lee 1994; Geremek 1996; Smolar 1996; Fein & Matzke 1997: 26f.; Fehr 1998: 37f.; Berényi 1999: 34f.

[214] Szacki 1995: 97 offers the following, further examples for such antitheses: "truth/falsity; independent/the official ideology; conscience/discipline; moral courage/fear; voluntary cooperation/compulsion; solidarity of equals/hierarchical dependence; spontaneity/waiting for orders; using one's mind/thoughtlessly obeying orders and prohibitions; contract/command; pluralism/uniformity; tolerance/lack of tolerance; self-organization/organization from above; conscious discipline/blind obedience."

[215] This observation of civil society's moral superiority is further illustrated by the fact that the civil society project in the region has frequently been described as an „ethical project;" see, for example, Ogrodziński 1991: 70f.; Tismaneanu 1992: 153ff.; Fehr 1998: 37f.; Eyal, Szelényi & Townsley 1998: 91-95.

[216] For further discussions of this dualistic conception, see Arato 1981; Keane 1988; Cohen & Arato 1992: 31ff. and 58ff.; Szacki 1995: 93; Buchowski 1996; Foley & Edwards 1996; Berényi 1999: 34ff. Smolar 1996: 28 notes on the polemical use of this distinction that "the totalitarian paradigm played an important role in mobilising and integrating independent circles of dissidents" at a time when the regimes in the region had

alternative, critical public sphere, can bypass the state altogether by setting up parallel institutions."[217] In other words, more specific characteristics of the East-Central European project of civil society are an explicit self-limitation as to the goals pursued, necessary structures of social self-organisation, the claim for legality, an explicit acknowledgement of societal pluralism, and the public character of the activities undertaken by civil society. On the basis of these more detailed parameters, civil society as conceptualised by critical thought in East-Central Europe emerges in an analytically more clear-cut shape. Beyond the state-civil society dichotomy, it becomes possible to determine which empirical phenomena are to be considered part of the civil society project, such as the "reconstructed society" of the Polish or the "parallel polis" of the Czechoslovak thinkers. At the same time, the questions regarding the private realm of individuals, the second economy or radical political groupings can be answered negatively; in none of these cases could one speak of phenomena relevant for, and therefore to be included in, the project of civil society.[218]

Civil society understood in terms of these essential as well as more specific characteristics can be considered the smallest common denominator of critical social and political thought across the region. In this shared version, the democratic opposition in East-Central Europe, first and foremost, envisaged a minimalist programme that could be implemented in the short term and viewed civil society primarily as an end in itself. This view is made particularly explicit in the contributions of Polish and Czechoslovak thinkers. The former stressed the central importance of an organisational revival of social pluralism and the articulation of different social and group interests suppressed by a regime claiming to be the sole representative of society. Located mainly on the level of society, the project of civil society was in the first place one of revitalising social bonds and solidarities. The latter, on the other hand, addressed the life of individuals. The utmost concern of the civil society project was to provide a space that would allow for an authentic public conduct among individuals. In both cases, longer-term and more maximalist strategies, in which civil society was to figure as a means for achieving openly political results, remained underdeveloped.[219]

Hungarian thought, by way of contrast, centred precisely around more encompassing visions for the long run. Civil society became the primary agency, or means, to demand more

---

already become significantly less totalitarian. In a very similar way, Szacki 1995: 92 observes that "the concept of civil society was used persuasively rather than analytically."

[217] Arato 1981: 32 (italics in the original). From the earlier discussion of Czechoslovak thought on civil society, it should be obvious that these characteristics largely coalesce with the ideas developed by critical thinkers in that country, even though these features may be more specific than the vision of a "parallel polis" espoused by Czechs and Slovaks.

[218] An interesting anthropological perspective on Poland touching upon these questions is provided by Buchowski 1996. For a discussion of the question of economic activity, see Berényi 1999: 36.

[219] In the last resort, namely with the breakthrough in 1989, this weakness amounted to "a revolution without revolutionary theory" (Offe 1991: 866f.).

maximalist structural reforms from the incumbent regime.[220] As a representative of societal pluralism and major opponent of a state suppressing such pluralism, civil society was to eventually re-negotiate state-society relationships. In this view, the need for civil society as an independently organised and pluralistic realm was clearly acknowledged. It appears, however, that its emergence and development was taken for granted and did not require a more explicit programmatic basis, such as the ones outlined by thinkers from the other two countries. Given the tacit assumption of the first step, namely an existing civil society, Hungarian thought focused on the second step, namely the direct political role of civil society vis-à-vis the state.

In summing up the preceding considerations, those aspects of the civil society project shared across East-Central Europe as well as those elements where significant differences prevailed between them can be visualised as follows.

Figure 2 – The East-Central European Project of Civil Society

Level Addressed by Civil Society	*Shared Project of Civil Society*	*Strategic Status of Civil Society*	*Specific Role of Civil Society*	*Exemplary Advocates*
Political Regime	**CIVIL** Essential Features: • A Programme for Social Change • Civil Society in Primary Distinction from the State Specific Characteristics: • Self-Limitation • Self-Organisation • Legality • Pluralism • Publicity **SOCIETY**	Long-Term Maximalist Means	Civil society demands state reforms and renegotiates state-society relationships	*Beszélő* Editors Social Contract
Social Community		Short-Term Minimalist End	Civil society revitalises social bonds and reconstructs the pluralism of society	Adam Michnik A New Evolutionism
Individual Life		Short-Term Minimalist End	Civil society provides a space for the authentic public conduct of individuals	Václav Havel The Power of the Powerless

Before this East-Central European project can be located within the broader conceptual development of civil society outlined earlier, an important caveat is necessary. Both the preceding discussion and the above illustration of critical thinking in the region are of a necessarily ideal-typical nature. In reality, the evolution of regional thought on civil society naturally occurred in a much more organic way. It was informed by a range of intellectual and philosophical traditions, among which revisionism played but the most prominent role.[221] It was affected by the specific circumstances and changes facing individual countries of the region. Its actors represented a wide range of academic disciplines and professional backgrounds, and they included many "a philosophically inclined literary man."[222] The milieu was not without rivalry among ideologically distinct orientations and camps.[223] Its typical means of debate was the essay, typed and circulated, persuasive more than analytical in nature.[224] Given the pluralism, outside constraints and practical orientation of the debate, it would be misleading to read into the earlier discussion an overly structured, systematic and linear development that led to the civil society project identified here.

---

[220] Kis 1989: 96 makes this unmistakably clear when he states that “mere conversation might become negotiation only when the two sides are backed by political forces”, on part of society hence independent organisational structures with a clear programme for political change.

Instead, this project and its three broad levels of politics, society and individual life represent but the main trends of a long and twisted debate on civil society, to which the authors cited are only the most influential contributors. Equally, the fact that critical thought on this subject in each of the countries took one of the broad directions outlined above should not be misinterpreted. While such country-specific pronunciations can be clearly identified and distinguished, nowhere did they fully confine the debate to either one of the three levels, nor did this critical debate occur along with largely separate lines in each of the countries.[225] It is for these two reasons, namely the organic nature of the debate with specific emphasis on one or another level of civil society that it seems more appropriate to speak of an East-Central European project of civil society rather than of a full-fledged social science concept. In addition, the notion of a project also underlines the strategic, programmatic thrust, with which civil society was endowed by critical thinkers in the region.

This cautious note notwithstanding, East-Central European thought provided much inspiration for the conceptual development of civil society more broadly, in particular as this regional project clearly related to various aspects of that development, as shall be demonstrated next.

---

[221] Apart from the various revisionist schools mentioned earlier, various regional and genuine philosophical traditions had an impact on critical thinking on civil society. Suffice it to mention here the phenomenology of Jan Patočka and democratic thought of Tomaš G. Masaryk in Czechoslovakia, the liberal democratic tradition of István Bibó in Hungary, the social theory of Edward Abramowski in Poland, more broadly undoubtedly Catholic as well as Protestant social thought.

[222] Such was a self-description by Václav Havel, cited in Tucker 2000: 135.

[223] In Hungary, the "three principal clusters of social, cultural, and political dissent" were, according to Tőkés 1996: 168f., the populist-nationalist group of literati, the democratic opposition of, often former Marxist, urban liberal intellectuals, and the Marxist/post-Marxist reform socialist intellectuals. Although less structured and group-based, dissent in Czechoslovakia also represented "a wide spectrum of approaches to the analysis of contemporary state socialism, ranging […] from the Catholic right to the Trotskyist left (Lukes 1985: 15f., also Skilling 1991).

[224] Szacki 1995: 81.

[225] Since the late 1970s, contacts among dissident and opposition groups had intensified. In addition to supporting each other's causes, these contacts also provided much external inspiration for theoretical debate and practical action within given countries. For example, Solidarity activist Zbigniew Bujak pointed out in 1981 that Havel's *The Power of the Powerless* "gave us theoretical backing, a theoretical basis for our actions. He enabled us to believe in their effectiveness. Until I read his text I was full of doubts" (cited in Lukes 1985: 12).

At first glance, it may be tempting to straightforwardly assign the East-Central European project to those modern strands that posited a strong dichotomy between state and (civil) society and, within these, to the liberal perspective of civil society. In an analytically similar way, reality was portrayed in an overwhelmingly dualistic manner. On the one hand, there was the state or "official society," a realm encompassing not only state and political structures in the narrower sense but also those areas of public life, which were permeated by ideology, parts of the party-state's bureaucracy, such as economic entities or "social organisations," and thus subject to control and sanction by the incumbent regime. The ideological and bureaucratic intrusion was so far reaching that the leeway for independent social life had shrunk to a minimum. The effective privatisation of each and every individual threatened society altogether. With this, as will be argued shortly, polemical image of an omnipotent and omnipresent state destroying social bonds and creating atomised and apathetic individuals, East-Central European thought greatly strengthened the antinomy between state and (civil) society characteristic of modern versions of the concept.[226]

In this situation, the civil society project aimed at stemming and reversing the destructive influence of the state, at developing, expanding and strengthening the suppressed social half of the dichotomy. Critical thinkers in the region left little doubt about the superior position society assumes in relation to the state. In an equally polemic manner, the state is portrayed as an evil, solely power-motivated and self-serving entity, while it is society that is the "mainstay of morality," of traditional solidarities, human values, respect and tolerance.[227] Given this clear preference for the social side of the dichotomy, a liberal orientation of the East-Central European project of civil society seems to be indicated, in close affinity to the American perspective outlined earlier.

However, in both analytical and normative terms, such a characterisation of East-Central European thought seems to be somewhat premature. First of all, it would overly emphasise and unduly rely upon the slogan character the notion of civil society, and the various synonyms used in its stead, had in the region. As a motto, it was meant to appeal to a broad public, and thus to translate the programmatic orientation of the civil society project into widespread social action. In order to achieve the penetration of the notion into public realm, simplifications and exaggerations of the theme were necessary and applied by the advocates of civil society, and the stark state-society dichotomy is the prime example.[228] Behind this polemical image, however, a number of more intricate questions should not be neglected, which were of theoretical and/or practical relevance to the East-Central European project and which further qualify the characterisation provided above.

---

[226] Szacki 1995: 95

[227] Szacki 1995: 95

In contrast to the individual liberalism of the American thinkers, and despite the fact that individual existence, human and civil rights came to be crucial references for East-Central European thought, the civil society project in the region had some important collectivist foundations.[229] Firstly, elements of the socialist ideal continued to be appealing to critical thinkers. Although rarely spelled out in more detail, it appears that a socialised economy retained much of its attractiveness, as it promised to allow for greater social welfare, for a better accommodation of the interests of significant social groups, in particular also underprivileged ones, for more satisfying and creative modes of work. In short, the egalitarianism introduced by communist regimes in the region was not to be abolished altogether. Rather, it was to be combined with models of interest representation, conflict accommodation, self-management and self-government that would make such an egalitarian model economically, socially and politically more viable. A case in point here is the frequent emphasis on free trade unions within independent thought and activity in the region, and the practical example of "Solidarity" in Poland. Through such socialist elements, the individual dimension of liberalism was significantly tamed and subordinated to the good of social groups and society at large.

Secondly, the civil society project bore a distinct communal attribute. The anti-state attitude of individuals, which was so much appealed to by the slogan of civil society against the state, arguably took on a pro-social expression.[230] The existence of an alienated political regime exerted a strong integrative force upon individuals and social groups. Given the fact that this regime was, to a large extent, imposed, maintained and controlled from the outside, this integrative moment related to the national community. The project of civil society in East-Central Europe paid much attention to this problem. It attempted to accommodate the national question in both theoretical and practical terms.[231] In doing so, however, this project travelled even further away from a concept of civil society exclusively espousing individual liberalism.[232]

---

[228] A further illustration is the totalitarian paradigm. On the one hand, the opinion was commonly held that Soviet-type regimes had travelled far since the heyday of totalitarianism, or Stalinism. On the other hand, however, the theory of totalitarianism became particularly popular in the region only in the 1970s and 1980s, since it provided a fertile ground for polemically overdrawing social and political reality. This utility value is best expressed by one contemporary: "If you withdrew the concept of totalitarianism from your thinking, your views would loose a lot of their assertiveness and even more of their content" (Bronisław Łagowski as cited in Szacki 1995: 96).

[229] An excellent discussion of this problem is provided by Szacki 1995.

[230] Szacki 1995: 85.

[231] This characteristic of civil society was particularly obvious in Poland, where an event like Pope John Paul II.'s visit in 1978 or the "Solidarity" movement turned into demonstrations of the Polish nation vis-à-vis the communist regime. In Hungary, an expression of this communal attribute was the increasing concern of

Thirdly, and particularly obvious in the Czechoslovak perspective, the East-Central European project of civil society also carried a distinct republican mark. In affinity to the Rousseau's perspective discussed above, it had been observed how the exacerbated privatism of individuals existentially undermined the vitality, if not plausibility, of society. Only through a rediscovery of their sense of public responsibility and participation could individuals break out of the straightjacket of their own egotistic instincts and constitute society anew. This rediscovery and exercise of civic virtues, in turn, was to be facilitated by the independent structures of civil society.

Curiously enough, these collectivist aspects, at least in their socialist and nationalist forms, did not only put a serious damper on the individual-liberal aspirations of civil society in the region. As missions of civil society, they stand in diametrical opposition to their modern predecessors. It will be remembered that, in the original perspectives discussed earlier, civil society embodied the negative antidote to the republican entity, the socialist era and the national community. In the East-Central European perspective, in contrast, civil society has important effects in all three respects, being at least partly conducive to their realisation. The problematic potential of these collectivist aspects, if they assumed absolute priority over one another, did not escape the attention of critical intellectuals in the region. On the contrary, the condition, in which they found themselves, made them particularly wary of any such fundamental principle. After all, Soviet-type regimes were the foremost expression of a social and political system based on a substantial principle, and a vivid illustration for the excesses such simplistic foundations could generate. In an attempt to integrate these various tendencies while simultaneously taming their absolutism, independent thought highlighted the importance of individual rights, social pluralism, the necessity for mutual respect and tolerance, and the need for strong institutional intermediaries that could accommodate social conflict. Only on the basis of such procedural values and institutional guarantees would it be possible to reconcile individualist and collectivist elements, or the four modern visions of the dichotomy between state and society, public and private, through civil society.

This approach, however, places the East-Central European project of civil society in close proximity with contemporary perspectives of the concept, which highlight the intermediary, reflexive and communicative capacity of civil society in the face of a highly differentiated and

---

civil society activists with the situation of Hungarian minorities abroad, in particular in Romania. Although less obviously, similar trends could also be observed in Czechoslovakia, where a leading thinker noted that "[i]f this program gave unequivocal priority to something, then it was the preservation or the renewal of the national community in the widest sense of the word" (Benda 1991: 50).

[232] Seligman 1992: 202f. notes that "[i]n the East, civil society evokes a strong communal attribute that, while apart from the State, is also equally distant from the idea of the autonomous and agentic individual, upon which the idea of civil society rests in the West. [...] The individual actor within civil society is seen in the East,

complex social reality. This normative affinity is further strengthened by an analytical question that, although often hidden behind the emphasis on the state-society dichotomy, has nevertheless found relatively clear expression in the writings of dissident thinkers. As has been mentioned above, various forms of independent activity, such as those remaining largely within the private realm, concerning the second economy or aiming at radical political change, were not included in the civil society project. Of these, the second economy and its treatment within independent thought are particularly informative.

It has been observed that independent thought largely under-conceptualised the second economy, despite its significance particularly in Hungary and Poland.[233] When and if this realm was considered by independent thought on civil society, this happened largely in an indirect, consequentialist manner. It was mainly in two respects that the second economy was related to civil society. Firstly, it was seen to be the realm with the greatest potential for social differentiation. This economic pluralism was to be expressed and accommodated through the organisational structures of civil society. Secondly, and in the present context more importantly, independent thought drew a clear ethical line between civil society and the economy. In terms of the principles and values underlying its functioning, the second economy was acknowledged as highly ambiguous, not rarely characterised by a lack of transparency and favouritism, by bribery and theft in the pursuit of personal gain. As such, the second economy obviously clashed with civil society, where openness, legality and responsibility for the public good were to be promoted. Inasmuch as the state threatened (civil) society by bureaucratically and ideologically colonising wide areas of public life, the second economy was considered to have similarly undermining effects. Consequently and along with these ethical distinctions, independent thought not only set apart civil society and the state (including the first economy), but the second economy as well. What emerges is hence "a civil society based neither in the state nor in the marketplace,"[234] in addition to being distinct from the private sphere of individuals that bears no significance for the public life of society. This clearly parallels the analytical content advocated by contemporary concepts of civil society. What is more, it has been argued that the contemporary concept of civil society as advocated by Western theorists found much inspiration in the analytical distinction of civil society emphasised by East-Central European thought.[235]

From this brief discussion, the observation can be drawn that the East-Central European project of civil society cuts across modern and contemporary perspectives within the broader

---

however, as firmly embedded within communal, mostly primordial attributes that define the individual in his or her opposition to the State."

[233] Kennedy 1991: 164 notes that "it is unclear where in this struggle between totalitarian political authorities and the self-organized society the economy fits at all."

[234] Ost 1990: 30f.

[235] Szacki 1995: 102.

development of this concept. Firstly, this project polemically resonates the modern emphasis of the state-society, public-private dichotomy. It takes, secondly, a clearly liberal position and advocates a strengthening of the social side of this dualism. Thirdly, civil society in the region also relates to a number of collectivist aspects relevant for republicanism, socialism and nationalism, although in a paradoxical reversal of the original view. These are, fourthly, to be accommodated in a largely procedural way, thus rejecting the substantial principles underlying modern perspectives and adopting one of the essentials of contemporary concepts of civil society. This affinity is, finally, further strengthened through the analytical boundaries of civil society, its distinction from the private sphere, the state and the economy alike, which are drawn by East-Central European theorists of civil society.

Through contributing their project of civil society, thinkers in the region thus enormously enriched the conceptual history of this idea, apart from the fact that it was their thought and activity that gave rise to the concept's renaissance in the first place. This contribution, however, also and further enhanced the complexity and, consequently, vulnerability of this concept towards a range of criticisms. It is these critics of the concept of civil society more generally that the present considerations will turn to in the following section.

Critics of the Concept

Among the many criticisms brought forward against the concept of civil society in the contemporary debate, the relativist objection is certainly one of the most prominent. This criticism takes its departure from the observation that the concept emerged in the particular socio-cultural context of eighteenth century Western Europe.[236] While this is already a gross simplification, it is argued further that civil society, as it was introduced by the Scottish Enlightenment, rested on a "naïve anthropology of moral sentiments and natural sympathy" that mitigated against the negative implications of newly found individualism.[237] Due to this particular origin, the applicability and usefulness of the concept is said to be highly doubtful under contemporary conditions that are so markedly distinct from this original context. In arguing so, this relativist objection questions or outrightly rejects the application of the notion of civil society to both contemporary Western societies as well as non-Western contexts.[238]

---

[236] Baker 1998, Hann 1996.

[237] Seligman's objection focuses particularly on the centre-stage of the individual in the Scottish concept. On the one hand, the individual is clearly asserted to be the central agent propelling both individual and social good. This individualism is said to be fostered by the Protestant view of individual relations to God. This religious element, on the other hand, also and partly compensates for the negative implications of the individual pursuit of good life, in that it provides for a number of values securing social integration. For the criticism, see Seligman 1992: 205.

While it is certainly true that the particular idea of civil society suggested by the Scottish Enlightenment was indeed a product and a reflection of eighteenth-century Britain, very much the same can be said about any particular understanding of this term (as well as any other social science concept) throughout its conceptual history.[239] The common bond across these variations is that, at all times, the concept was concerned with questions of ethical life and social integration. The particular problem introduced by modernity, the separation of individual morality and social cohesion, then gave rise to the adjustment of the ancient notion of civil society to the modern problématique, first only implicitly by the Scottish thinkers and then explicitly by Hegel. Inasmuch as this particular modification was a reaction to the obvious inappropriateness of the traditional, pre-modern notion of civil society given the advent of modernity, the later conceptual developments can be read as reactions to the deficiencies of the Scottish approach. What is common to the various concepts of civil society to the present day is that they all address the same question, that is, the modern problem of the dichotomy between private and public. If conceptual modifications promise to provide more sufficient insights if not answers to this problem than previous attempts, such a further development of the concept is more than justified. The only necessity arising from such conceptual adjustments is definitional clarity.

The various adjustments of the concept of civil society from the eighteenth century to the present day indeed increased its potential to tackle the problematic tension between private and public. Moreover, and with the most recent procedural shift in particular, these modifications of the concept also enhanced its applicability to both Western and non-Western societies alike. If civil society is not understood as a particular setting that assures the conduct of a good life for individuals and society, but as a realm where various versions of good life compete and compare on the basis of procedural provisions, neither the application of the concept to contemporary Western societies, nor its usefulness in any other socio-cultural context should be seriously in question.

The dynamic conceptual development of civil society also raises epistemological questions. If a concept undergoes such profound changes as did civil society, its distinction from and relationship to other social science categories and concepts may become increasingly blurred. An example for this problem are the successive equations of civil society with the state and society more generally. A more recent objection comes from Kumar who asks "what the concept of civil society adds that other more familiar concepts do not already cover, and perhaps more adequately. [...] [W]hat is wrong with the language and the terms of such concepts as constitutionalism, citizenship, and democracy?"[240] While it is certainly hard to deny the existence of varied relationships and overlaps between the cited as well as several other concepts and civil society, the reduction of the conceptual landscape of the social sciences in favour of few presumably well established "super-concepts" does not seem to be a wise choice. First and foremost, concepts such as the ones cited by Kumar have themselves undergone conceptual changes over time that are not less significant than those that have affected civil society, and they will surely be subject to further developments. Marshall's scheme of the expansion of citizen's rights or the profound differences between Aristotle, Schumpeter and Dahl in their views of democracy may suffice here as illustrations. It appears that social science concepts are generally subject to dynamic developments, to contractions and expansions diminishing or increasing the scope of a given concept in favour or at the expense of others. Given these dynamics, the idea of mapping social science concepts and thus to assign epistemological values in a stable and clear-cut manner appears to be a fallacy.

---

[238] Examples for this relativist criticism are Seligman 1992 and Hann 1996. The interesting position of acknowledging a genuinely Western character of the concept of civil society and optimistically celebrating its present and future extension to non-Western contexts is held by Gellner 1994 and Hall 1995.

[239] Wolfe 1997: 9.

Moreover, any such inclusion of one concept into another seriously impoverishes, if not straightforwardly prevents, inquiries into the nature of the concept in question and the empirical phenomena related to it. Concepts operate on different levels of generality. The nature of a more abstract phenomenon can be said to depend on the nature of others on a lower level of generality and on the relationships between them. The subject of the present research can serve to illustrate this. Democracy as a higher-level phenomenon depends, in its nature, on both the existence of and the mutual relationships between phenomena such as the state and civil society, which operate on a lower level of abstraction. If such lower-level phenomena are simply subsumed under those more abstract ones, any more detailed inquiry into the nature of these phenomena and their relationships is impossible, and so is consequently any explanation of the nature of the related higher-level phenomenon. Epistemologically, then, the presumed coverage of one concept by another and, therefore, its subsuming is not only arbitrary but simply counter-productive.

It is precisely this causal relationship between concepts on different levels of abstraction, namely the one between civil society and democracy that has been another target of criticisms launched against the concept of civil society. What has been put into question by several authors is the general assumption that civil society automatically contributes to strengthening democracy. In various cases, this assumption does not hold in this form. Civil society has frequently become and still is a realm where various modern ideologies, from nationalism to socialism to liberalism, as well as religious fundamentalism are organised and communicated.[241] These can, under particular circumstances, undermine democracy and contribute to its breakdown.[242] In a similar way, it is argued that the stress on civil society as a public sphere separate from the democratic institutions and channels of decision-making can constitute a dangerous form of disdain of these democratic structures.[243] This raises the problem of the particular conditions in which civil society is conducive to either strengthening or weakening democracy, and more detailed inquiries of these circumstances have begun only recently. However, since this link between civil society and democracy will be the subject to detailed discussion at a later point in this study, it may suffice here to state that this relationship has also raised a number of critical voices.

---

[240] Kumar 1993: 390f.

If this democratic objection addresses the causal and vertical relationship between concepts on different levels of abstraction, various analytical criticisms are concerned with the boundaries between concepts operating on one and the same level as civil society. Since Hegel, civil society has come to be considered as one sub-system among others operating within an overall social and political system. As such, civil society has become differentiated from an increasing number of other realms, most prominently the state and the market but also the intimate sphere. The dynamic shrinking of the empirical realm encompassed by civil society and its distinction from ever more realms, combined with a misleading terminological continuity, led to an "acute definitional fuzziness," as some authors point out.[244] It is indeed striking how little attention is paid to initial definitional clarification by many users of the term in scholarly debate and beyond. However, this criticism hardly addresses the concept of civil society itself, but rather refers to an uncritical attitude on the part of many of those working on and with this concept. It is precisely in order to avoid this problem within the present study that, against the background of its outlined conceptual history, a definition of civil society will be provided at the end of this part of the study.

However, analytical problems and related criticisms extend beyond definitional clarification. Various authors object to the fact that a precise and clear-cut distinction between civil society and those other spheres, most importantly the state and the market, can hardly be drawn. Most commonly, analysts use the three-part model distinguishing between civil society, the state and the market.[245] Thought of as ideal types, organisation in these three realms is said to be based on three different logics. Hierarchical structures are characteristic of the state, while economic markets follow the profit principle. For civil society, organisation takes place on the basis of voluntary association.[246] Critics point to the fact these three logics are essentially at work across sectors, as for example hierarchical structures of organisation can equally be found in business enterprises and large-scale associations within civil society.[247] Analogous problems arise if one considers the central media of functioning, whereby state, market and civil society are distinguished according to the dominating features of power, money and communication, respectively. While this observation is certainly well taken, it may be useful to remember the Weberian concept of ideal types. In the first place, the establishment of such ideal-typical distinctions is not meant to be a close resemblance of empirical reality, but a useful analytical device for its exploration.[248] Without such methodological simplification, the complexity of reality would be prohibitive of any meaningful social research. Given this necessity, the distinction of civil society from other realms by means of central characteristics such as the ones mentioned above appears to be very reasonable. This, however, does not mean that this analytical objection has no bearing on empirical research on civil society. On the contrary, it is necessary to inquire into the extent, to which these "alien" logics or characteristics are at work in civil society and how they affect its functioning as a separate realm.

---

[241] Numerous examples for ideological movements within civil society can be found in Keane 1988a and Keane 1988b. For more recent examples of nationalist and right-wing organisations within civil society, see Latawski 1995, and Held 1993.

[242] A well-known example is the Weimar Republic, where a thriving civil society helped to end Germany's democratic experiment; see Berman 1997. In an interesting inversion of Berman's argument, Hanson & Kopstein conversely argue that the survival of formal democracy in contemporary Russia is largely due to the atomisation of social forces and their low levels of organisation; see Hanson & Kopstein 1997.

[243] Heins 1992; Taylor 1991; Shell 1994.

[244] Edwards & Foley 1998: 126.

[245] Some authors add political society as a fourth realm; examples are Cohen & Arato 1992, Linz & Stepan 1996.

A further analytical problem brought forth in relation to civil society is the position of the family and the intimate sphere of individuals more broadly. It has been shown earlier that various authors include the family into the realm of civil society while others distinguish explicitly between the two. In application of the logic that established the differentiation between state, market and civil society along with some central feature, the intimate sphere of the family also appears to be markedly distinct from civil society. Where the latter is characterised by communication and voluntary association, the family is a hierarchical structure with anything but voluntary membership and position, with filial love and empathy as important media. Therefore, it seems reasonable to treat family and civil society as distinct realms in the same ideal-typical sense argued above.

Finally, various normative objections take issue with the great dichotomy between private and public that underlies much of the thought on civil society. A first line of critique addresses the dichotomisation between civil society and the state. It is argued that the current debate has failed to establish civil society as an autonomous realm between the market and the state. The reason for this failure is seen to lie in the hegemony of liberal individualism or neo-liberalism within this debate. It was shown earlier that modern approaches to civil society responded to the emergence of the great dichotomy between public and private through the identification of two distinct realms, those being the state and civil society. Both are seen to be strictly separated and in permanent opposition and tension with one another. This view of civil society has been revived by neo-liberalism in the current debate. Indeed, East-Central European experiences and dissident thought provided an important impetus for this development. The problem various critics identify in regard of this civil society versus the state view is that it deprives civil society of its public relevance. Civil society is completely equated with the private that then includes economic markets and the intimate sphere along with forms of voluntary association and communication. This total privatisation thus abolishes the normative aspect of mediation between private and public that has become central to civil society for many authors from Hegel to Habermas.[249] In addition to that, this view does not allow for an appreciation of the constitutive and enabling capacity that the state has with regard to civil society. Instead, the state is seen as a permanent threat to civil society.

---

[246] Uphoff 1993: 610.

[247] Edwards & Foley 1998: 126.

[248] Weber 1947.

Other authors criticise the distinction between private and public more generally. It is argued that, in a model distinguishing between the state, civil society, economic markets and the intimate sphere, the entirely private character of the latter two realms is unduly exaggerated. Instead, as various authors have shown, both markets and family structures entail publicly relevant aspects. A strict dichotomisation between private and public is, therefore, problematic.[250]

With regard to both these normative objections, the most recent approach to civil society based on discourse ethics appears to be an appropriate solution. Firstly, in that it establishes civil society as a third realm distinct from the state and the market (and, as was argued earlier, also necessarily separate from the intimate sphere), this approach avoids the simplistic neo-liberal equation of private and public with civil society and the state. Secondly, in that it provides for a permanent communicative reconsideration of the boundaries between private and public, this approach also responds to the second line of criticism. It is here that issues originating in the economic and intimate realms can be examined concerning their possible public relevance. Discourse ethics, thus, reconciles the strict character of the private-public dichotomy and the related realms, without abolishing it altogether.[251]

---

[249] This line of criticism is brought forth energetically by Somers 1998 and, although in a more relativist manner addressing the genuinely Western concept of the agentic individual, by Hann 1996.

[250] Frankenberg 1996 emphasises the general interests and public goods involved in the functioning of the market; feminism has insisted that the gender distinction cannot be privatised but is also publicly significant (Young 1994, Moller Okin 1995).

[251] For an interesting model combining the private-public distinction with four analytical realms of state and market, private (family) and public (interaction of voluntary organisations) spheres, see Janoski 1998: 12-17. The position of civil society itself, however, remains highly unclear in this model, as "[c]ivil society represents a sphere of dynamic and responsive public discourse between the state, the public sphere consisting of voluntary organizations, and the market sphere concerning private firms and unions." (ibid. 12).

Conclusion: A Definition

The preceding overview of the conceptual history of civil society and of the various criticisms brought forward against it delineate the field, within which a definition of civil society can be established to guide further empirical and theoretical enquiry. First and foremost, it should have become clear that the concept of civil society cannot be treated exclusively as a socio-analytical category, but that this concept always involves a number of normative elements (and vice versa). Consequently, a definition drawing on the rich tradition of this concept will, therefore, necessarily blend these two dimensions.

Furthermore, it has been shown that the concept of civil society has undergone profound changes from its introduction in ancient political thought to the present. Its analytical point of reference has been continuously made more concrete and narrowed towards a specific sub-system, while its normative scope has shifted from substantive claims to procedural provisions. As this study also attempts to inquire into the contemporary condition of civil society in a particular region of Europe, its definitional basis cannot but take this long-term trend into account.

Finally, the various objections against this concept also highlight a number of critical issues a definition will have to cater for. The relativist critique needs to be taken into consideration to the extent that a definition for civil society must not entail elements that limit its applicability to those socio-cultural contexts, in which the concept emerged and developed, that is, the established democratic regimes of Western Europe and North America. This is particularly important for the later empirical enquiries of the present study, which aim to explore civil society in the emerging democracies of East-Central Europe.

The epistemological objections are significant in the sense that the definition needs to clearly set apart civil society from related concepts, most prominently democracy, citizenship and political culture but also analytical categories such as third sector or non-profit organisations.

Concerning the analytical problems mentioned earlier, it has already been argued that a separation of civil society from three other realms, that is, the state, the market, and the intimate sphere appears to be appropriate. However, a further specification should be added here. In its intermediary position and role, civil society to some extent parallels the place and function of the political party system, and it is for this reason that various authors have included political parties in civil society. This inclusion, however, overlooks a number of crucial differences in the functioning of these two intermediary mechanisms.[252] In their essence, these differences pertain

---

[252] These differences have been analysed in detail in the literature on corporatism. Exemplarily, Lehmbruch 1979 describes some of these differences with regard to the consensus-building capacity of political parties and systems of interest representation.

Forbrig, Joerg (2004), Civil Society: Theory and practice in East-Central Europe
European University Institute DOI: 10.2870/42402

to the mode of communication that in the case of political parties is systematically constrained, whereas in the sphere of civil society such limits, at least ideal-typically, do not exist. Since the most recent approaches to civil society derive much of their thrust from discourse ethics, which in turn rests upon as unconstrained a communication as possible, political parties will have to be excluded from a definition of civil society.

With regard to the normative problem of the necessity as well as difficulty of drawing a line between private and public, it has been argued that discourse ethics endows civil society with the particular quality of combining both sides of the dichotomy within one realm, where this distinction is permanently subject to reflection and eventually change. Hence, an important definitional aspect is the public character of civil society, on the one hand, whereas individuals and groups act in their private capacities, on the other.

Definitions coming close to meeting these requirements have been offered by various authors.[253] Of these, the most concise and comprehensive definition seems to be the one offered by Schmitter, which states that

> "civil society can be defined as a set or 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."[254]

In that it rests on the four core characteristics of *dual autonomy, collective action, nonusurpation* and *civility*, this definition essentially accommodates the various requirements discussed earlier.

It appears that this definition is fully commensurate with the described conceptual development of civil society. Although endowed with a clearly sociological thrust, this definition also contains, in the form of *civility*, an obvious normative element. This normative dimension of the definition will shortly be strengthened by the additional element of *publicity*. The socio-analytical referent of this definition is, fully in line with the shrinkage the concept of civil society has undergone historically, a relatively narrow and clearly circumscribed realm below the level of society, while the normative foundation is, based on rules allowing for pluralism, clearly procedural without any substantive claims.

---

[253] Diamond 1996: 228 conceives of civil society as of the "*realm of organized social life that is voluntary, self-generating, (largely) self-supporting, autonomous from the state, and bound by a legal order or set of shared rules.* It is distinct from 'society' in general in that it involves citizens *acting collectively in a public sphere* to express their interests, passions, and ideas, exchange information, achieve mutual goals, make demands on the state, and hold state officials accountable. Civil society is an intermediary entity, standing between the private sphere and the state. Thus it excludes individual and family life, inward-looking group activity [...], the profit-making enterprise of individual business firms, and political efforts to take control of the state" (italics in the original). Very similar definitions are offered by Bibič 1994: 54f.; Bernhard 1996: 309; Merkel 1999: 8.

[254] Schmitter 1997: 240.

Moreover, the definition responds to most of the objections launched against the concept of civil society. With regard to the relativist critique, the definition itself does not imply a specific cultural context but is obviously context-independent. This is not to say that difference in scope, structure, strength or weakness of civil society cannot exist as a result of cultural differences. What is at stake, rather, is the applicability of the definition across contexts. Epistemological problems do not arise, as concepts often seen to be related to civil society can be clearly set apart. Of these, democracy will be discussed in detail in the last part of this study. Citizenship, or more specifically the endowment of individuals with civil and political as well as, oftentimes, social rights, is clearly a pre-requisite for civil society in this definition. Political culture is equally a factor conditioning civil society. However, both citizenship and political culture are clearly separate categories and cannot be subsumed under civil society or vice versa without a loss of meaning.

Further categories, such as non-governmental organisations, non-profit or third sector only partly satisfy the requirements of this definition. For example, non-governmental distinguishes itself from the state but neither from the market nor the family. Non-profit elevates difference from market entities to primary significance. Third sector is silent about the boundary to the family. In turn, all these categories find a place in the realm of civil society without losing sight of their specific characteristics. Preference is, therefore, given to civil society as a category.[255]

While for the above outlined critiques, the definition given can be considered appropriate, it is not entirely the case with respect to the last of the objections made, namely the normative one. Here it turns out that *civility* as a definitional requirement is not sufficient for the public character demanded by discourse ethics, which suggests that any interaction within civil society must necessarily take place in public and be open to all those potentially affected by its outcomes. It is, hence, advisable to amend this definition by the normative element of *publicity*.[256] Thus adjusted, and resting on the five pillars of *dual autonomy, collective action, non-usurpation*, *civility*, and *publicity*, the definition adopted here conceptualises civil society in a way that appears to satisfy both the longer-term trends in the conceptual history of civil society, which were outlined in this chapter, and the various criticisms launched against this concept more recently.

---

[255] This incorporation can be usefully exercised with the definition of what, according to Salamon et al., is "[k]nown variously as the 'nonprofit,' the 'voluntary,' the 'civil society,' the 'third,' or the 'independent' sector." Their definition includes the following characteristics: "*Organizations*, i.e. they have an institutional presence and structure; *Private*, i.e., they are institutionally separate from the state; *Not profit distributing*, i.e., they do not return profits to their managers or to a set of 'owners'; *Self-governing*, i.e., they are fundamentally in control of their own affairs; and *Voluntary*, i.e., membership in them is not legally required and they attract some level of voluntary contribution of time or money" (Salamon et al. 1999:3f.; italics in the original). Compared to the definition for civil society provided earlier, this understanding of civil society qua non-profit sector is largely covered by the properties of *dual autonomy* and *collective action*, while the equally important aspects of *nonusurpation* and *civility* (as well as the *publicity* amendment suggested here) are absent.

[256] Publicity here is the equivalent of the German *Öffentlichkeit*.

To summarise the considerations of this chapter, it should have become clear that there are solid conceptual grounds to treat civil society as a durable and valuable social science category rather than as a fashionable slogan. As the systematic overview of its conceptual development reveals, civil society has held much meaning for social and political thought prior to its recent renaissance. It has figured prominently in classical and modern political thought before assuming widespread currency in contemporary discourse. It is this relevance, in the very long term, that provides a first argument for taking this concept seriously, for paying attention to its evolution, and for further advancing its conceptual power.

As was shown here, the continued prominence of civil society throughout the history of political thought is the result of the remarkable adaptability of this concept to changing social and political realities. In fact, the conceptual evolution of civil society is a reflection of the course societies have taken from traditional through modern to post-modern stages of development. The increasing institutional and social differentiation human communities have undergone over time triggered commensurate adjustments of the concept of civil society, both in analytical and normative terms. Subsequent adaptations provide for a succession of three conceptual strands of thought on civil society – classical, modern and contemporary. These are distinct in that they refer to different empirical social realms and in that they put forward shifting normative postulates. In this context, it is interesting to observe that the civil society project endorsed by independent East-Central European thinkers in the 1970s and 1980s, and which essentially prompted the renaissance of this concept, is a borderline case that combines elements of several of the conceptual strands identified in this chapter. This case points to the usefulness of the systematic conceptual overview provided here and that makes it possible to locate any contribution made to the current discourse on civil society within the broader landscape of meanings invoked by this notion. Given the cacophony of voices, intentions, meanings and claims that has been heard with the recent renaissance of civil society, the usefulness of such a conceptual map should be beyond doubt.

However, the value of the preceding overview extends farther than a purely instrumental utility for current discourse. What is more, it also makes it possible to assess the criticisms launched against this concept in the contemporary debate, to clarify the extent, to which these objections are justified, and thus to establish the overall relevance of civil society as a social science category. In reviewing those critical voices against the backdrop the conceptual evolution of civil society, it becomes apparent that most of them can be refuted. At least in part, the comparably straightforward dismissal of several critical interventions can be attributed to their very limited perspective on civil society, one that fades out much of the conceptual wealth related to this notion and that, if taken into account systematically, as in this chapter, renders many a critique unfounded. This can also be read as a further indication for social scientific potential of the concept in question.

Other critical interventions primarily demand definitional clarity, which is indeed lacking in much of the current discourse on civil society and as has been initially observed. In order to determine a satisfactory and sound definition, the systematic review of the evolution of this concept has been informative and indispensable. Most importantly, it has allowed the identification of those long-term trends, discussed above, that have characterised the analytical and normative conceptualisation of the category throughout its history. In addition, this review has established the specific conditions and questions that characterise present-day approaches to civil society, that is, the contemporary strand within the development presented here. Only if both elements are reflected, a definition of civil society will be able to claim conceptual soundness and contemporary relevance. The definition presented above fulfils these requirements, it can be seen as the latest (although certainly not the last) phase of a long conceptual development, and it can serve as a basis for further theoretical and empirical enquiries. It is this definition that will frame the forthcoming exploration of the empirical reality of civil society in East-Central Europe.

2 The Reality: Civil Society in East-Central Europe

An only cursory glance at the development of civil society in East Central Europe, at the emerging organisational landscape as well as the vast literature on this subject can leave the observer with very ambiguous impressions. Since 1989, East-Central Europe has very obviously witnessed an observable upsurge in civic activity. Within a few years, thousands of civil society organisations sprang up, entered public life, began to express the pluralist character of their societies, started to interfere in political and economic, social and cultural matters, set about tackling manifold problems of more or less recent origin, and have, thus, left traces on the day-to-day functioning of post-communist societies. In the face of this mushrooming of civic initiative, it should come as little surprise that enthusiasm has also seized many a scholarly observer, for whom the post-communist societies of the region represent yet another, and particularly pronounced, example for a "global associational revolution" more broadly.[257] Others, however, soon started to paint a less rosy picture. Critical, but optimistic, voices pointed to the protracted weakness of civil society in the region and identified a number of challenges that were to be addressed in order to tap the full potential of citizen initiative.[258] Sceptics stressed the persistence of a wide range of circumstances, from "civilizational incompetence" to material impoverishment to the "overparticisation" of the public realm, that stand in the way of vibrant civil societies in post-communist contexts.[259] Even gravediggers of civil society have already appeared and announced the "strange death of civil society" in the region.[260]

It is against the background of these contradictory assessments that this chapter will trace the empirical reality of civil society in East-Central Europe. Based on the definition adopted earlier, it will be analysed how civil society has developed to date in the Czech Republic, Hungary, Poland and Slovakia. A brief historical overview of civic initiative in the region prior to 1989 opens this analysis and demonstrates that, rather than emerging from the vacuum of state-socialism, the renaissance of civil society in the four countries is informed by a rich heritage of independent civic activity. As this review will cite numerous examples of formats civil society took at different historical stages, it will also serve to further illustrate the conceptual history discussed earlier.

---

[257] Salamon 1994: 109 declares that "we are in the midst of a global 'associational revolution' that may prove as significant to the latter twentieth century as the rise of the nation-state was to the latter nineteenth."

[258] Potůček 1999: 45ff.

[259] Sztompka 1993; Agh 1998: 88.

[260] Such is the evaluation of the situation in Hungary arrived at by Lomax 1997. Ely 1997: 132 notes that "[T]he disappearance of 'civil society' and the 'citizen movements' initiative and influence, and not their expansion and the constitutional rationalisation of their demands, is the puzzle of the 'catch-up revolutions' of 1989-1990 in Eastern Europe."

Following on from that, the present analysis continues with scrutinising the re-emergence of civil society in the region since 1989. A wide range of structural, social and economic indicators will be employed to provide a detailed and complex picture of organised civic initiative in the four countries. In doing so comparatively across the countries of the region, the present enquiry will take the analysis of civil society one step beyond previously published studies, which are almost exclusively focused on individual countries. This will subsequently make it possible to assess more closely the progress made by civil societies in East-Central Europe, and to identify emerging differences as well as persistent similarities between them. Not least, this comparative perspective allows for an evaluation of various political, economic and social factors conditioning the development and functioning of civil society. At various stages of the analysis, comparative data from Western Europe will be used to evaluate how the countries of the region, individually or as a group, fare in comparison with more established democracies. These are, after all, an important reference point for countries undergoing regime change to democracy, especially for those in the post-Soviet space. A comparative glance contrasting East-Central Europe with the Western parts of the continent will therefore be insightful as to the extent, to which civil societies in the region have come to approximate their more established counterparts.

On this basis, it will be possible to determine whether or not the enthusiasm or optimism, scepticism, pessimism or resignation vis-à-vis civil society expressed by various observers is justified. More importantly for post-socialist democracy, it will be possible to assess in more detail the strengths and weaknesses of civil society in the countries of the region and its prospects for further development.

A Rich Heritage Ruined…

Owing to the relatively recent renaissance of the concept and its present currency, the impression seems to be widespread that the development of civil society is a rather contemporary phenomenon.[261] In East-Central Europe, such an impression is further reinforced by the inextricable link between post-1989 democracy and civil society, as it was only with the full establishment of the former that an unconstrained resurgence of the latter could occur. Moreover, the ongoing public debate in the region has also, by placing hopes in civil society within the broader process of necessary reforms, by using it as an indicator for democratic maturity, by lamenting its protracted weakness, contributed to an overwhelmingly "presentist" view of the phenomenon. However, not only does such a contemporary focus mitigate against the long conceptual history of civil society, shared by the countries of the region at least in part; it also fades out a rich historical heritage of social activities and organisational structures, which can be considered distant predecessors or more recent heralds of civil society in East-Central Europe.[262] This historical development can be usefully viewed as a succession of four distinct phases: pre-modern and early modern times, the period of national awakening and self-assertion, the inter-war era of independent statehood, and the post-war history of Soviet-type regimes in East-Central Europe. Each of these phases witnessed the emergence of distinct forms of, to use contemporary language, civic activity, characteristic sets of organisational structures and specific experiences. In their entirety, these form a legacy that relates to, at times conditions, at times provides impulses for and, in any event, lends meaning to civil society as it has been developing in the region prior to and since 1989.

Not surprisingly, the first documented signs of activities on behalf of the social community in the region are linked to the advent of Christianity around the 10th century. Similar to other religions, Christianity endorsed the commandment of charity. While this provided a strong spiritual thrust to undertake charitable activities, it was the institution of the Church that initially facilitated the creation of organisational structures providing assistance to those in need. The typical charitable establishment was the hospital, which usually served a range of purposes; being infirmary, almshouse, old-age home, orphanage and hospice for pilgrims all at once. In their establishment and functioning, these hospitals were collaborative efforts of secular rulers, the Church and lay people alike. Initiated and endowed by kings and bishops, hospitals were typically overseen and run by parishes or religious orders, and relied on revenues from their own economic activity as well as from contributions from lay people; in this combination of interest-free endowment, tax-exempt status and public fund-raising, hospitals exhibited the typical features of modern-day foundations, the overwhelmingly religious stimulus behind them notwithstanding.[263]

---

[261] This question has been raised in other contexts as well. For example, in the recent German debate on civil society the argument has been made that there is little, if anything, to civil society that has not existed for decades; see Gaschke 1999.

[262] Recently, these legacies have attracted the attention of scholars, and first overviews of early forms of social activity along the lines with the concept of civil society are now available for the countries of East-Central

While initially, charitable structures, such as hospitals as well as (somewhat later) schools,[264] were established within the institution of the Church, a trend soon emerged that supplemented the Church as the exclusive carrier of institutionalised charity. Beginning with the 13th century, orders of chivalry and fraternities or brotherhoods of commoners developed that came to assume significant charitable work.[265] Although oftentimes figuring under a religious heading and devoted to a particular patron saint, fraternities were essentially lay groups. These are the first forms of genuine association in the region. Initially based on estates more broadly and carrying out functions on behalf of the good of the wider community, fraternities increasingly developed along with specific crafts or professions, thus taking the form of mutual benefit associations providing services to members, their families, and dependants. As such, profession or craft-based fraternities became the predecessors of later guilds that, in addition to those charitable purposes, also performed wider economic, judicial-regulatory, and political tasks.[266]

The trend towards a more secular and wider character of charitable work gained in momentum with the flourishing of urban centres, where municipal authorities increasingly supervised the functioning of hospitals and schools, acted as trustees for donations, funds and heritages, defined and regulated those public services to be rendered through co-operative schemes involving the urban authorities and the Church, aristocrats and burghers, fraternities and guilds. Urban communities also required a range of innovative services, such as public safety. Not uncommonly, associations of townspeople, such as riflemen's clubs, played an important role in performing such tasks.[267] It was also mainly in the towns of East-Central Europe that large Jewish

---

Europe. See, for instance, Kuti 1996; Dudeková 1998; Leś 2000; Frič et al. 2001; Leś 2001; Tůma, Vaněk & Dostál 2001.

[263] The first of these hospitals in the region are documented from as early as the 11th and 12th centuries: in Pécsvárad (Hungary) in 999; in Nitra, Hronský Beňadik, and Levoča (Slovakia) in 1054; in Wrocław and Jędrzejów (Poland) in 1108 and 1152, respectively (see Kuti 1996: 13f; Dudeková 1998: 12; Leś 2001: 20).

[264] The establishment of Church-based schools reportedly began in Poland in the 13th century. By the end of the 14th century, such schools existed in all towns of Poland, soon thereafter even in many rural areas (Leś 2001: 22). Similar developments are reported for Hungary (Kuti 1996: 16).

[265] Among the oldest brotherhoods in the region are the *bratstvo 24 spišských farárov* in Levoča, Slovakia (1202) and the *bratstvo božieho tela* in Bratislava (1349), the *Corpus Christi Society* in Nagyszeben (1372), and the *bractwo św. Łazarza* in Cracow (1448).

[266] According to Kuti 1996: 15f, first examples of such professional organisations were a society of journeyman weavers founded in Kassa/Košice in 1429, and a society of journeyman bakers established in Pozsony/Bratislava in 1433. For the Czech lands, early examples include associations of glove-makers and of tailors, founded in Prague in 1432 and 1442, respectively (Tůma, Vaněk & Dostál 2001: 36).

[267] Dudeková 1998: 14 reports the oldest shooters' clubs, or *šermiarske bratstvá*, on the territory of Slovakia for Trnava 1238, Kežmark 1510, Levoča 1516, Kremnica 1520, and Bratislava 1526.

communities existed and developed their own communal charitable and service institutions that similarly combined religious and secular elements and rendered a range of services beyond charity in the narrow sense.[268] What had thus developed by the end of the Middle Ages were wide-spread forms of foundational and associational activity as well as of, in contemporary terms, early public-private partnerships involving secular rulers and community authorities, Church institutions, and private, lay individuals. At the same time, the scope of activities had begun to move beyond the initial concept of charity as assistance to the needy towards a broader range of public services.

During the 16th and 17th centuries, these developments underwent important setbacks. Reformation questioned the practices of the Church, including those pertaining to charitable work, and demanded the secularisation of such services. The influence of reformation thought on East-Central Europe was, however, limited. In Poland as well as in the Habsburg Empire, which had gained authority over the Czech and Hungarian (including Slovak) lands in the 16th century, the Counter-Reformation re-confirmed the central role of the Catholic Church, with the Jesuit and other orders asserting particularly strong positions. With the overwhelming support of secular rulers, Catholic institutions became once again the preferred site for charity and education. In turn, other actors, divergent religious denominations, municipalities and guilds were increasingly constrained in their capacity for foundational and associational work and service-provision, in particular as protracted wars led to economic recession, while their political leeway shrank significantly under the grip of secular rulers and foreign invaders.[269]

Only with the 18th century, under the double influence of the Enlightenment and, in parts of the region, Absolutism, did these developments take another turn. Inspired by the ideals of the Enlightenment, the development of educated and rational, active and self-sustainable individuals, assumed a prominence as such were deemed central to the modernisation of social communities, more broadly. These ideals implied a significant shift and broadening of charitable activities towards education and more active forms of social welfare.[270] In turning away from religious frameworks, educational activities unfolded among aristocrats and burghers alike and resulted in numerous private initiatives establishing libraries, academies, schools, reading-circles and scholarship funds on a secular basis.[271] In a comparable way, attitudes towards charity changed. Rather than merely distributing assistance to the paupers at large, charitable work was increasingly aimed at leading people out of poverty, giving them the possibility to work, and thus, to sustain themselves. This shift found its exemplary expression in the transformation from almshouses to workhouses which, oftentimes established upon private initiative and funding, required those in need to manufacture various products for sale.[272] This mechanism can also be seen as an early predecessor of economic activity so frequently undertaken by contemporary non-profit organisations in order to generate the revenues necessary for their activity.

---

[268] Central within Jewish communities were the institutions of *Gabaim* and *Chewra Kadisha*. The former are community functionaries in charge of assistance to the poor and sick, orphans and widows but also scholars and students. In addition, school societies and welfare societies functioned in Jewish communities. The latter, *Chewra Kadisha* or burial society, performed a range of social functions including funeral services according to the religious rites, the maintenance of the cemetery or, somewhat later, the running of community hospitals.

[269] Suffice it to mention here the Turkish invasion of Hungary, which kept large parts of the country under Ottoman rule for much of the 16th and 17th centuries. In Poland, the Tatar and Swedish invasions during the 17th century ruined the domestic economy, decimated the population and resulted in a lasting impoverishment of the lands.

[270] This re-orientation implied that the "traditional idea of charity based on the Christian love of God is to be replaced by philanthropy resulting from the love of man, which aims at lending assistance to the really poor and at leading man out of the state of poverty through providing him with the possibility to work, through up-rooting 'idleness' and through involving people in productive work, and be it through force" (Nina Assorodobraj as quoted in Leś 2000: 73; own translation).

While the Enlightenment suggested a particular notion of modernisation and implied changing forms of foundational and associational activity, Absolutism brought about the centralised and bureaucratised state, which increasingly assumed the role of the primary co-ordinator, if not carrier, of this process of modernisation. In some areas, such as education, the state began to act directly and established public school systems, thereby replacing many of the earlier Church, municipal or privately funded educational structures. In other fields, such as social welfare, existing religious or secular schemes were subjected to increasing state control and regulation, as typified by various acts of legislation on foundations introduced in the Habsburg Empire in the 1700s.[273]

The most significant consequence of both the Enlightenment and Absolutism, however, relates to the awakening and assertion of modern national identities throughout the region, thus also opening a new chapter in the history of civil society in East-Central Europe. The processes of modernisation invoked by the Enlightenment brought about a re-orientation of identities towards larger, national communities based on a shared culture and language, oftentimes also on a distinct religion. This shift, however, clashed with the absence of genuine public and most prominently state structures based on these distinctive values. By the end of the 18th century, the entire region of East-Central Europe was ruled by foreign powers. Hungary, the Czech and Slovak lands, as well as the southern parts of Poland, were under the authority of the Habsburg Empire, and the remainder of Poland was partitioned between Prussia and Russia. Through their absolutist, that is highly centralised and bureaucratised, state structures, these foreign powers imposed their own culture and language rather than accommodating those distinct values that Czechs and Hungarians, Poles and Slovaks, as well as a good many other nationalities in the region, strongly identified with. It should come as little surprise, then, that existing organisational structures as well as newly emerging associations became the realm, in which national distinctiveness could be realised and through which national liberation could be promoted.

---

[271] In the Czech lands, scholarship funds (*nadace studijní*) emerged from the 16th century and numbered 138 by the 18th century. Here as well as in Hungary and Slovakia, the Habsburg administration tried to increasingly centralise, regulate and control the activities of private funds but also established foundations devoted to educational purposes, such as the Education Fund established by Empress Maria Theresa in 1773. Well-known examples for educational institutions founded upon private initiative are the Straka Academy in the Czech lands (1710), the Ossoliński Library and the Academy in Zamość in Poland, and the Schwartner donation of books to the Kežmark Evangelical Lyceum in Slovakia (1823).

[272] Leś 2000: 75 mentions the example of Count Le Fort's Institute of the Poor (*Instytut Ubogich*) that functioned in Poland between 1783 and 1786.

[273] Kuti 1996: 19f.; Dudeková 1998: 15f.

Throughout the 19th century, voluntary organisations became the carrier of a veritable national reform movement aiming at the revival and assertion of national culture, at strengthening the social bonds within distinct nationalities, at education and social welfare, at economic development and modernisation as well as, more or less openly, at national independence. The most important initial task, in particular in the Czech, Hungarian and Slovak lands that had been under foreign rule for centuries, but also in Poland, which had lost independence more recently, was the renewal and consolidation of national culture and language.[274] Numerous cultural associations, reading circles and learned societies, casinos and clubs, public libraries and galleries of fine arts, theatre companies and choral societies, student and youth associations, scientific schools and academies were established, cherished national languages and traditions, developed and expressed values distinct from those of the ruling powers, and thus stemmed the effects of Germanisation and Russification, respectively. Within a few decades, dense networks of cultural organisations emerged that covered the entire territory inhabited by a given nationality and provided for its social integration on the basis of a shared culture.[275]

While this cultural focus characterised the initial development of voluntary organisations and foundations, the further course of the 19th century witnessed a significant broadening of activities aimed at furthering the more general progress of a given national community. Important issues were questions of public health and welfare, safety and education within a given community, and they became central to the activity of numerous voluntary organisations. Sports clubs provided facilities for regular physical education.[276] Organisations aimed to improve the hygienic conditions in urban quarters, established sanatoriums, conducted courses in child care, and financed holiday camps for children. Charitable organisations provided social welfare to those in need. Voluntary fire brigades became a typical feature of almost every community. Numerous educational societies founded day and boarding schools, established libraries and reading rooms, provided scholarships and funded institutes of higher education in order to foster education in the spirit, culture and language of a given community.

---

[274] Not rarely, this process also involved elements of an "invention of the nation," to follow Benedict Anderson's well-known dictum.

[275] Famous examples for cultural organisations established during this period are the Royal Bohemian Scientific Society (1784), the *Matice česká* (1830), the *Matice moravská* (1850), the Czech National Theatre (1860s and 1870s), the *Hlahol* choral society in Prague (1861) and the Czech Academy of Sciences (1891) in the Czech lands (Tůma, Vaněk & Dostál 2001: 36ff.). In Hungary, reading circles were established in the 1790s, social clubs carrying out a wide range of cultural activities are mentioned for the cities of Debrecen and Szeged during the 1830s, and a Royal Hungarian Academy of Natural Sciences has reportedly functioned since the 1840s (Kuti 1996: 21ff.). Slovakia witnessed the establishment of learned societies in Banská Bistrica (1785), Pondelek (1791), Trnava (1792), Nižni Skálnik (1808), and Banská Štiavnica (1810). Country-wide organisations are reported for Slovakia since the 1830s, such as the *Spolká milovníkov reči a literatúry slovenskej* (1834), *Tatrín* (1844), and *Matice slovenská* (1863). Exemplary of Polish self-assertion in cultural life was the opening of the National Philharmonic, upon private initiative, in Warsaw in 1901 (Leś 2001: 70).

An important aspect of modernisation and national revival was the economic development of the community in question. Besides a range of self-help and mutual-benefit organisations, which often grew out of the more traditional structures of guilds and professional leagues, varied new forms of organisations emerged. Beginning with the middle of the 19th century, the co-operative movement emerged in the region and led to the widespread establishment of co-operative structures in the consumption and housing, banking, agricultural and industrial sector.[277] A dense network of interest associations emerged and represented varied economic groups, protected domestic producers, organised and self-regulated specific professions, crafts and industrial branches. A case in point is the emergence of trade unions in the region since the 1870s.[278]

This upsurge of civic activity in East-Central Europe, however, did not occur in a linear manner throughout the 19th century. The more or less pronounced patriotic character of voluntary organisations did not escape the attention of the three powers dominating the region. At times, civic initiatives were perceived as overly threatening of the status quo and were consequently faced with increased reprisals, while during other periods their development and activities unfolded in relative freedom.[279] Frequently, such shifts in the political environment also required a re-definition of activities in form and content, which oscillated between more outspoken patriotic and less conspicuous, seemingly apolitical ones.[280]

---

[276] In the field of physical education, numerous sports clubs were established during the second half of the 19th century, such as *Sokol* (Hawk) and *Orel/Orol* (Eagle) in the Czech lands and Slovakia, the *Deutsche Turnerschaft* (German Gymnasts) or the Jewish *Makkabi* across the region.

[277] The first co-operative in the region was reportedly the *Hospodársky, čili Gazdovský ústav*, established in Sobotišta (Slovakia) in 1845, and by the 1890s, in Slovakia existed about 100 co-operatives of all kinds (Dudeková 1998: 20 & 27). A similar development is reported for the Prussian part of Poland, where since 1871 co-operatives emerged in response to anti-Polish government policies (Leś 2000: 83). In the Czech lands, the emergence of co-operatives in the second half of the 19th century is associated with the lawyer František Ladislav Chleborád (Tůma, Vaněk & Dostál 2001: 41). By the turn of the century, the co-operative movement was strong enough to establish regional networks, such as the Hungarian *Hangya* in Budapest (1898), the *Slovenské ústredné družstvo* in Bratislava (1912), and the Czecho-Slovak *Ústredný zväz československých konzumných, výrobných a hospodárskych družstiev* in Prague (Dudeková 1998: 27).

[278] In the Czech and Slovak lands, the establishment of trade unions began in the 1870s, and on the eve of World War I, their combined membership reached already more than 100,000 (Tůma, Vaněk & Dostál 2001: 41). Comparable was the development in Poland, where trade union membership numbered 1.2 million at the eve of independence in 1919 (Garlicki et al. 1999: 533).

[279] Such periods of repression that punctuated the development of civil society were the years following the French Revolution and the aftermath of the 1848 revolutions, in the Habsburg Empire coined “Bach’s Absolutism” after the incumbent Minister of the Interior (Kuti 1996: 21 and 24f). Similarly, the Polish uprisings in 1830 and 1863 as well as the *Kulturkampf* during Bismarck’s Prussia triggered waves of repression strongly affecting civic initiatives.

Nor did civil society unfold evenly across the countries of the region. Important differences existed and emerged across the lands of the region, in terms of modernisation and economic development, urbanisation and secularisation, development of social structure and cultural composition. More importantly, however, the foreign powers dominating East-Central Europe differed starkly in terms of the grip, which they exerted over a given country or region. Commonly, the view is held that in contrast to largely repressive Imperial Russia, and to politically repressive, yet economically and socially modernising Hohenzollern Prussia, the Habsburg Empire exercised a more liberal rule over the territories it subjugated.[281] Within the latter, an important additional turning-point was the 1867 *Ausgleich* introducing the dual monarchy of Austria (including the Czech lands and Southern Poland) and Hungary (including of the Slovak lands).[282] Henceforth, the development of civil society in the two parts of the monarchy became increasingly differentiated. While Czechs and Poles conducted their civic initiatives in the more liberal atmosphere of Vienna, Slovaks faced significant restrictions and the pressures of Magyarisation exerted by Budapest.[283]

The frequent political setbacks described and increasing differentiation in development notwithstanding, a remarkable landscape of thousands of civil society organisations had emerged in all lands of the region by the end of the 19th century. An indication of this vibrancy is given by the available figures for the 1870s, which report more than 3,000 voluntary associations in the Czech lands, and about 4,000 such organisations in Hungary, including the Slovak lands, with a strong growth dynamic visible until the eve of World War I. In participating in all aspects of social and cultural, economic and political life, these civil societies were highly differentiated. Civic initiatives developed a wide spectrum of formal and informal structures, of organisational types including foundations and associations, co-operatives and self-help groups, chambers of crafts and professions, of industry and commerce, trade unions, political parties and clubs, religious and secular organisations, class-based and culturally defined structures. These organisations performed a wide range of tasks, from articulating varied social interests to providing an array of services. Where and when the political climate allowed for it, they also engaged in more openly political tasks.

---

[280] Such a shift is exemplified in the region through the concepts of *drobná prací* in the Czech lands and *praca organiczna* in Poland, both appropriately translatable with small-scale work. Following the defeats of the 1848 revolution and the 1863 uprising in Poland, a more positivist perspective of future political developments emerged in both countries. Rather than advocating direct confrontations with the ruling powers in the pursuit of national liberation, the community was to be prepared for independence through long-term and grass-roots activities in all areas of life, for the time being respecting the political status quo. See Havel 1985: 61.

[281] Such is the comparative assessment of the three parts of Poland under Austrian, Prussian and Russian rule, respectively, commonly held in Poland. See, exemplarily, Leś 2000: 82.

[282] The *Ausgleich* essentially divided the Habsburg Empire into two largely autonomous halves, held together only by the emperor, a common foreign, defence and fiscal policy. Thus it essentially re-established Hungarian statehood.

[283] The disadvantageous environment for Slovak civil society under Hungarian rule is exemplified by the fact that law prevented organisations from carrying any reference to nationality in their names. For more detail, see Dudeková 1998: 24f.

Most notably, however, these voluntary formations were the carrier of a national project. They were overwhelmingly structured along the lines of nationality, not only of the Czech, Hungarian, Polish and Slovak titular nations-to-be but similarly of a good many other ethnic, cultural and religious groups in the region, such as Jews, Germans, Ruthenians, to name but some. In this constellation, civil society organisations came to embody and enhance group identities, integrate nationally or culturally defined communities, and fuel the longing for liberation, in the form of national independence in some cases, and in the form of cultural autonomy in others. On part of the Czechs and Hungarians, Poles and Slovaks, this aspect of civil society in the region came to full fruition after World War I, when the independent states of Czechoslovakia, Hungary and Poland were (re-)established.

On the basis of the well-developed structures that had emerged earlier and freed from the constraints imposed by foreign rule, civil societies in the region underwent a further dynamic development during the inter-war years. So much so that this period has come to be considered the "age of association" in the region.[284] The continued blossoming of civil society organisations in the countries of the region is indicated by contemporary statistical figures which, for the 1930s, report 14,365 voluntary associations in Hungary and 16,033 such organisations in Slovakia, while the Czech lands boasted 5,140 civil society organisations in the field of charitable work alone.[285] Taking into account the wide range of other forms of organisations as well as the broad spectrum of activities covered, civil societies in the three countries appear to have formed a dense and vibrant network of civic initiatives in the years between the two world wars.[286]

This general and continued dynamism notwithstanding, civil societies during that period were also characterised by a number of more specific developments. First and foremost, a crucial aspect was the necessary re-orientation of voluntary organisations vis-à-vis the state. Previously and with the exception of Hungary since 1867, voluntary associations had been the singular facility for a genuine involvement of local society in public life under the condition of an alien state structure. National independence rendered this contradistinction largely irrelevant and implied a re-definition of the relationship between civil society and the state.

---

[284] Dudeková 1998: 5 thus characterises the condition of (Czecho-)Slovakia but similarly positive assessments can be found with other authors describing civil society in the region during this period.

[285] Figures from Kuti 1996: 28, Dudeková 1998: 31, and Frič et al. 1998: 3, respectively. For Czechoslovakia, further information can be found in Young 1938: 168ff.

[286] Taking into account two other relatively well-documented forms of organisations can further substantiate this evaluation. In 1935, Czechoslovak trade unions numbered approx. 1,2 million manual workers (out of a total of 1,9 million) and approx. 950,000 clerical workers (Young 1938: 184f.). In the same year, Polish trade unions combined 700,000 members (of which 110,000 members in agriculture); see Garlicki et al. 1999: 533ff. In Hungary, 700,000 members are reported for the Hungarian Social People's Movement, a peak organisation of the trade union movement in the 1940s (Varga 1987: 223). Sports organisations were similarly numerous in membership, with 285,000 members in Poland in 1938 (Garlicki et al. 1999: 418) and 1,3 million members in Czechoslovakia in 1935 (Young 1938: 171).

On part of the latter, national independence required an acknowledgement of the continued importance of civil society organisations for social, economic and political life and the establishment of the legal and material conditions for their functioning. The extent to and level of quality at which these conditions were provided for depended largely on the quality of the political regime in the country in question and, given the stark contrasts between the inter-war regimes in the region, differed significantly between countries. Czechoslovakia was the only country in the region that achieved and maintained a veritable democratic regime, and it was here that the general atmosphere was most conducive to an unrestrained and vital civic life.[287] In Hungary, by contrast, democracy soon gave way to pronouncedly authoritarian rule, which impeded civil society by limiting freedom of association and by strictly supervising the activities of existing organisations.[288] Judging from the sources available, Poland seems to have occupied a middle ground in this respect. Despite the difficulty of having to integrate three distinct legal systems inherited after the partitions, the status of civil society organisations was established and successively refined.[289] This progress on legislation, however, was also overshadowed by increasingly authoritarian tendencies of Polish politics during the inter-war period.

Civil society organisations had to partly re-consider their mission as well. While identity-building, promotion of national values and heritage, articulation and integration of cultural and socio-economic milieux continued to be important tasks, other concrete areas of activity came to be more pronounced. The literature on the subject frequently highlights the role of civil society for the provision of varied social services, in health care, education, poverty relief and social assistance more broadly. This function was the more understandable, as the newly independent states of Czechoslovakia and Poland, in particular, did not avail of sufficiently stable public structures that could satisfactorily cater for such urgent social needs.[290] In combination with the more advantageous legal and political environment in these countries, this necessity led to a significant role for Polish and Czechoslovak civil society in the provision of social services.[291] In

---

[287] Dudeková 1998: 31ff.; Frič et al. 1998: 3f.; Tůma, Vaněk & Dostál 2001: 42ff.

[288] Kuti 1996: 29 reports that, with the exception of short-lived democracy guaranteeing unlimited freedom of association in 1919, regulations remained in place that had originally been introduced during the war and which gave public authorities far-reaching discretionary powers over voluntary associations.

[289] Leś 2000: 87ff. describes the development of the legal regulations for civil society, points out that these became increasingly elaborated, although never complete, as the lack of clear legislation on foundations indicates.

[290] Both the devastating effects of the war and the impact of the Great Depression added greatly to the necessity for such social services.

[291] In Czechoslovakia, 16 percent of social care facilities were run by civil society organisations in the 1930's, accounting for 26 percent of total social care expenditures (Tůma, Vaněk & Dostál 2001: 44). In Poland, voluntary associations and foundations accounted for 57 percent of social care institutions for children and for 20 percent of such facilities for adults in 1937 (Leś 2000: 91).

Hungary, by contrast, both the earlier achievement of statehood and the disadvantageous political climate stood in the way of a stronger role of civil society for service provision.[292] Although to differing extents, the service-providing activity of civil society also resulted in varied forms of co-operation with public authorities, and these patterns testify to the fact that the described re-orientation on part of both public authorities and civil society organisations had begun.[293]

Contrasting with these patterns of co-operation, however, was the wide-spread and increasing politicisation of civil society organisations during the inter-war period. Voluntary organisations continued to be pronouncedly aligned with cultural, ethnic and religious cleavages as well as socio-economic fault lines, such as working class or rural milieux. More often than not, these milieux availed of self-sustaining organisational structures spanning the entire range of activities, interests and services to be relevant for a given social group. Hence, one can argue that there existed various parallel civil societies in all countries of the region.[294] This alignment frequently made civil society susceptible to political developments, influences and demands.[295] By way of example it should suffice here to mention the wide-spread phenomenon of irredentism, whereby civil society organisations came to be important vehicles in demanding the redrawing of state borders in East-Central Europe. After all, it was also due to this characteristic of civil society that the inter-war states in the region were greatly weakened and that history took its well-known course.

With World War II, the development of civil society in the region was stalled for decades to come. The devastating effects of war and occupation, the almost complete abolition of civic activity, the far-reaching expropriation of voluntary organisations, general economic deprivation and the demographic blows of war, genocide and expulsion overturned the outlook of the region and, inevitably, that of its civil societies as well. Although new springs of civic life quickly emerged after the war ended, there remained little time for civil society to recover before the next shock wave struck East-Central Europe, this time in the form of the Communist take-overs in the late 1940s.[296]

---

[292] Kuti 1996: 31 states that "in terms of quantity, voluntary organisations as independent service-providers did not play a dominant role in pre-war Hungary. On the other hand, in terms of quality and in terms of innovation their role was enormous and essential." The main reason for this contemporary state of affairs is, according to the author cited, the fact that Hungary had remained a pre-modern, traditional and rural society where informal, familial systems of social care had retained an upper hand.

[293] An expression of such co-operation in Czechoslovakia were so-called "semi-public subjects for social care" (*polooficiální subjekty socialní péče*), which co-operated on social problems with the state authorities. Examples for such structures were the Czechoslovak Red Cross (*Československý červený kříž*) or the Masaryk League against Tuberculosis (*Masarykova liga proti tuberkulose*); see Tůma, Vaněk & Dostál 2001: 43. The Polish government introduced the specific legal form of the public benefit association (*stowarzyszenie wyższej użyteczności*) for those organisations, whose activity was considered particularly important for state and society. These organisations were then entitled to a specific tax status (Leś 2000: 90). For Hungary, the Eger model was an exemplary case, which established co-operation between voluntary organisations, churches and public authorities that was aimed at poverty relief and social assistance on a local level. Owing to its success, the Hungarian government ordered municipalities to adopt this model by decree in 1936 (Kuti 1996: 33f.).

[294] It has been noted that "almost all foundations functioning in the Second Republic (inter-war Poland, J. F.) [...] had a religious-ethnic character, that is, their services could benefit only individuals of a given nationality or denomination" (Krzysztof Jasiewicz as quoted in Leś 2000: 91f., own translation). An interesting illustration from Czechoslovakia are sports organisations, which formed camps of Czechoslovak-protestant, Czechoslovak-working class, Czechoslovak-catholic, communist, German, social democratic, and German-catholic orientation (Young 1938: 171). Similar observations have been drawn for all countries of the region; see also Dudeková 1998: 31ff. and Tůma, Vaněk & Dostál 2001: 42f.

[295] The prime examples for such susceptibility were organisations of the German minorities in the three countries. Another version of this political influence and alignment can be illustrated by the political orientation of

Immediately after their advent to power in the region, communist regimes began to implement a model of complete subordination of political, economic and social life to the will of the ruling party. Obviously, this model was incompatible with any genuine civic activity and independent structures of civil society. Although weakened by war and occupation, voluntary organisations still disposed of established channels of communication, they were based on a pluralism of inherited traditions and well-defined missions, they were run by experienced and respected personnel and solidly embedded in local society, and they availed of material assets to pursue their organisational aims. In all these respects, civil society eluded ideological subordination and challenged centralised control, and it was consequently perceived as a serious threat in the eyes of communist rulers. Consequently, they soon unleashed a full-blown attack on civil society by restricting freedom of association and presenting existing independent organisations with two options: eradication or incorporation into the system.[297]

Prohibition of an organisation, persecution of its members and confiscation of its property were the typical consequences in the case of organisations, which espoused values infringing on the ideological parameters of communist regimes. Religion, patriotic orientation or bourgeois profile, among others, rendered an organisation "reactionary and anti-socialist" and disqualified it from further existence, since such characteristics openly clashed with the regime's ideological postulates of proletarian internationalism, secularism and the leading role of the working class. As a result, a wide range of traditional organisations were abolished. A case in point are foundations, whose independent material assets made them particularly suspicious structures and which disappeared as an organisational form altogether under Communist rule.

Other organisations, whose primary mission was somewhat less ideologically sensitive and which pursued largely apolitical activities, such as recreation and sports, science and research, or the interests of select professional groups, were permitted. Such continued existence, however,

---

trade unions in Poland, which divided into ideological camps of class, national-socialist, Christian, *Sanacja*, and nationalist orientations (Garlicki et al. 1999: 537).

[296] On the brief democratic interlude after World War II, see Kuti 1996: 34f.; Paczkowski 1996: 158-163; Dudeková 1998: 38ff.; Leś 2000: 130f.; Tůma, Vaněk & Dostál 2001: 46ff.

[297] In Czechoslovakia, by law of April 9, 1948, the "[r]ight of assembly and association is guaranteed to the extent that it does not threaten people's democracy and public peace and order [...]" (Tůma, Vaněk & Dostál 2001: 49; own translation). By Decree 7330/1946, the Hungarian Ministry of the Interior was empowered to ban

was conditional of their incorporation into the organisational structure of the regime. The typical model for such incorporation was the National Front combining political parties, trade unions and social organisations. In line with the principle of "democratic centralism," National Fronts were strictly hierarchically structured and headed by the Communist party, which also exerted control at all levels of the organisational pyramid. Incorporation, thus, amounted to the complete surrender of organisational independence.

In addition to the incorporation of existing organisations, National Fronts also comprised an array of social organisations purposefully established by the communist regimes. Usually, these were dedicated to a specific ideological purpose, such as friendship with the Soviet Union, or they aimed at the political mobilisation of specific social groups, such as children in the case of pioneer structures, youth within *Komsomol*-like organisations, or women through specialised leagues. This thrust towards politicisation and mobilisation is also testified to by the fact that membership in these new organisations was frequently quasi-mandatory.[298]

Their specific origin and objective notwithstanding, organisations within the National Fronts were the only permissible structures of citizens' activity. In line with the general politicisation of life, social organisations functioned as important transmission belts for official policies and as mechanisms for ideological mobilisation. Certainly, social organisations pursued a wide range of activities, maintained varied facilities for social life, represented and satisfied manifold interests, and offered an array of public services. Whatever an organisation's more specialised mission, however, political rhetoric as well as top-down control were permanent characteristics of its functioning. It is interesting to note that this *Gleichschaltung* was also accompanied by a deliberate terminological shift, as the term "social organisation" (also "mass organisation") came to largely replace the conventional notion of civic, voluntary associations.[299]

Within a few years after their ascent to power, communist regimes in East-Central Europe had, thus, effectively completed the annihilation of civil society in the region that had begun with World War II. The head-on attacks on civil society during the Stalinist heyday of communist regimes in the region left little, if anything, of the once vibrant realms of independent civic activity. Although this destructive development came to determine social reality for decades to come, it would be mistaken to assume that societies remained entirely frozen and destitute of

---

existing organisations, while the 1949 constitution postulated the freedom of association for "working people" (Kuti 1996: 39).

[298] Denial of membership in crucial organisations usually implied administrative and social harassment, material disadvantages and impediments to an individual's personal and professional development. With involvement in social organisations thus being essentially obligatory, extraordinarily high rates of membership were little surprising. Czechoslovakia exemplifies this fact, with a total of 19 million members of National Front organisations being reported for 1972, in a society totalling 14.5 million inhabitants (Frič et al. 1998: 4). A different and somewhat lower figure is provided by Kroupa & Mansfeldová who report that, as of 1984, membership in social organisations encompassed 85.1 percent of the Czech population.

any form of independent activity. Inasmuch as communist regimes underwent significant developments and changes during their lifetimes, as has been frequently observed, conditions for independent civic activity also changed, became more permissible at times, and less at others. These oscillations notwithstanding, in the long run civic initiative gradually and increasingly managed to assert some niches within the system, to carve out other, new loopholes and to express itself in a variety of forms, although different in extent and quality across the region.

A first slight relaxation of conditions occurred in the late 1950s and early 1960s, during the "thaw" that followed the Stalinist period. The tight control the political centre had exerted over all social organisations united in the National Fronts gave way to rudimentary forms of autonomy for territorial units of organisations, with regard to personnel decisions or in financial matters.[300] A number of new organisations were established and indicated that, in contrast to Stalinist pushes towards uniformity, limited pluralism came to be acceptable, primarily in cultural matters.[301] Outside the National Fronts, a handful of traditional organisations regained limited organisational autonomy, since closely and suspiciously observed by the regimes, with the prime examples being religious congregations. None of these piecemeal concessions, however, was sufficient to contain independent civic activities in the region. Whenever the grip of the regimes weakened and a window of opportunity appeared, citizens' initiative reinstated itself powerfully and led to a mushrooming of autonomous organisational structures. Both the Hungarian revolution of 1956 as well as the Prague Spring of 1968 witnessed the rapid emergence of manifold independent organisations. In neither case, however, these re-emerging forms of civil society were to last for long.[302]

The hopes for reinstating civil society, which the post-Stalinist relaxation had nourished, had to give way to the insight that any open expression of independent civic initiative represented a fatal threat for the regime as much as for society. On the part of communist regimes, it had become clear that, rather than recourse to brutal terror and repression, other and softer means were necessary in order to maintain their grip over society. On the part of society, it had been bitterly experienced that independent activities, which went beyond very narrow limits to open expression and political character, risked immediate reaction, and a resort to sheer force, by the authorities.

---

[299] Kuti 1996: 37, Dudeková 1998: 41, Leś 2000: 133, and Tůma, Vaněk & Dostál 2001: 50 note this terminological change.

[300] Les 2000:135.

[301] Miszlivetz & Ertsey 1998: 72f. illustrate how the number of social organisation, which had dropped to about 100 by 1951, began to increase after Stalinism and reached about 5,000 in 1970.

[302] In particular for Czechoslovakia, it has often been observed how the Prague Spring made for a brief renaissance of civil society; see Dudeková 1998: 43f. and Tůma, Vaněk & Dostál 2001: 51f. Well-known examples were *KAN*, the Club of Committed Non-Communists, and *K231* assembling former political prisoners.

DOI: 10.2870/42402

As mentioned earlier, this situation culminated in the emergence of the so-called "social contract." Regimes allowed for limited private freedoms and material welfare with the intention of corrupting the populace and lulling its aspirations. This offer met with overwhelming social acceptance – a natural response given the vivid collective memory of Stalinism and the more recent brutality suppressing even the slightest attempts at changing East-Central European regimes. Paradoxically enough and yet consequently, the phases of "normalisation"[303] following these continued setbacks also led to a re-orientation of civil society, whose theoretical essence in the region was described earlier. Inasmuch, as outlined above, the theoretical underpinnings of this re-orientation differed across the countries of the region, independent civic activity also took starkly differing courses during the 1970s and 1980s.

In Hungary, the developments during that period have frequently been described as a search for "small circles of freedom." Within existing social organisations and, even more, through the creation of new voluntary organisations devoted to culture and recreation, citizens began to establish spaces in order "to ensure some autonomy, to protect their communities against the tendencies towards centralization, to strengthen local identity, to control and influence the local authorities, to promote cultural and ethnic diversity, to educate citizens and to encourage them to behave as citizens."[304] The authorities tolerated the emergence and existence of these organisations for as long as these refrained from acting in more openly political ways. In turn, voluntary associations appreciated this official attitude and restricted themselves to seemingly innocent activities. Both sides, however, were aware of the critical mood that thrived within many of Hungary's civic organisations.

Facilitated by a relatively stable economic situation, this tacit agreement may be the main reason behind the entrenched disapproval with which any more explicit political opposition was met in Hungarian society. However, beginning with an open letter in support of the Czechoslovak *Charter 77*, signed by thirty-four intellectuals and, symptomatically for the Hungarian condition, passively received by the official authorities, a number of independent initiatives emerged during the late 1970s and 1980s. A *samizdat* press emerged.[305] Initially sporadic in appearance, the *samizdat* eventually established periodicals, such as *Beszélő*, and even an own independent publishing house.[306] A "Flying university" and study groups but also a "Fund for the

---

[303] Generally, the notion of "normalisation" is associated with the period immediately following the Prague Spring. Similar reversals of other processes of liberalisation, or indeed "re-equilibrations," also occurred after 1956 in Hungary as well as in the aftermath of the many minor crises across the region; see Ekiert 1996.

[304] Kuti 1996: 40. Note that the notion of "small circles of freedom" alludes to István Bibó's "The Misery of Eastern European Small States."

[305] The term *samizdat* has is an abbreviation of the Russian term *samstvennoye izdatelstvo* that can be translated as self-publication and came to be widely used for publication activities outside the official channels in the countries of Eastern and East-Central Europe.

[306] First publications of the Hungarian samizdat were texts by Iván Szelényi, András Hegedüs, János Kis and György Bence on sociological and political themes that appeared from 1976 onwards. 1977 witnessed the

Support of Poor People" (SZETA) appeared.[307] During the 1980s, a range of public associations were founded, such as the *Rakpart Klub*, the *István Bibó Szakkollégium* and the *Duna Kör*.[308] Many of these quickly assumed a more openly political profile and eventually began to establish network structures, thereby laying the foundations for the emergence of the political reform movement that was to result in the Hungarian Democratic Forum in 1987. While these initiatives met with increasing resonance among urban intellectuals, they were of little appeal to the overwhelming remainder of Hungarian society, which cherished the relative welfare achieved and was averse to the risk involved in even the slightest echo of political opposition.

Nevertheless, those increasingly open opposition activities, as well as the more culturally veiled associations cited above, became important seeds of civil society in Hungary already prior to 1989. Compared to Hungary, circumstances in Czechoslovakia were much less conducive to such independent civic activity. Here, a comparably good economic situation was accompanied by a much more prohibitive attitude on the part of the official authorities. The public realm was clearly asserted to be the domain of the regime and any infringement upon this prerogative was severely sanctioned. This determination was clearly demonstrated by the regime when a group of intellectuals formed *Charter 77*. With regard to the signatories of *Charter 77*, the regime responded immediately and violently, with administrative harassment, arrests and trials. In the Czechoslovak public, a massive campaign against *Charter 77* was unleashed that culminated in the infamous "anti-Charter," which the wider Czechoslovak public was ordered to sign. *Charter 77* was only the most spectacular of many instances preceding and following it, in which the regime made it unmistakably clear that even the slightest independent move was not permissible in public. In such a climate, clearly, possibilities to carve out any non-private niches of freedom were restricted to a minimum, whether it be within existing organisations, through the establishment of new associations or without any organisational structure at all.[309]

The attitudes of Czechoslovak society, in turn, were somewhat ambiguous. Czechs and, to a lesser extent, Slovaks, never recovered from the political trauma of the Prague Spring and the subsequent "normalisation." The broad public resorted to far-reaching political apathy and

---

circulation of the *Diary*, 1978 the publication of the anthology *Profil* by János Kenedi, and 1979 the production of a volume in memory of István Bibó. In contrast to these individual publications, the first periodical *Beszélö* appeared in 1981 and was soon followed by others, such as *Hírmondó*, *Demokrata* and *Magyar Figyelő*. As of 1981, an independent publishing house functioned headed by Gábor Demszky. For a more detailed history of the Hungarian *samizdat*, see Dalos 1986.

[307] Dalos 1986: 53f. and 61f.

[308] For further examples, see Berényi 1999: 60ff.

[309] "Charter 77 is not an organization" but "a loose, informal and open association of people" (Kovanda 1977: 150). This statement contained in the *Charter 77* Manifesto can be read as an attempt to circumvent the suspicion that surrounded any alternative form of organisation. The first case *Charter 77* took issue with, however, illustrated that independent public activities did not require any organisational form. The case was the court trial the regime launched against the rock band "The Plastic People of the Universe" (Tismaneanu 1992: 145f.).

consumerism, warily avoiding any public activity that may have threatened their relative private freedom and material well-being. Rather than acting in the open, people restricted their discontent with the system and their sympathy with those who dared to openly criticise the regime, to indirect and implicit signals.[310] While this silent support may have been a motivating factor for more courageous individuals, it was not sufficient for the creation of comparable public niches of independent activity as in Hungary.

The situation changed somewhat during the 1980s. As the regime's control loosened and as it increasingly exhibited its incapability of resolving political and social, economic and environmental problems, organisational activity grew and secured some independence. New civic initiatives emerged around the peace movement, human rights, international co-operation and environmental problems, among others, with the latter being particularly pronounced in Czechoslovakia. Organisations emerged that openly voiced their critique of the incumbent regime, such as the "Ecological Society," the "Association of Friends of the USA," the "Polish-Czechoslovak Solidarity" group, the "Assembly for Defence of the Rights of the Hungarian Minority," the "Democratic Initiative," the "Czechoslovak Helsinki Committee," and the "Eastern European Information Agency."[311] In some instances, it was possible to pursue independent causes from within officially permitted organisations, as in the case of the *Slovenský zväz ochrancov prírody a krajiny* (SZPOK).[312] In addition, religion and the Catholic Church began to play a stronger role in the Slovak part of the country. Comparable to neighbouring Poland, the Church became an important organisational, moral and political support for independent civic life, it gave rise to a number of religious movements, and it was a centre of the small Slovak *samizdat*.[313] Although with much delay, and on a much smaller scale than in Hungary, Czechoslovakia also witnessed the emergence of niches of civil society, during the last years of state-socialism.

The Polish case differed radically from the other countries of East-Central Europe. The Polish regime was much less capable of implementing the sustainable economic policies necessary to substantiate the "social contract" with the satisfactory material well-being that could calm society and its aspirations than its Hungarian or Czechoslovak counterparts.[314] This weakness was complemented by the absence of a similarly traumatising experience of violent regime response that had struck the other two countries in 1956 and 1968. In contrast, Polish society could draw on a long-standing record of independent and underground activity, rooted in its history of foreign partition and occupation. Historically, such activities had frequently found the support of the Catholic church, and it was also under the state-socialist regime that the Church asserted herself as an autonomous social institution eluding the control of official authorities, representing the national and moral ambitions of the Polish people, and providing an organisational shelter and support for independent civic initiative. Finally, and as outlined earlier, Poland witnessed the theoretical development and subsequent practical implementation of a comprehensive strategy aiming at social reconstruction, which took into account and built on the region's experiences of communist rule, as well as the above-mentioned, more idiosyncratically Polish factors. This constellation led to the emergence of an unprecedented range of independent organisational structures, indeed a parallel society encompassing all parts of Polish society, during the second half of the 1970s.

---

[310] Marada 1997 analyses this behaviour in more detail. An example for this disposition are the many Czechs who were asked to sign the "anti-Charter" but frequently declined and argued that they could not sign up against something they had not read themselves.

[311] In the overview provided by Dudeková 1998: 47, the Slovak names of these initiatives are, in the order of their presentation in the text, as follows: *Ekologická společnost*, *Společenství přatel USA*, *Polsko-československá solidarita*, *Výbor na ochranu práv maďarskej menšiny*, *Demokratická iniciativa*, *Československý helsinský výbor*, and *Východoeurópská informačná agentúra*.

[312] SZPOK was the *Slovak Union for the Preservation of Nature and Landscape*.

[313] Dudeková 1998: 46f.

[314] The most obvious expression of this economic weakness and the social response to it is the fact that the frequent strikes shaking Poland, among others, in 1956, 1970 and 1976 all took their departure from economic

This revival was ignited in 1976, when another spate of workers' unrest broke out in numerous Polish cities, to which the regime responded uncompromisingly with large-scale arrests, legal persecutions, dismissals and wage cuts. Given the disproportionate violence of this response, a number of Polish intellectuals established the *Komitet Obrony Robotników* (Committee for the Defence of Workers – KOR) that was to pursue the release of all workers imprisoned during the unrest, to establish an information network to register and challenge the measures taken by the authorities, and to provide financial and legal assistance to the families of the arrested workers. Once these prime objectives were achieved, KOR transformed itself into the *Komitet Samoobrony Społecznej "KOR"* (Committee for Social Self-Defence "KOR" – KSS "KOR") in 1977, which was, comparable to *Charter 77*, to serve as a permanent institution for the defence of human and civil rights.[315]

Following KSS "KOR," independent civic activity literally exploded and resulted in the emergence of a dense network of organisational structures within a few years. In 1977, ROPCiO or *Ruch Obrony Praw Człowieka i Obywatela* (Movement for the Defence of Human and Civil Rights) was established. While having a comparable mission, it united more conservative, Christian and national milieux, in contrast to the more liberal orientation of KSS "KOR." Beyond such fundamental political orientations, numerous initiatives addressed concrete social groups and interests, such as *Studencki Komitet Solidarności* (Students' Solidarity Committee), *Towarzystwo Kursów Naukowych* (Society of Scientific Courses) that soon came to be known as the

---

demands, they were usually preceded by massive price rises for foodstuffs but frequently and quickly shifted towards political demands; see Paczkowski 1996: 300f., 387ff., and 429f.

[315] On KSS "KOR," see Paczkowski 1996: 430ff. and, in more detail, Lipski 1985.

"Flying University," *Tymczasowy Komitet Samoobrony Chłopskiej Ziemi Lubelskiej* (Provisional Committee of Farmers' Self-Defence of the Lublin Region) and the *Wolne Związki Zawodowe* (Free Trade Unions) founded in Katowice and Gdańsk.

Indicative of the extent of the independent network is the intensity of *samizdat* publications. Beginning with KOR's founding document, the first *Komunikat KOR* of 1976, a lively underground press emerged that numbered dozens of titles and catered for organisational and information purposes but that also provided an important forum for the programmatic and political debate among opposition groups. Among the most important regular publications in the so-called *drugi obieg* were, among others, KOR's *Komunikat* and *Biuletyn Informacyjny*, *Robotnik*, the literary *Zapis*, ROPCiO's *Opinia* and *Droga*, the right-wing *Gazeta Polska*, *Puls* as a forum of younger Polish writers, the more historically and politically oriented *Głos* and *Krytyka*, and the intellectual newsletters *Spotkania* and *Res Publica*.[316] Very soon, a number of independent publishing houses were established, with *NOWa* being the most prominent and active, and published works of censored and emigrèe as well as foreign authors.[317]

Despite this rapid development between 1976 and 1980, and if compared to Czechoslovakia and Hungary, its much larger scale, it has been observed that independent activity, in terms of its influence on society as a whole, was still confined to selected social enclaves, strongly embedded only in intellectual and students' milieux, with fewer strongholds among workers and even less among the rural population.[318] As events to come were to later prove, however, the organisational infrastructure thus established, as well as the social ground it prepared, were sufficient to give rise to a full-fledged social movement encompassing the entire Polish society, once the moment of activation occurred.

This moment came with the strike wave of summer 1980. Differing from previous protests, the August 1980 strikes developed into a concerted action of hundreds of enterprises. In several cities, so-called "inter-factory strike committees" (*Międzyzakładowe komitety strajkowe*) were established, co-ordinating protest activities among enterprises and presenting the authorities with generalised demands, of which the establishment of free and independent trade unions was the primary postulate. Eventually, and as it spread across the entire country, this new, concerted form of workers' protest forced the government to agree to the demands. The essence of the historic Gdańsk Accords was that, for the first time since the communist take-over in the region, a regime acknowledged the right of citizens to establish independent trade unions.

---

[316] *Drugi obieg* is the equivalent Polish term for *samizdat*, roughly translatable as "second circulation." The remainder of the terms and titles mentioned can be translated as "Communiqué" (*Komunikat*), "Information Bulletin" (*Biuletyn Informacyjny*), "The Worker" (*Robotnik*), "Record" (*Zapis*), "The Opinion" (*Opinia*), "The Way" (*Droga*), "The Polish News" (*Gazeta Polska*), "The Pulse" (*Puls*), "The Voice" (*Głos*), "The Critique" (*Krytyka*), and "Encounters" (*Spotkania*).

[317] It is interesting to note that part of the literary environment left the official publishers hitherto printing their works and, in order to avoid censorship, began to co-operate only with newly established independent publishers (Paczkowski 1996: 435). *NOWa*, the name of the most important independent publisher, stood for *Niezależna Oficyna Wydawnycza* (Independent Publishing House), while other, smaller ones were *Wydawnictwo im. Konstytucji 3 Maja* (3 May Constitution Publishers), *Krakowska Oficyna Studencka* (Cracow Students' Publishers) and *Klin* ("The Wedge").

[318] Paczkowski 1996: 436.

These accords set in motion a far-reaching re-organisation of Polish society. Not only did factory workers establish the well-known *Niezależny Samorządny Związek Zawodowy "Solidarność"* (Independent and Self-Governing Trade Union "Solidarity") but, within a few weeks, most social groups established their own independent organisations, such as agricultural workers and farmers, craftsmen, university students, academic and artistic professions.[319] Some other groups, such as journalists, profoundly reformed their existing organisations. The blossoming of independent organisations can be illustrated by the fact that by the end of 1980, that is a mere four months after the Gdańsk Accords, "Solidarity" as an umbrella for numerous specialised trade unions united a total membership of approximately nine million people.[320] Overwhelming support for "Solidarity" in the Polish public also shows in contemporary opinion polls, whith 62 percent of the respondents expressing their trust in "Solidarity," while only 24 percent of the population trusted the government.[321] Given that these newly established organisations did not dispose of any material, technical and human resources, the support offered by existing independent structures, as well as the Church, proved to be crucial, providing office space, printing facilities and experienced organisational staff.[322]

Thus, much of the underground work that had led to a network of independent groups prior to the summer of 1980 came to fruition. Yet the distinctiveness of the Polish experience is, in comparison to neighbouring Czechoslovakia and Hungary, not only one of scope but also one of kind. The political nature of independent activity was much more pronounced than in the other two countries. This was evident not only in an early pluralisation, if not polarisation, along with ideological lines but also in the increasing rejection of the political status quo by "Solidarity." While the Gdańsk Accords had still respected fundamentals such as the leading role of the communist party, "Solidarity's" demands shifted increasingly towards a re-negotiation of the constitutional basis of the regime. This shift became a direct threat for the communist regime. Not surprisingly, it was not long before the regime ended the Polish experiment and imposed martial law in December 1981. The subsequent winter brutally silenced Poland's newly emerged civil society for years to come. Nevertheless, this bold move could neither fully destroy the organisational networks that had been established under the aegis of "Solidarity", nor eradicate the civic potential Poles had so powerfully demonstrated and experienced. In 1988, the energetic struggle for independent initiative was to break out again, bringing in its wake the re-emergence of the organisational infrastructure that had been driven underground. This time, Polish civil society was to be successful and it defeated the communist regime altogether.

---

[319] Craftsmen came to be organised in the *Niezależny Samorządny Związek Zawodowy Rzemieślników Indywidualnych* (Independent and Self-Governing Trade Union of Self-Employed Craftsmen), professionals in the arts and academia established the *Komitet Porozumiewawczy Stowarzyszeń Twórczych i Naukowych* (Covenant of Associations of Artistic and Scientific Professions), students founded the *Ogólnopolski Komitet Założycielski Niezależnego Zrzeszenia Studentów* (All-Polish Founding Committee for an Independent Students' Union), agricultural workers and farmers set up the *Komitet Założycielski Niezależnego Samorządnego Związku Zawodowego Rolników* (Founding Committee for an Independent and Self-Governing Trade Union of Farmers). Initiatives were taken to establish an independent trade union of employees of the public administration.

[320] This membership was equivalent to 54 percent of employment in the nationalised economy and to 28 percent of the Polish adult population.

[321] CBOS 1981.

[322] Paczkowski 1996: 469f.

In all three countries of East-Central Europe, then, important structures of civil society had developed under communism, even though vastly different in scale and quality. It is mainly for this reason that the claim has been made frequently that civil society significantly contributed to the breakdown of communist regimes in the region.[323] While, as the preceding considerations have shown, important structures of independent civic activity undeniably developed after the end of Stalinism, the question arises as to which extent these can be considered islands of civil society in the strict sense of the definition introduced earlier. Upon closer examination, it appears that some caution is required. Critical questions arise mainly around the characteristic of organisational autonomy established by the definition.

Full organisational independence applies only if legally anchored through rights of assembly and association and if institutionally enshrined in the rule of law, in particular, through independent judiciary.[324] Neither of these conditions applied to communist regimes, despite the verbal existence of rights and the formal existence of courts. Without these guarantees, consequently, the emergence and existence of independent organisations was solely based on their toleration by the official authorities. Such tolerance may have been brought about due to two main factors. On the one hand, independent organisational life may have been perceived as unthreatening, with activities being of a largely apolitical nature, as in the case of the many culturally oriented initiatives in Hungary. Others, such as some of the opposition groups in Hungary, may have been considered as socially marginalised and thus similarly unproblematic for the regime. On the other hand, and with regard to those organisations that explicitly demanded political reform of the system, communist regimes appear to have been increasingly incapable, politically, administratively, and also economically, to suppress independent activities in a sustainable manner. The prime example of such incapacity is certainly Poland during the late 1970s and, in particular, in 1980 and 1981. In both scenarios, however, situations could and frequently did arise, in which regime tolerance was exhausted and when independent organisational life was fiercely repressed; post-1968 "normalisation" in Czechoslovakia and martial law in Poland are notable examples. Nowhere was this vulnerability better illustrated than in East-Central Europe under communism, where phases of relaxation were more often than not followed by periods of renewed official harassment of independent civic life.

---

[323] The most notable example for this line of thought is Tismaneanu 1992.

[324] This has been frequently acknowledged by theorists, for whom civil society is "... institutionalized and generalized through laws and subjective rights ..." (Cohen & Arato 1992: ix). The rule of law as "... a social structure in which the source of guidance and enforcement of social rules is an established legal framework rather than any designated individual, or group ..." is consequently the only mechanism the full institutionalisation of civil society (Klingelhofer & Frye 1997: 12).

Rather than considering the manifold expressions of civic life described here as more or less developed forms of "civil society against the state,"[325] it should be acknowledged that communist regimes in the region formally and essentially foreclosed on the existence of civil society. The same is basically valid for those forms of civic activity that developed during the pre-communist history of the region and which raise comparable definitional concerns with regard to civil society. This amounts to the assertion that, with the partial exception of the inter-war years and the immediate post-war period, civil society in East-Central Europe could at no point in history develop freely and fully in the sense of the definition essential to this study. Naturally, such a claim must not turn a blind eye to the potential of independent civic activity that has, for the past centuries, as well as during the more recent communist period, existed in the region and that has frequently found its expression through a variety of forms, organisations, aims and activities. All of these are to be considered important precursors of civil society. Moreover, many of them have a bearing for the present when, after the changes of 1989, civil society in the region has been able to develop in the full sense of the definition. It is this recent and still ongoing development of civil society in East-Central Europe that the considerations of this chapter will turn to next.

---

[325] Such is, after all, the common view of civil society in the region.

... And Remarkably Recovered

The single most important obstacle to the emergence of civil society in the full sense of the definition applied here was thus, as argued previously, the absence of fundamental legal and institutional guarantees. The crucial importance of such guarantees had been acknowledged by the democratic opposition in the region from early on. Consequently, respect for the basic freedoms of speech, assembly and association and their fortification through the rule of law had always been one of the primary postulates of the democratic opposition in East-Central Europe prior to 1989, whether it be with the more theoretical thrust outlined above or through concrete action taken by *Charter 77*, *KSS "KOR"* and others. It should come as little surprise, then, that the re-introduction of legal and institutional arrangements pertaining to civil society ranked particularly high on the agenda for political reform, once the communist regimes of the region became open for change in and around 1989.

In Poland, the *April 7, 1989 Act on Associations* was one of the first and direct outcomes of the roundtable negotiations between the regime and the democratic opposition. First and foremost, this legal act reasserted the fundamental right of citizens to create voluntary associations. It is interesting to notice that in this capacity, as a guarantee of a basic civil right, the act on associations preceded equivalent constitutional amendments.[326] In addition to anchoring this right in Polish legislation, the act further specified the subject matter providing a legal definition as well as detailed regulations for the establishment and functioning of civic associations. Shortly after Poland, similarly resulting from the roundtable negotiations and comparably detailed in content, the Hungarian *Act II/1989 on the Freedom of Association* was enacted. Owing to the differing timings of political change, Czechoslovakia witnessed the introduction of similar legislative provisions somewhat later. A *Bill of Basic Rights and Freedoms* was passed in the beginning of 1990,[327] while more detailed provisions for civic associations were established through *Act 83 on Citizens' Civil Law Associations* of March 27 of that year.

While initial legislation pertained to only one specific organisational form namely that of civic associations, it laid the basis for the free development of civil society, more broadly. The crucial innovation introduced by these acts is a far-reaching independence of voluntary associations, as the organisational expression of the basic civic right to freely combine with others, from state arbitrariness. This autonomy is particularly obvious in the provisions relating to the registration of voluntary associations. If the registration of associations under the communist regime been at the discretion of the state administration, which usually acted in accordance with the official party line, it would be henceforth the independent institution of courts that would register, regulate and sanction civic associations in strict application of the legal provisions. In Hungary and Poland, the registration of civic associations was transferred to the district courts responsible for the area, in which an association's headquarters was to be located.[328] By contrast, in Czechoslovakia, as well as later in the Czech and Slovak Republics, the Ministry of the Interior was and is the relevant registering body.[329] Any rejection of a request for registration, however, can be appealed to the Supreme Court. This right of appeal also applies to associations in Hungary and Poland, which have been denied registration by lower courts.[330]

---

[326] Izdebski 1998: 8; Sarnecki 2000: 9. The constitutional anchoring of the right to free association was established only with the passing of the so-called "small constitution" (mała konstytucja) through constitutional law of October 17, 1992 (article 84).

[327] The Bill of Basic Rights and Freedoms was enacted as *Constitutional Law No. 12/1990*; see Šilhánová 1996: 12.

The liberation of civic associations from the discretion of state authorities was paralleled by the second major form of civil society organisations to emerge in East-Central Europe, namely foundations. While associations are groups of individuals who combine in the pursuit of a common end, be that one of a mutual or public nature, foundations are "formally personalised property, whose intended use is determined by the founder and expressed in the statute," thus not involving membership, but publicly beneficial in purpose.[331] It will be remembered that communist regimes had been particularly determined to abolish foundations, which were considered as remnants of a bourgeois, if not feudal, provenance. Against this suspicion, it was an irony of history that the communist regimes in Poland and Hungary were forced to re-introduce this form of organisation by way of *Act of April 6, 1984 on Foundations* and *Decree No. 11/1987*, respectively, when foreign endowments promised to alleviate some of the gravest consequences of communist failure.[332] Their establishment, however, was in both cases contingent upon government approval.[333] This restriction was removed only after 1989. The Hungarian *Law I/1990* and the Polish *February 23, 1991 Amendment* stipulate that the establishment of foundations is subject to court registration without prior approval by the state authorities. Czechoslovakia, in turn, re-introduced this form of organisation through *Act 102 of 1992 on Amendments to the Civil Code*, which similarly assigned the registration of foundations to courts.

---

[328] In Hungary, these are the county courts and, in the case of Budapest, the Metropolitan court; see Kuti 1996: 57. In Poland, the Voivodship courts are the relevant body for registration; see Izdebski 1998: 101f.

[329] On Slovakia, see Hrubala 1999: 33; on the Czech Republic, Deverová & Pajas 2001: 64.

[330] On the right to appeal, explicitly Györffy 1995: 6; Pajas 1995: 4; Hrubala 1999: 33; Sarnecki 2000: 52.

[331] Izdebski 1998: 41 provides this definition of foundations by the Supreme Court of Poland, which is widely paralleled by legislation in the other countries, although these usually include an explicit orientation towards a publicly beneficial purpose; see Kuti 1996: 55, Hrubala 1999: 23, and Frič et al. 1998: 7.

[332] In Hungary, individual endowments from Ernö Rubik and George Soros were made conditional on the re-introduction of foundations, since neither founder was willing to entrust public authorities with these funds (Kuti 1996: 41).

[333] On Hungary, see Kuti 1992: 188. For Poland, Izdebski 1998: 38 states that "[c]ontrol started with the establishment of a foundation – the court could not register a foundation, unless the relevant minister approved of the statute, which at the same time meant an approval of the foundation" (own translation).

More specifically, these were the relevant district courts in Czechoslovakia and Hungary, while in Poland registration was centralised at a regional court in Warsaw.[334]

If, thus, the very procedure for registering civil society organisations marked a clear shift from the rule of the (incumbent) regime to the rule of law, the grounds, on which legal personality is granted to civil society organisations, are similarly indicative. Already the initial legislation on both principal organisational forms contained relatively detailed requirements to be fulfilled by an organisation to be registered, although these differ significantly in strictness across countries, as will be shown below. With regard to organisational purposes, various limitations were spelled out explicitly. Thus neither associations nor foundations can be established for purposes ruled out by the constitution of the country in question, or in pursuit of purely commercial activities.[335] Beyond these prohibited areas, associations are free to be established for any organisational goal. Foundations, on the other hand, need to prove an additional public benefit, that is, their activity had to fall into broad areas, which are considered beneficial to the wider social community and enlisted in the law.[336] The organisational purposes of associations and foundations are to be anchored in the statutes, along with regulations for representative and administrative organs, procedures of decision-making, accountability, and changes to the statutes themselves. In the case of associations, these statutes are to be underwritten by a minimum number of founding members. Foundations, in turn, have to determine statutorily and establish materially a permanent endowment sufficient to assure the achievement of the foundation's statutory aims.

---

[334] Pajas 1995: 4; Györffy 1995: 6; Izdebski 1998: 43. The later Czech *Act 227/1997 on Foundations and Endowment Funds* moved this competency to regional registration courts that also incorporate commercial entities (Pajas & Deverová 2001: 69). In Slovakia, in turn, *Act 207/1996 on Foundations* assigned this competency to the Ministry of the Interior, whose decisions can be appealed to the relevant district court (Hrubala 1999: 34). The centralised registration procedure in Poland changed in January 2001, as the *Act of August 20, 1997 of the Polish Court Register* moved this competency to the Voivodship courts (Izdebski 1998: 58).

[335] Exemplarily, the Polish *April 7, 1989 Act on Associations* stated under art. 1.2. that "[t]he right to combine in associations may be subject to limitation only through law and if necessitated for maintaining the security of the country or public order, public health or morality, or for protecting the rights and freedoms of other persons" (own translation). Under art. 2.1., the same act emphasised the non-profit character of citizens' associations; see Izdebski 1998: 60. The Hungarian *Act II/1989 on the Freedom of Association* and the Czechoslovak *Act 83 on Citizens' Civil Law Associations* of 1990, subsequently adopted by and in force in the Czech and Slovak Republics, formulated very similar provisions; see Kuti 1996: 57 and Mračko 1997: 98f, §§ 1 and 4, respectively. Comparable restrictions applied to foundations (Györffy 1995: 5, Pajas 1995: 3), it is interesting to notice, however, that in Poland these limitations were not made explicit.

[336] Already the first legislation on foundations determined this public benefit status affirmatively. In the Czech and Slovak Republics, foundations had to "serve public benefit purposes, namely those for the development of intellectual values, for the protection of human rights and other humanitarian goals, for the protection and development of the environment, for the preservation of values of nature, and for the protection of cultural monuments" (Pajas 1995: 3). Polish law provided exemplary areas that qualify for public-benefit status, such as protection of health, economic development and research, education, culture and the arts, social aid and care, protection of the environment and historical monuments (Izdebski 1998: 12). In Hungary, in turn, legislation left much more room for interpretation and relied upon common sense and acceptance of a purpose to be within the interest of the wider public (Györffy 1995: 6).

The initial legislation on civil society organisations introduced registration requirements, which are publicly known and legally binding for both registering bodies and the organisations that wish to be registered. This abolished the common practice under the previous regime, namely the rejection or annulment of registration on the basis of non-existent, unknown or ex-post amended legal provisions. Once an organisation-to-be fulfils these requirements, its request for registration cannot be rejected. If that is the case, the right of appeal comes into application.[337]

The organisational independence that was, thus, returned to associations and foundations extended beyond registration. Once an organisation has been legally registered and functions, its activities are bound by its internal regulations, as much as by external legislation pertaining to organisational purposes and behaviour, intra-organisational governance and the rights of members, economic activities and taxation. It is with regard to the supervision of these aspects of the continued functioning of civil society organisations that state authorities retained major importance. Their control function, however, does not allow for similarly far-reaching intervention as before 1989, since it was limited to monitoring organisational compliance with the existing regulations. In case of infringement on the regulations by a given organisation, state authorities have to file a complaint to the relevant court of registration, which in turn initiates a legal procedure eventually leading to sanctions against the organisation in question. Through this de-coupling of the competencies for supervision and sanction, associations and foundations are further shielded from arbitrariness on the part of state authorities.[338]

In re-establishing the key characteristic of legal independence, the initial legislation in all three countries of the region laid the foundations for the free development of civil society at the very outset of the reform process. This finally brought their constitutional and sub-constitutional legislation pertaining to civil society into accord with those international covenants on human and civic rights, which the previous communist regimes had underwritten but never complied with.[339]

At the same time, this initial legislation also shaped further legal developments regarding civil society in that it affirmed the civil law tradition of East-Central European countries. Their legislation has evolved around the structure of an organisation and not, as in the common law systems of the Anglo-Saxon world, on the goals pursued.[340] Associations and foundations were established as the main organisational forms, with detailed provisions as to their definition, structure, purpose, registration and functioning. It is these two forms that the vast majority of civil society organisations have come to adopt since 1989.

---

[337] For associations, this right to register has found entry into law to the extent that a requested registration was automatically validated unless the registering body communicated its objections within a circumscribed period of time, forty days in the Czech and Slovak Republics, thirty days in Poland (Pajas 1995: 4; Mračko 1997: 101; Izdebski 1998: 102). In the case of foundations, somewhat more leeway for interpretation and decision was left to the registering institution, illustrated by the absence of a comparable automatism.

[338] For Poland, this constellation has been described by Izdebski 1998: 46ff. and 102f.

[339] Such acts are, in particular, the *International Covenant on Civil and Political Rights* and the *Universal Declaration of Human Rights*, adopted by the General Assembly of the United Nations in 1946 and 1948, respectively, and the *Helsinki Final Act* of the Organisation (previously Conference) on Security and Co-operation in Europe, adopted in 1975.

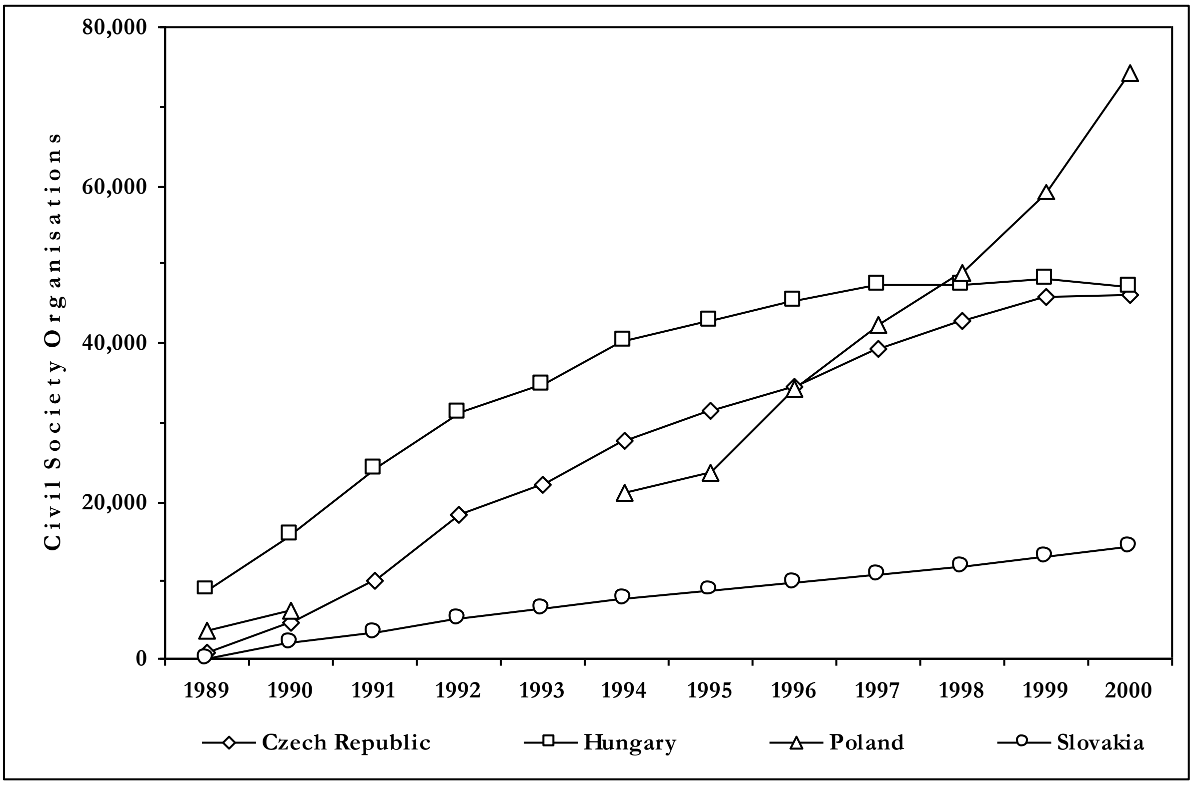
Over the decade or so to follow these initial acts, legislation on civil society developed further, was gradually refined, extended and, in many cases, improved. Some organisational forms, such as religious organisations, trade unions, professional associations and chambers, were anchored and regulated through specific legislation. Additional types of organisations, such as non-profit organisations or public-benefit companies, were introduced in some of the countries. Tax laws were adopted and specified the revenues of civil society. Regulations for co-operation between public authorities and civil society organisations, which are overwhelmingly private law entities, were introduced. Since many of these amendments will be subject to further parts of this study, suffice it to mention at this stage that none of them has questioned the principal legal independence of civil society organisations introduced at the very outset of democratisation.

With these basic legal and institutional guarantees in place, civil society in East-Central Europe embarked on a rapid upsurge. The impressive recovery of civil society since 1989 is illustrated by the following figure.

---

[340] Simon 1997.

Figure 3 – Organisational Growth of Civil Society in East-Central Europe, 1989-2000



Sources: For the Czech Republic and Slovakia, from Albertina 2001. For Hungary, data for 1989-1994, from KSH 1996: 7; for 1995, from KSH 1997: 20; for 1996-2000, from KSH 2002: 51; own calculations. Polish data, from GUS 2002. See Table 1 in the Statistical Annex.

Note: Figures refer to associations and foundations as the main types of civil society organisations, as well as to nonprofit institutes and public-benefit companies. They do not, however, include organisational units of associations and organisations primarily devoted to religious worship. In addition, the original data for Hungary in 1995 included public health insurances, which were subsequently excluded from the figures.

These figures, referring to officially registered organisations,[341] provide clear evidence for the remarkable (re-)establishment of civil society East-Central Europe witnessed over the first decade of democratic rule. Taking its departure from formal non-existence, an organisational realm emerged in the all four countries that numbers tens of thousands of organisations. The rapidity, with which this recovery occurred, illustrates the extent of "social energy accumulated during the previous regime"[342] or, in light of the preceding historical considerations, of social energy suppressed by the past regime. While this general development can be observed in all four countries, a number of differences are also indicated by this figure and point to some first divergences across the region.

The different points of departure of Hungary and Poland on the one hand, and the Czech and Slovak Republics, on the other, reflect the country-specific timing of regime change to democracy more broadly. Where, as with the roundtables in Hungary and Poland, the decisive breakthrough towards democracy had been reached early during 1989 and had become manifest in legislation on civil society, this realm had already grown considerably by the end of that year. In contrast to that, the "velvet revolution" in Czechoslovakia occurred only towards the end of 1989, with a consequent delay on the establishment of legal guarantees for civil society. As a result, the development of civil society in that country and its two successor states becomes statistically visible only from 1990 onwards.

---

[341] Here, registration refers not only to the legal registration with courts or public authorities but also to registration with statistical offices.

In addition to this difference in time, these growth figures also point to the relevance of independent citizens' activity preceding the transition to democracy. Bearing in mind that the four countries differ vastly in their populations, it appears nevertheless that in Hungary and Poland, civil society emerged and grew at a statistically higher rate than in the Czech and Slovak Republics. It was argued above that it was precisely in those two countries that forms of independent activity had been more widespread before 1989, be it through parallel organisational structures as in Poland, or be it through achieving significant leeway for independent conduct within officially permitted organisations as in Hungary. In both these countries, this effect was further enhanced by the fact that, as mentioned earlier, foundations had been permitted already prior to 1989. By contrast, such forms of autonomous organisation and/or activity in Czechoslovakia had never reached a comparable significance before 1989. As a result of this virtual absence, the development of civil society in the Czech and Slovak Republics occurred on lower statistical levels for much of the 1990s.[343]

Finally, the dynamics of civil society development differ significantly across the four countries. In Hungary, in particular, the rapid development during the early years was followed by a slow-down of civil society growth since the mid-1990s. A similar pattern is indicated for the Czech Republic towards the end of the decade. Declining growth rates appear to indicate an organisational consolidation of civil society, characterised by a further development and strengthening of existing organisations rather than the establishment of new ones. In the remaining two countries, in turn, the number of civil society organisations continues to grow significantly, more steadily in the Slovak Republic, and still rapidly in Poland. In these countries, large numbers of new organisations continue to emerge and signal that civil society is still a far cry from organisational stabilisation.

Apart from these initial observations, however, such accounts of registered organisations are very limited in their empirical utility. This is particularly obvious when taking into account

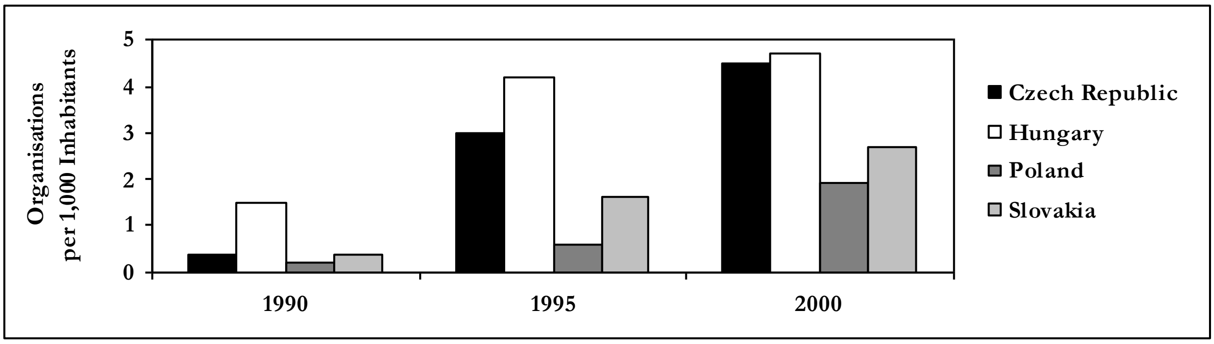
---

[342] Leś 1994: 23 and BORDO 1998: 28.

[343] This claim remains valid even if one considers the different sizes of the four countries. Hungary and the Czech Republic have almost identical populations, yet the statistical strength of their civil societies differed largely until 1998, when the Czech Republic seems to have caught up with the Hungarian development.

that the countries of the region differ vastly in the size of their populations.[344] In order to assess the scope of emerging civil societies comparatively across the region, organisational density is a more appropriate indicator. Figure 4 illustrates how civil societies in the four countries developed and compare in relation to the size of the populace.

Figure 4 – Organisational Density of Civil Society in East-Central Europe, 1990 – 2000



Sources: For the Czech Republic and Slovakia, from Albertina Firemní Monitor March 2001. For Hungary, from KSH 1996: 7, KSH 1997: 20, and KSH 2002: 51. Polish data, from GUS 2002. Population figures for all countries, from respective statistical yearbooks; own calculations. See Table 2 in the Statistical Annex.

Note: Figures refer to associations and foundations as the main types of civil society organisations, as well as to nonprofit institutes and public-benefit companies. They do not, however, include organisational units of associations and organisations primarily devoted to religious worship.

Viewed from this angle, a number of further observations can be drawn. Not surprisingly, the strong growth dynamics identified earlier are also reflected in increasing organisational densities across the region. With regard to this indicator, however, it appears that the emerging civil societies differ significantly and represent two distinct pairs.

On the one hand, the Czech Republic and Hungary have achieved comparably high rates of organisational density. For the latter, this may have been expected, given the early timing of transition to democracy, and the existence of various forms of independent activity prior to 1989. The Czech Republic, by contrast, found itself in a less advantageous situation, at least as far as the point of departure for civil society's development is concerned. The development of organisational density, however, illustrates that civil society in the Czech Republic has apparently quickly overcome these initial impediments and, towards the end of the 1990s, essentially caught up with Hungary.

Poland and Slovakia, on the other hand, witnessed a development of civil society on much lower levels of organisational density. Given the robust growth rates throughout the period since 1989, this observation certainly comes as something of a surprise. What is more, the very

---

[344] Poland numbers approx. 38 million, the Czech Republic and Hungary about 10 million, and Slovakia approx. 5 million inhabitants.

Forbrig, Joerg (2004), Civil Society: Theory and practice in East-Central Europe
European University Institute DOI: 10.2870/42402

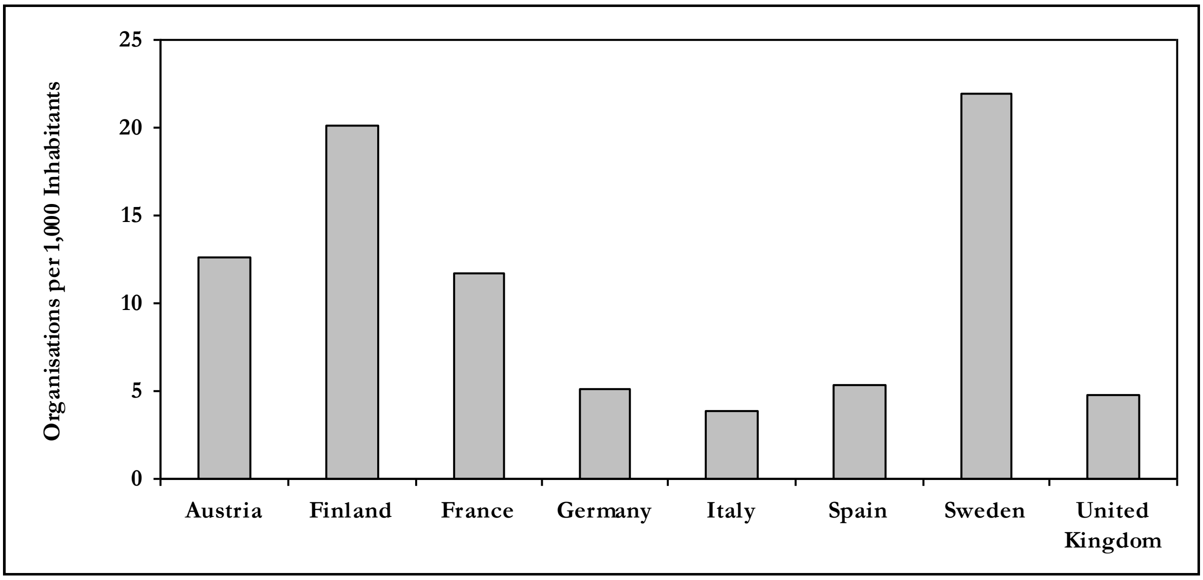
low levels of density in Poland starkly contrast with the presumably advantageous point of departure for civil society's development: the early roundtable negotiations and the heritage of widespread independent structures and activities. The significance of these factors is further put into doubt by the fact that, with regard to organisational density, Poland continues to lag behind even Slovakia, which allegedly found herself in a much less favourable situation at the outset of civil society's development and throughout much of the 1990s, as successive semi-authoritarian governments confronted civil society with much hostility.

Consequently, these figures of organisational density necessitate a reconsideration of the significance previously existing forms of independent civic structures and activity have for the development of civil society, once it is legally and institutionally anchored with transition to democracy. Neither is the prior absence of such forms an insurmountable obstacle to the development of a vibrant organisational realm of civil society, as primarily the Czech Republic but increasingly also Slovakia demonstrate. Nor is their previous existence a guarantee for the swift establishment of a dense network of civil society organisations, as the vastly different developments in Hungary and Poland indicate. Rather than its mere quantity, it appears that the qualitative kind of prior independent activity bears significance for the emergence of civil society. As mentioned earlier, Hungary witnessed a wide range of "small circles of freedom" functioning in relative openness, while citizens' activity in Poland assumed the character of a genuine social movement, whose organisational structures and activities were driven underground with the imposition of Martial Law in 1981. Judging from the developments since 1989, the Hungarian scenario appears to have provided more favourable conditions for the development of civil society than the Polish condition. This observation, thus, puts into question the assumption frequently made by theorists of democracy, and sometimes postulated in the more general terms of democratic (pre-)requisites, that the success of new democracies is significantly conditioned by a range of factors achieved already under the previous non-democratic regime. The cases considered here, however, demonstrate that apparently this nexus is more complex.

Furthermore, these observations also shed some light on the fact that, for the development of an organisationally dense civil society, the basic legal guarantees outlined earlier are a necessary, yet not sufficient, condition. By 1990, as argued above, these guarantees had been in place in all three, then four, countries of the region. Nonetheless, their introduction resulted in significantly different organisational densities of civil society. Consequently, other factors appear to condition the development of civil society, of which the inheritance of independent structures and activities is most likely to be but one aspect.

These differences and causalities for the time being notwithstanding, it has been established that the dynamics of absolute and relative growth of civil society have been extraordinarily positive across the new democracies of East-Central Europe. Such an evaluation can be further substantiated by a brief comparison with civil societies in several established democracies of Western Europe.

Figure 5 – Organisational Density of Civil Society in Western European Countries



Sources: For the Austria, from Heitzmann & Simsa 2002; for Finland, from Helander & Sundback 1998; for Germany, from Bundesverband deutscher Stiftungen 2003 and V & M Service 2002; for Italy, from Patané 2001: 7; for the Netherlands, from Burger & Dekker 1997: 12; for Spain, from Olabuénaga 2000; for Sweden, from Lundström & Wijkström 1995; for the United Kingdom, from Kendall and Knapp 1993: 6ff. Population figures for all countries, from respective statistical yearbooks; own calculations. See Table 3 in the Statistical Annex.

Note: Figures primarily refer to associations and foundations as the main types of civil society organisations. They do not, however, include organisational units of associations and organisations primarily devoted to religious worship. British figures are based on the legal concept of charities, thus excluding a range of organisations comprised by the figures for the other countries.

In the first place, these figures demonstrate striking differences across countries in Western Europe. Scandinavian countries are generally thoroughly "organised" societies in the civic sense. By contrast, Mediterranean countries, such as Italy and Spain in the above figures, but also Germany and the United Kingdom, are characterised by considerably lower levels of civic self-organisation. Other countries, such as Austria and the Netherlands, occupy a middle ground in this respect. The range indicated by these figures thus renders it difficult to establish a density level of civil society that can be considered "normal" for established Western European democracies, and which could serve as a benchmark for evaluating civil society in East-Central Europe. What is more, these figures also indicate strongly that there are significant deficiencies to civil society in various parts of Western Europe. This glance at Western Europe, thus, provides a first hint at the challenge civil society poses not only in the new democracies of East-Central

Europe but also in the West of the continent. This will be discussed further in the last part of this study.

From this comparative picture, it becomes obvious how the rapid growth of civic structures during the 1990s has brought the countries of East-Central Europe closer to several of their Western European counterparts. Within the space of a mere decade, post-socialist civil societies have advanced much to close the gap to several less developed civil societies in Western Europe. The Czech Republic and Hungary, in particular, already compare favourably with countries, such as Italy, the United Kingdom, Germany or Spain. Poland and Slovakia, in turn, still exhibit densities of civil society significantly below those of civically less vibrant countries in the West of the continent. Judging from the growth dynamics mentioned earlier, Poland and Slovakia appear likely to, in the medium term, reach levels of civil society density common to the bottom end of the Western European scale. The stagnation indicated for the Czech Republic and Hungary renders it probable that both countries will equally remain within the range of less densely developed civil societies in Europe. Altogether, the evidence presented so far suggests that none of the countries of East-Central Europe can realistically expect to reach the intermediary levels of Austria or the Netherlands, and certainly not the higher densities of civic self-organisation known from Scandinavia. While this may be a somewhat sobering prospect, it should certainly not diminish the achievement represented by the organisational recovery of post-socialist civil societies to date.

On a more qualitative note, this described numerical revival was accompanied by a significant pluralisation of organisational types. Following the initial legal anchoring of associations and foundations, the countries of the region gradually amended their legislation and provided regulations for a number of additional types of civil society organisations. These fall broadly into two groups. On the one hand, all countries were typically faced with various organisations of a more traditional nature that, due to their specific status or purpose, required separate legal treatment. On the other hand, additional organisational types were introduced in some of the countries, usually with the intention of enabling civil society to perform more effectively some of the functions outlined earlier.

The most important traditional organisations to be treated by separate legal acts were those with a particular religious orientation, in East-Central Europe typically emanating from various Christian faiths and Judaism. Given this denominational nature, their establishment and functioning does not exclusively derive from the constitutional freedom of association and the more specific legislation pertaining to this right. Instead, they are also based on the equally constitutional freedom of religious belief. The institutions and communities springing from this right are, in turn, not subject to the legislation on secular associations, but find their regulation in separate legal acts. In all four countries, these are general acts on the freedom of religion and the establishment of churches. In addition, separate laws often regulate the relationship between the state and particular religious communities. Both forms of legislation usually entail the right to form organisational structures in order to perform a range of social functions other than worship, such as education or social welfare.[345] Although, with regard to these activities, denominational bodies parallel a range of secular organisations, religious structures thus function on a distinct legal basis.

A second form of traditional organisation are trade unions. It will be remembered that trade unions have a long history in East-Central Europe. Forcibly incorporated into the National Fronts, trade unions continued to exist under communism. Given the total deprivation of their conventional *raison d'être*, free trade unions had been one of the prime demands of the democratic oppositions of the region. In Hungary and Poland, in particular, this emphasis led to specialised legislation pertaining to trade unions, within the labour law in the former and through a specific act in the latter.[346] In the Czech and Slovak Republics, in turn, trade unions are generally considered and regulated under the general legislation on associations, although with somewhat different provisions as to their establishment.[347]

Finally, civil society in all four countries comprises a number of organisations whose establishment and functioning is based on individual legal acts. Although their organisational structures are frequently similar to associations and foundations more generally, their particular activities and social significance appeared to deserve separate regulation. On the one hand, these can be individual organisations, such as the national Red Cross associations in the region, the *Ossoliński* Foundation or the Centre for Public Opinion Research (*CBOS*) in Poland, and the *Matica slovenská* association in Slovakia.[348] Repeatedly, on the other hand, specific legal acts have also been passed for groups of organisations, such as those representing hunters and fishermen in Poland and Slovakia, but also allotment gardeners and voluntary fire brigades in Poland.[349]

---

[345] On the general level, the relevant acts are the Polish *Act of 17 May 1989 on Guarantees for the Freedom of Conscience and Religion* (Izdebski 1998: 107), the Hungarian *Act IV/1990 on the Freedom of Conscience and Churches* (Györffy 1995: 4), the *Act 308/1991 on the Freedom of Religious Belief and the Establishment of Churches and Religious Societies*, and the *Act 161/1992 on the Registration of Churches and Religious Societies* in the Czech and Slovak Republics (Deverová & Pajas 2001: 65). For the additional legislation on the relationship between the state and particular denominations, Poland is illustrative, having passed specific acts on the Catholic Church, the Polish Autocephalous Orthodox Church, the Protestant Church, the Baptist Church, the Seventh-Day Adventists, and the Jewish communities (Izdebski 1998: 109).

[346] Exemplarily, in Poland, *Act of 23 May 1991 on Trade Unions* is relevant (Johann 1995: 11).

[347] Frič et al. 1998: 11.

[348] On separate legislation for national Red Crosses, see SAIA-SCTS 1998; Izdebski 1998: 107; Deverová & Pajas 2001: 64. Through *Act of 5 January 1995 on the Foundation Ossoliński National Institution*, the Ossoliński Foundation was established under public law. It embodied the precedence for other public law foundations, most prominently the Centre for Public Opinion Research that, as a foundation, came into being by law in 1997 (Izdebski 1998: 55f.). The *Matica slovenská*, the traditional Slovak cultural heritage organisation established in 1863, has been regulated by *Acts 196 of 1991* and *86 of 1997 on the Matice slovenská*.

[349] On Poland, see Johann 1995: 15 and BORDO 1998: 54; on Slovakia, see SAIA-SCTS 1998.

The distinct legal treatment of religious-based organisations, trade unions, and a number of individual associations and foundations thus emphasises the particular importance and role of these entities in a given country. This should not, however, be interpreted as setting them apart from those foundations and associations established and functioning under the general legislation outlined earlier, and thus from civil society in the region. Instead and in line with the definition adopted here, these organisations are an integral part of civil society in each of the four countries, although they introduced an important element of pluralisation to this organisational realm.

The structural differentiation of civil society in East-Central Europe has been further enhanced by efforts to introduce new types of organisations beyond those covered thus far. The principal driving force behind these efforts was usually the acknowledgement that civil society organisations can perform a number of publicly relevant functions and tasks, be it in relation to specific social groups or for the public at large. Two of these appear to have been of particular importance for further organisational pluralisation: professional self-government and provision of selected public services. During the communist regime, both areas were dominated by the state authorities. Under the pressure of the political, economic and social reform process since 1989, however, the trend has been to increasingly search for non-state actors to become, at least partially, endowed with such functions.

In the area of professional self-government, all countries of the region adopted a chamber system. Usually mandatory in membership, chambers are organised along with specific professions, such as lawyers, physicians or accountants. They serve both the external representation of the interests of the occupational group in question and the internal regulation of professional performance. In the Czech Republic, Poland and Slovakia, separate laws on specific professions typically entail provisions for the establishment and competencies of chambers.[350] Hungary, in turn, explicitly introduced the organisational type of a public association or chamber in 1993, which is applicable mainly to professional and business chambers.[351] In all countries, chambers can be established exclusively by law, that is, upon the initiative of public authorities. This procedure and the fact that they are endowed with regulatory competencies by state authorities renders them public law entities, although as membership organisations they parallel the regular (private law) associations described above.[352]

---

[350] For the Czech Republic, Deverová & Pajas 2001: 66f. list the following professional groups, which received specialised legal regulation including the provisions for establishing chambers: physicians, dentists, pharmacists, patent agents, veterinarians (laws passed in 1991), notaries, tax consultants, accountants (1992), and lawyers (1996). For a similar account on Poland, see Johann 1995: 14 and BORDO 1998: 53.

[351] The relevant law was an amendment to the Civil Code, enacted in 1994, that foresaw three new forms of public law organisation: the public law association or chamber, the public law foundation, and the public benefit company. With regard to chambers, its effect was largely one of terminological and legal systematisation, given that such entities had already been established before that date.

[352] For a discussion of the problematique of public and private law organisations in civil society, see Kuti 1996: 67f.

A comparable trend towards transferring public responsibilities can be discerned with regard to the provision of public goods and services. With the intention of entrusting civil society with the, at least partial, satisfaction of social demands for various services, a specialised type of non-profit organisation, usually referred to as public benefit company, has been introduced in the Czech Republic, Hungary and Slovakia, while having been under consideration for several years in Poland.[353] Such an entity can be established by natural as well as legal persons including public authorities, and it "regularly pursues a public benefit activity and conducts accompanying economic activities, but does not distribute any profit among its members."[354] It is set apart from other types of civil society organisations in a number of respects. Public benefit companies are obliged to render services to the public, usually in a number of clearly defined fields.[355] In exchange, they enjoy preferential tax treatment and they are allowed to conduct commercial activities generating revenues. These advantages, in turn, are based on the mandatory public accountability of these companies, typically through public annual reports and supervisory boards. In this form, public benefit companies have become a typical vehicle for the privatisation of public services, with numerous previously budgetary organisations of state and municipalities thus being transformed.

The described developments have led to a significant differentiation of civil society along with a variety of organisational types. The legal and structural pluralisation of civil societies in East-Central Europe is illustrated by the following figures.

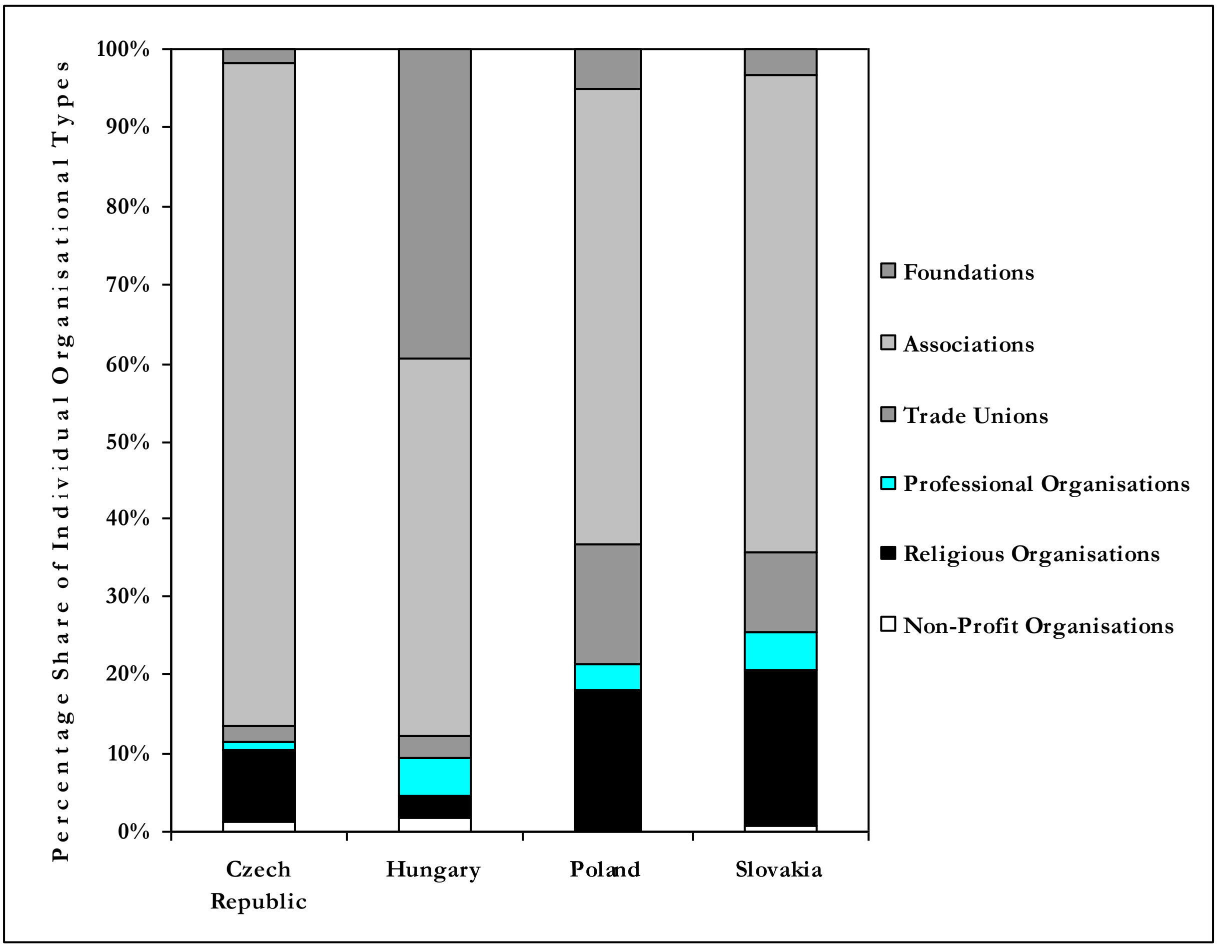
---

[353] Hungary introduced the institution of the public benefit company through the law on public law organisations mentioned earlier, which also introduced public law foundations and associations/chambers (Györffy 1995: 2f.). In the Czech Republic, *Act 248 of 1995 on Public Benefit Companies and on Changes and Amendments to Some Other Laws* is relevant; in Slovakia, *Act 213 of 1997 on Nonprofit Organisations Providing Publicly Beneficial Services*.

[354] Györffy 1995: 4. Note that "members" in this quote should not be read literally. As public benefit companies are non-membership organisations functioning more along the lines of commercial entities, partner would be a more appropriate term.

[355] In the Czech Republic, activities qualifying for public benefit status lie primarily in the areas of social services, health care, education and culture (Rektořík 2000: 26). The Slovak *Act 213 of 2 July 1997 on Nonprofit Organisations Providing Publicly Beneficial Services* declares in § 2 the areas of health care, humanitarian aid, development and protection of spiritual and cultural values, supplementary education of children and youth through the organisation of physical education and sports for children and young people, creation and protection of the habitat, provision of social services to be of publicly beneficial nature (Mračko 1997: 44f.).

Figure 6 – Civil Society in East-Central Europe by Main Types of Organisations, 2000



Sources: Data for Hungary, from KSH 2002: 26f.; for Poland, from GUS 2001, for the Czech Republic and Slovakia, from Albertina 2001 and, for the purpose of adjusting foundation figures, from Czech Donors Forum 2000 and Hanzelová 1998. See Table 4 in the Statistical Annex.

Note: A range of Hungarian religious associations is included in the general category for associations. In addition, data for foundations in the Czech Republic and Slovakia was adjusted in order to accommodate the shrinkage brought about by amended foundation laws.

These figures provide clear evidence for the heterogeneity of organisational forms that has been increasingly characteristic of civil society in East-Central Europe since 1989. The achievement this differentiation represents is particularly impressive if compared to the monolithic structure of intermediary organisations inherited from communism. Taking its departure from the homogeneity of National Front and social organisations, civil society has become organisationally highly pluralistic, through the initial establishment of foundations and associations as the basic types of civil society organisations but increasingly through the introduction of additional and more specialised organisational forms as well. Not least, this development also illustrates the intensive legislative activity all countries of the region have witnessed since 1989, with regard to civil society and beyond.

This organisational differentiation notwithstanding, the above figures also illustrate that foundations and associations have remained the principal organisational basis of civil society in East-Central Europe. In all countries, they represent the vast majority of organisational structures. Apart from these general observations and similarities, however, a number of differences are also clearly indicated by the figures provided above.

Firstly, the significance of the foundation sector differs clearly between Hungary and Poland, with the Czech and Slovak Republics occupying a middle ground. The enormous share of foundations in Hungary reflects the extraordinarily liberal legal regulations with regard to this organisational type. It has often been observed that "only extremely clumsy and unskilful founders produce founding statutes which cannot pass" for registration.[356] Although the treatment of Hungarian foundations has been subject to a number of revisions over the years, the initial, and so conceived, generous regulations have resulted in a foundation scene incomparably stronger than in the neighbouring countries. The opposite extreme is represented by Poland where, in the eyes of many observers, very restrictive procedures of registration and regulation have frequently led to an "escape into associations."[357]

A second observation pertains to the starkly differing significance of religious organisations. Civil societies in Poland and Slovakia are characterised by a strong religious element. Both countries are overwhelmingly Catholic, and the significance of religion as well as the extent, to which subsidiary organisations of the Catholic Church are represented in civil society, is unmistakably indicated by the above figures. What is behind this religious component is certainly the fact that particularly in Poland, but also in Slovakia, the previous communist regime never succeeded in secularising society and in breaking the institutional structures and strength of the Church. In the Czech Republic and in Hungary, in turn, the communist regime as well as longer-term processes of modernisation and secularisation, appear to have had more pervasive effects, as is indicated by a comparably lesser significance of the religious component of civil society in both these countries.

An interesting indication given by the above figures relates to the differential proportions of organised labour in the four countries. In the Czech Republic and in Hungary, trade unions represent a relatively small organisational share of civil society, while Poland and Slovakia are home to a surprisingly large number of labour organisations. In Poland, in particular, this may have been expected, given the significance of trade unions within the opposition movement prior to 1989. In their structures, these independent unions were highly pluralistic, and the above figures signal that Poland retained a multitude of autonomous, specialised and smaller unions.

---

[356] Kuti 1996: 60.

[357] Those "actively involved in the [Polish, J.F.] nongovernmental sector are of the opinion that to register a foundation is an almost impossible task" (BORDO 1998: 27).

The proportions of the trade union sector within Czech and Hungarian civil society, in turn, indicate that both countries retained a relatively centralised structure dominated by few large-scale organisations.

A final observation concerns non-profit organisations. In all those countries that introduced such entities, or public benefit companies, these represent a marginal percentage of civil society organisations. On the one hand, this is certainly due to the relatively recent introduction of this organisational type in East-Central Europe. This interpretation is reinforced by the fact that the proportion of non-profit organisations is stronger the earlier this legal form was introduced, which is also indicated by the above figures. Accordingly, non-profit organisations represent the strongest percentage in Hungary, where the relevant law entered into force in 1994, while their share is weakest in Slovakia, where non-profit organisations could be established only as from 1997. The Czech Republic occupies a middle ground in this respect, having introduced this organisational type in 1996. This correlation points to the time needed for legal regulations to have an effect in organisational activity, yet it also indicates the potential for further entities of this non-profit type to still emerge. At the same time, on the other hand, the marginal significance of non-profit organisations also highlights the important, yet complementary, role this legal form is expected to play within civil society more broadly. Given the fact that many recently established non-profit organisations are merely transformed budgetary organisations of the state and municipalities, any significant share of such entities would raise problematic questions for civil society which, after all, is primarily an expression of the associative and self-organising capacity of society.

These observations, as well as the preceding ones relating to the overall organisational growth of civil society in East-Central Europe, already touch upon a number of issues critical for this organisational realm in the region. These range from the importance of earlier forms of independent activity and questions of organisational stabilisation to the significance of religious, labour and professional organisations as well as the problem of transplanting public authorities into civil society. Many of these issues will be subject to a more detailed discussion below.

A summary of the present discussion on numerical growth and organisational differentiation lends credence to the enormous progress civil societies in the region have made over the last decade or so. Within this very short period of time, an organisational realm has emerged in all four countries that can, in terms of registered entities, compare to several established democracies. At the same time, their internal pluralisation along with a variety of organisational types appear to have made civil societies in the region more commensurate with the manifold functions they are to perform in democratic regimes. Despite first indications for significant differences between countries, this first glance portrays civil society in East-Central

Europe as having a very positive development in both quantitative and qualitative terms. After having been suppressed for decades, civil society appears to have impressively recovered and regained a position from which to continue the wealth of traditions it has in the region.

An Optical Illusion?

The perspective presented so far, however, is but the most optimistic scenario of the development of civil society in East-Central Europe. As many a less enthusiastic observer has noted, a range of empirical evidence can be held against this view and draws a much less rosy picture. The objections raised against the above perspective, and the empirical material employed, pertain to four main problems, namely the question of nominal vs. actual organisational strength, the existence of an important structural legacy inherited after the previous regime, the embeddedness of civil society within its broader social environment, and the economic significance of this realm. It is these questions that have given rise to much disagreement among scholars (as well as practitioners) as to whether civil societies in the region are to be assessed as vibrant or vulnerable. Besides illustrating this dissent, an inquiry of the problem areas mentioned also helps to arrive at a more realistic picture of the strengths and weaknesses of civil society in the four countries.

The first problem originates in the nature of the empirical information usually, including the present considerations so far, utilised to analyse the development and strength of civil society. Comprehensive data is typically available only from those public authorities, which are responsible for the registration and regulation of civil society, commonly courts, offices of public administration and statistical offices. Although significant differences exist between these sources and the empirical information they provide, one principal difficulty is shared by them and lies in the fact that they reflect a largely nominal value. With very few exceptions, official registration is mandatory for civil society organisations, in order to attain legal personality, in order to be granted a preferential tax status, or only in order to open a bank account. Thus all those organisations that actually function in civil society are registered in one way or another. The reverse logic, however, is much less obvious, since no obligation applies to de-registration once an organisation ceases to function or to exist. Civil society as reflected in registration figures is essentially "sentenced to growth," not allowing for any evaluation as to whether an organisation is active, inactive or not in existence any longer.[358] It is for this reason that accounts of civil society based on registration figures alone ought to be considered merely as a, to some degree fictitious, upper limit.

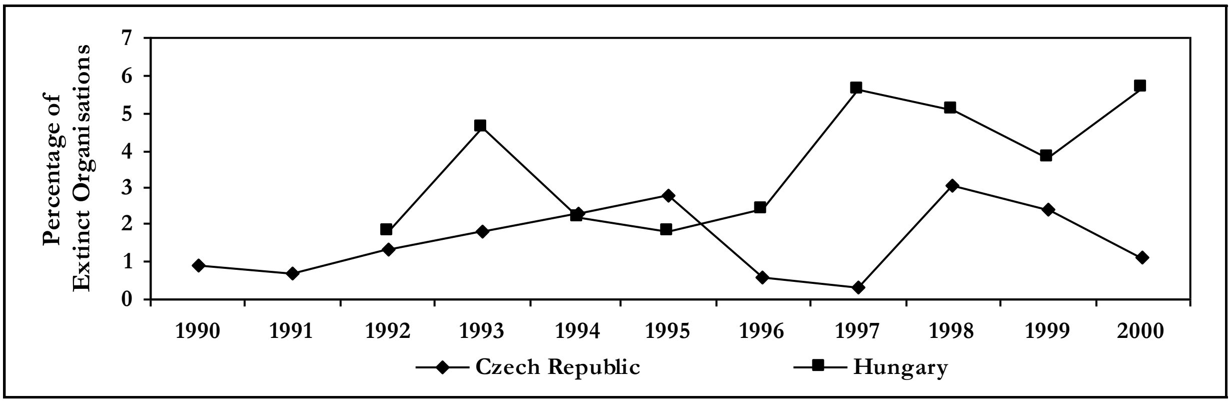
While this problem does not impair the value of the preceding observations, it requires an assessment of the actual organisational capacity of civil society. Drawing an absolutely realistic picture of civil society in a given country and substantiating it with reliable empirical evidence, is most likely an impossible task. After all, one of the constituent characteristics of a free civil society is a significant element of fluidity. As individual and group interests, political constellations, economic and social problems, cultural and technological developments underlie constant change, a civil society that permanently and effectively reacts to such challenges cannot possibly become overly rigid in its organisational structures. A significant degree of organisational stability, in addition to close scrutiny on the part of public authorities in the registration and supervision of civil society organisations, in turn, would be a pre-requisite for such a realistic analysis. Either approach, however, would be somewhat detrimental for vibrancy of civil society. It is, thus, the very nature of the phenomenon that it evades close empirical analysis, trading off social scientific accuracy for normative principles.

---

[358] BORDO 1998: 25.

Nonetheless and although sparse, some empirical evidence is available that allows for a glimpse at the gap between civil society's nominal and actual strength. While not legally required to do so in most cases, a number of civil society organisations withdraw registration, once they cease to exist. Data on such extinct organisations is available for the Czech Republic and Hungary.

Figure 7 – Extinct Organisations in the Czech Republic and Hungary, 1990 - 2000



Source: For the Czech Republic, from ČSÚ 2002; for Hungary, from KSH 2002; and own calculations. See Table 5 in the Statistical Annex.

Note: Figures show the percentage of extinct organisation as related to the total of registered organisations. Figures do not include organisational units. Data refer to year end.

Although most likely to reflect only a part of actual cases, the figures suggest that the continuous growth of civil society has been accompanied by an equally steady increase in the number of organisations ceasing their activity. This should not come as unexpected. Once civil society was free to develop, organisations and initiatives mushroomed, often upon the initiative of individual persons, usually based on insufficient resources and personnel, and frequently duplicating activities. In this very fragmented format, a good many organisational initiatives did not prove to be sustainable. Not surprisingly, then, the initial enthusiasm was followed by, often strenuous, processes of organisational orientation and stabilisation, which appear to continue to date. These involved the resignation and winding up of some initiatives, mergers between others but also, as indicated earlier on, the continued establishment of new organisational structures.

The organisational stabilisation of civil society appears to have come to some fruition towards the end of the 1990s. In Hungary, the rate of organisational extinction has clearly passed its zenith, signalling that an increasing number of civil society structures have become sustainable. In combination with the earlier observation of declining growth dynamics, the empirical evidence shows a receding organisational turnover within civil society and, thus, strongly indicates its consolidation in Hungary. In the Czech Republic, the evidence available points to a similar development, yet with a delay of several years. By 2000, organisational extinction was steadily on the rise. As of the same year, organisational growth rates indicated a slow-down. Taken together, it seems reasonable to state that organisational consolidation of Czech civil society had only begun to set in, in the years since 2000.

These figures, however, are not encompassing of all extinct civil society organisations. Given the largely voluntary character of de-registration, the number of unknown cases of defunct or non-existent structures is likely to be higher. This provides a first cautious note to the earlier evaluations of organisational strength and density of civil society in East-Central Europe.

A further hint is provided by occasional situations in which, civil society organisations are required to re-register. This may be the case when new or amended legislation comes into force, as was the case with new laws on foundations in the Czech and Slovak Republics in 1998 and 1997, respectively.[359] These acts introduced stricter requirements to be fulfilled in order to qualify as a foundation, which were to be demonstrated through re-registration. In both countries, this resulted in a rapidly shrinking foundation sector, as in the Czech Republic only about one fifth and in Slovakia roughly one third of previously registered foundations qualified under the new laws.[360] Even if taking into account that the very strictness of the new legislation may have prevented many functioning organisations from re-registering as foundations, this shrinkage also sheds some light on the fact that a good many foundations in both countries had existed as mere organisational torsi rather than as active structures of civil society.

---

[359] The relevant legislation is the Slovak *Act 207 of 1996 on Foundations* and *Act 227 of 1997 on Foundations and Endowment Funds* in the Czech Republic.

[360] In the Czech Republic, the number of foundations and foundation funds re-registered according to the new law was 282 and 735, respectively, as of May 2000. In comparison, before the new legislation was enacted, approx. 5,000 foundations were registered (Czech Donors' Forum 2000: 3). In Slovakia, the number of

Forbrig, Joerg (2004), Civil Society: Theory and practice in East-Central Europe
European University Institute DOI: 10.2870/42402

Finally, one can also rely upon a number of estimates provided by umbrella organisations of civil society, various data bases, observers and experts in the field in order to assess the scope of functioning organisations, or the actual strength of civil society in the region. One overview provides estimates ranging from about seven percent active organisations in the Czech Republic to fifteen in Poland and Slovakia to about thirty percent in Hungary.[361] The principal problem with such estimates is usually that they are based on a narrower understanding of civil society than the one adopted in this study, featuring more explicitly a public benefit orientation. Typically, a variety of organisations are excluded, such as trade unions and professional organisations, often also religious-based structures, not seldom also voluntary fire brigades, sports clubs and hobby associations. Questionable as this narrower concept of civil society may be, these estimates further substantiate the observation that the actual organisational activity of civil society is well below the nominal levels of the available registration data. Where the latter delineates an upper limit of civil society, the former can be little more than a bottom line of organisational activity in East-Central Europe.

The not unproblematic nature of these figures and estimates notwithstanding, they put a damper on an overly enthusiastic view of civil society in the region, which one may be tempted to take when considering registered entities. Nominal and actual intensity of organisational activity are obviously and considerably apart.

---

foundations fell from 1,289 before to 419 after the re-registration required by the new legislation (Hanzelová 1998: 4f.).

[361] Hyatt et al. 1998 : 7 provides the following figures of registered and active civil society organisations: in the Czech Republic – 34,000, of which 2,500 active, in Hungary – 46,000/15,000-20,000, in Poland – 17,000/2,500, and in Slovakia – 17,500/2,000-2,500. Similar estimates can be found with USAID 1999. István Sebestényi of the Hungarian Statistical Office (KSH) identified a discrepancy of 50,000 active organisations compared to 63,000 registered ones as of 2002. KLON/JAWOR of Poland estimates that about two thirds of registered organisations are active, hence between 30,000 and 60,000 depending on the definition of civil society; Dąbrowska & Wygnański 2001.

A Structural Legacy

A second problem to be addressed in this context is the question of continuity and innovation of organisational structures. It was argued above that the widespread "presentism," the view of civil society in East-Central Europe as a post-1989 phenomenon, is very much mistaken. Apart from the rich traditions that had developed before World War II, independent activities also accompanied the subsequent communist regimes in the region, increasingly during the 1970s and 1980s, yet differing in form and extent across the four countries. These forms of genuine civic life have provided much inspiration to civil society since 1989 when, freed from the constraints imposed by the previous regime, citizens' initiative could emerge openly and establish legally guaranteed organisational structures, in one or another of the forms described earlier.

While this aspect has been acknowledged time and again, a second element of continuity has been frequently neglected in accounts of East-Central European civil society.[362] Communist regimes in the region, as outlined earlier, had not been devoid of forms of social organisation. A range of organisations and activities had been permitted, although incorporated into the centralised and hierarchical structures of the regime and subject to the surveillance of the authorities. While some of these served the exclusive purpose of political mobilisation, a good many others were evasive of any significant politicisation, in particular those that served leisure-time activities. Comprehensive organisational structures thus existed, they disposed of considerable material resources, and their membership encompassed significant portions of the population. With the fall of communism, these social organisations were faced with inevitable transformation and often extinction. Many, although not all, of those entities that were overwhelmingly political in nature and closely associated with the previous regime disappeared. The large and less compromised remainder, however, continued to exist as independent organisations after the centralised structures they had once been part of disintegrated.[363] This transformation necessarily entailed the adoption of a new legal format and, most commonly, these older organisations re-emerged as citizens' associations.[364]

In its development since 1989, civil society thus appears to have drawn not only from the variety of independent initiatives that had emerged under the previous regime but also from the socio-organisational realm of that very regime. Both aspects fade away in the face of registration figures of civil society organisations which, by necessity, can only be provided from 1989 onwards. This reinforces the impression that civil society in the region has somehow emerged from a vacuum, introducing and consisting of entirely new organisational structures. Empirically, however, such a view is unwarranted, as civil societies in the region are, to a significant extent, also the product of the transformation of earlier forms of citizens' activity, be it within independent structures or within social organisations.[365] This element of continuity is shown by the following figures.

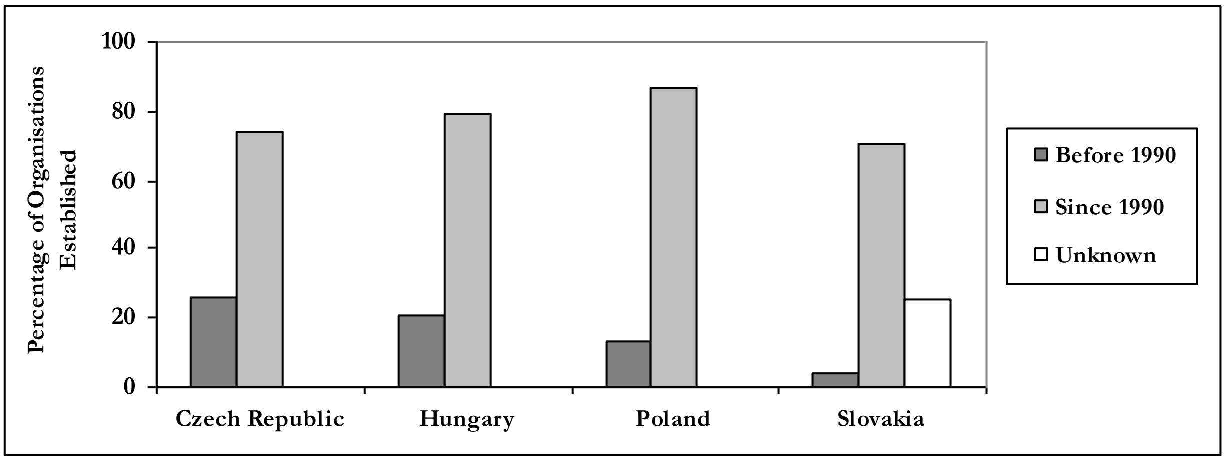
---

[362] Even specialised publications on civil society in the region, such as Kuti 1996, BORDO 1998 or Frič 2001, mention this aspect only in passing and without any further discussion or empirical analysis. More generally, it appears that such structural continuities, within civil society and beyond, have been neglected in favour of change, and consequently have been much understudied.

[363] Frič 2001: 81 notes this mechanism of disintegration, organisational independence and formal adoption of a new legal status.

[364] Exemplarily, this is substantiated by empirical evidence provided for Hungary by Kuti 1996: 117ff. and for Poland by BORDO 1998: 31.

Figure 8 – Civil Society Organisations in East-Central Europe by Period of Establishment



Source: For the Czech Republic, Frič 1998: 68; for Hungary, KSH 1998: 20; for Poland, BORDO 1998: 26f; and for Slovakia, Bútora et al. 1997: 214. See Table 6 in the Statistical Annex.
Note: Data refer to 1997 for the Czech Republic, to 1996 for Hungary and Slovakia, and to 1995 for Poland.

Based on survey rather than registration data, these figures provide some evidence for the significance of organisations, whose origins lie before the political changes in the region. With the possible exception of Slovakia, whose large share of unspecified cases defies closer analysis, all countries of the region exhibit a considerable element of organisational continuity, accounting for between one seventh of civil society organisations in Poland and one quarter in the Czech Republic. This observation remains valid, even if one accounts for the fact that, in Hungary and Poland, the unconstrained re-emergence of civil society had already begun in 1989, while the cut-off point for the above figures is 1990. While in Poland, one could attribute these pre-1989 origins of civil society to the existence of an extensive independent society, the Czech Republic and Hungary escape such an explanation. In the latter, "small circles of freedom" emerged first and foremost within official organisations, while in the latter, noteworthy independent organisational life was essentially absent prior to 1989. The fact, indicated in the above figures, that in both these countries a large portion of civil society organisations had been established before the regime change points to the importance of transformed social organisations for civil society in the region.[366]

---

[365] BORDO 1998: 26 stress that "the opinion that 1989 marked the absolute starting point in the history of the

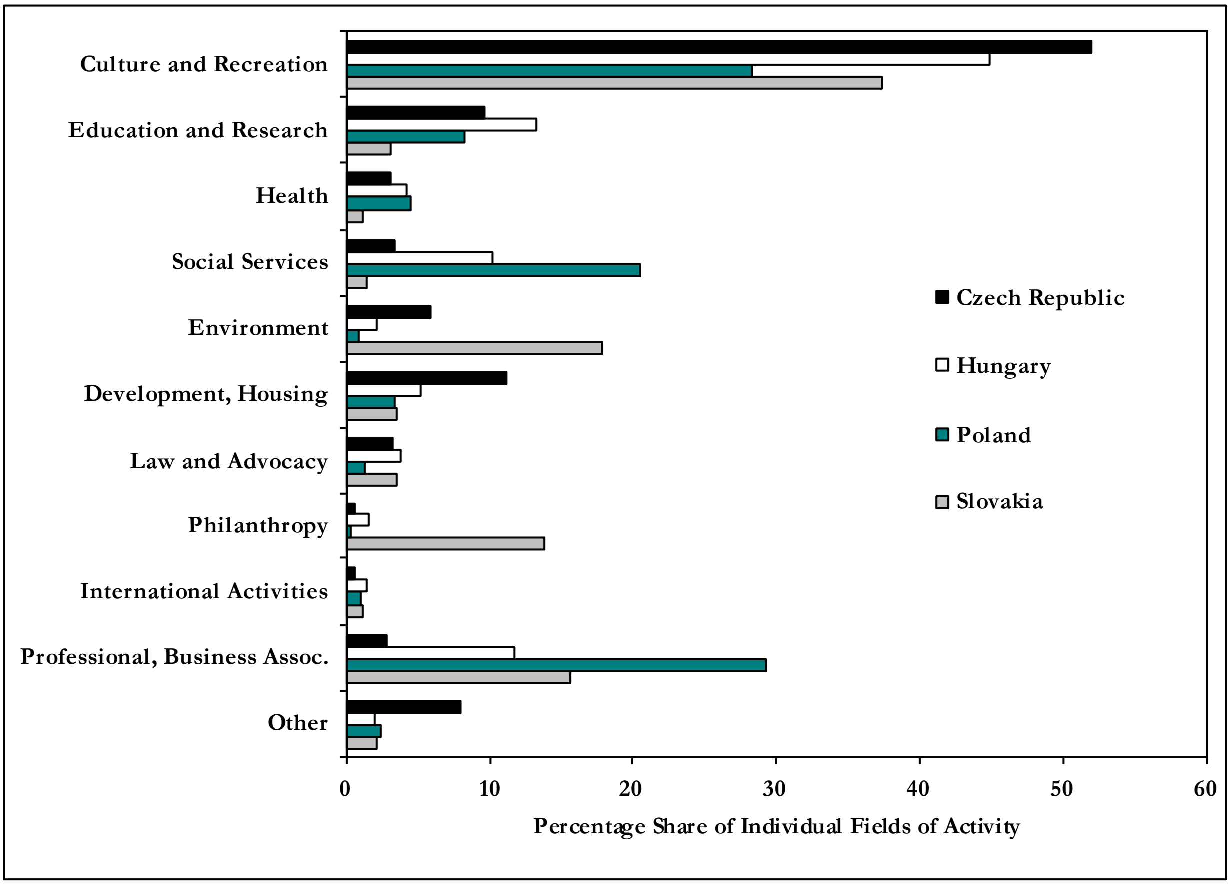
What is more, the share of transformed social organisations is likely to be even larger than indicated by the above figures. The question asking for the founding date of an organisation, which underlies the survey data used, is very much open to interpretation. It may address the actual existence and functioning of an organisation but equally the date of formal registration. In the case of transformed social organisations, in particular, these options combine with a choice regarding the evaluation of the own organisational history, that is, with either acknowledgement or concealment of an existence prior to 1989. Given that social organisations were usually part of a larger, often country-wide structure, within which they merely represented local branches, an independent organisational history did indeed commence only after 1989, or with formal registration. Indicative of such a perception is the fact that, more often than not, organisations adopted new or changed names. In light of this, it is reasonable to assume that a considerable number of civil society organisations conceive of themselves as established after 1989, even though they grew out of previous structures of social organisation.

The discussion and evidence so far thus give credence to the claim that civil society in East-Central Europe is characterised by a significant legacy of organisational structures inherited from the time of the previous regime. However, on the basis of the evidence presented so far, it is not possible to more clearly assess the extent, to which civil societies in the region have been shaped by the transformation of social organisations, on the one hand, and by the offspring of independent activities, on the other. Such a differentiation within the structural legacy identified is possible by considering the fields of activity covered by civil society organisations. Figure 9 provides such an overview.

Polish civic movement is fully unwarranted."

[366] For the Czech Republic, some explicit empirical evidence is available on this subject. Frič 1998: 67f. reports that, in a 1998 survey, 17.8 percent of organisations reported to have gained independence after 1990, usually from the centralised structures of the National Front scheme. Given the late date of this survey, it is likely that the significance of this legacy was much higher immediately after 1989.

Figure 9 – Civil Society Organisations in East-Central Europe by Main Fields of Activity



Sources: Data for the Czech Republic, from Goulli et al. 2001: 143f.; for Hungary, from KSH 1998: 18; for Poland, from GUS 2002; for Slovakia, from Woleková et al. 2000: 65; and own calculations. See Table 7 in the Statistical Annex.

Note: Figures refer to 1995 for the Czech Republic, to 1996 for Hungary and Slovakia, and to 2002 for Poland. Original data included denominational organisations primarily devoted to religious worship, which were subsequently excluded from the present figures.

What is most obvious from these figures is the extent, to which civil societies in East-Central Europe are dominated by the area of culture and recreation. Across the four countries, forty to fifty percent of organisations are active in this field, thus by far outnumbering any other field of activity. This characteristic of East-Central European civil societies is clearly conditioned by the organisational inheritance from the previous regime. It was precisely with regard to leisure-time, recreational and cultural activities that communist authorities had permitted and supported vibrant organisational structures and refrained from overly controlling and politicising them. The transformation of the apolitical social organisations can be considered the principal reason behind this emphasis on culture and recreation. This observation does not, however, mean that all those structures in the field of culture and recreation derive from old social organisations. Instead, a good many new organisations have been established for such activities since 1989. Nor does this evidence imply that the significance of this structural legacy is confined to culture and recreation. Although less obvious from the above figures, generally to a lesser extent and with differing significance across the four countries, similar transformations have also occurred in other fields of activity. A prime example are communist trade unions which, in all four countries, retained their organisational structures.[367] Similarly, traditional structures of voluntary fire brigades existed before and continued to function since 1989.[368] Various groups of organisations, such as hunters, fishermen, allotment gardeners, as well as several individual entities were not only inherited but were considered of such a social significance that they became regulated by specific legislation, as mentioned above. Finally, a range of individual cases of organisational transformation can be found in almost all the fields of activity listed above.[369] A significant organisational legacy from the previous regime (and before) has, thus, left clear traces on the current shape of civil society in East-Central Europe.

The observed characteristic of civil society in the region having a strong cultural and recreational emphasis is particularly striking in comparison with more established democracies, where the fields of education, health and social services are more strongly pronounced.[370] In East-Central Europe, the relative weakness of these areas of organisational activity is a clear function of the doctrine of Soviet-type regimes that endowed the state with a far-reaching monopoly on the provision of education, health, and social welfare. Consequently, civil society organisations in these areas had to be established anew, without much possibility to rely upon existing structures. To a large extent, the same problem applied in the remaining fields of activity listed above, which had been either within the exclusive realm of public authorities, such as development and housing, or which had been essentially absent, such as law and advocacy or environmental issues. Against this unfavourable background, civil societies in the region adopted a wide range of activities and became remarkably differentiated beyond the inherited emphasis on culture and recreation. Additional strongholds have become visible in the area of education and research, professional associations and trade unions, while the representation of civil society in the important realms of health and social services has remained rather weak.

---

[367] The once monopolistic trade unions that transformed after 1989 are the Czech *ČMKOS* (Czech and Moravian Chamber of Trade Unions), the Hungarian *MSZOSZ* (Confederation of Hungarian Trade Unions), and the Polish *OPZZ* (Polish Confederation of Trade Unions).

[368] In the above figures, voluntary fire brigades are grouped under social services. They number about 1,300 in the Czech Republic, 1,000 in Hungary, 3,000 in Slovakia, and 19,000 in Poland (data from the Czech Ministry of the Interior, Kuti 1996: 82, Woleková et al. 2000: 66, and GUS 1998: 65).

[369] Examples include, in the Czech Republic, the Czech Union of Environmentalists (*Český svaz ochranců přírody*), the pioneers' organisation (*Pionýr*), the Women's Union (*Svaz žen*), the Union of the Disabled (*Svaz invalidů*); see Frič 2001: 117. A prominent case in Hungary is *TIT* (*Tudományos Ismeretterjesztő Társulat* – Association for the Dissemination of Sciences); see KSH 1993. For Poland, one may mention a whole range of specialised organisations of artists, scientists, technical professions, the social and cultural societies of national minorities (*Towarzystwa Społeczno-Kulturalne Romów, Niemców, Żydów itp.*), the voluntary mountain rangers (*Górskie ochotnicze pogotowie ratunkowe*), and the Polish Society for Tourism (*Polskie Towarzystwo Turystyczno-Krajoznawcze*); see GUS 1997: 71, 287ff. Slovak observers report instances such as the Slovak branch of *AIESEC* (International Association of Students of Economics and Commerce) and *SZPOK* (*Slovenský sväz ochrancov prírody a krajiny* – Slovak Union of Environmentalists); see Bútora et al. 1997: 214.

[370] Salamon et al. 1999.

These observations can be further substantiated by considering the growth dynamics affecting civil society's involvement in particular fields of activity. The available sources provide some cautious evidence that the described constellation of "old" and "new" fields of activity undergoes gradual change. Those fields with strong organisational legacies are largely characterised by stagnation and, in some cases, decline. Across the region, this pertains particularly to sports clubs, hobby circles and voluntary fire brigades.[371] In turn, those areas targeted by civil society organisations more recently witness gradual and steady growth. It is in these "new" fields of activity that the majority of new organisations, most notably also foundations, is established.[372] In all countries, such positive dynamics are particularly visible in the fields of health and community development. Although the organisational legacy described may not be on a retreat in absolute terms, these developments increase the relative significance of new organisations in civil society. In the long run, then, it is likely that the various fields of activity will become more evenly covered by organisations.

These gradual changes notwithstanding, the organisational legacy described remains a significant characteristic of civil society in East-Central Europe. Contrary to the widespread view, this realm has not emerged from a void after 1989 but, to a considerable extent, grew out of social organisations by way of transformation. Less significantly, and less confined to specific fields of activity, civil society in the region also incorporated those forms of independent activity that had asserted themselves before 1989. None of these claims is to disparage the social energy that fired the re-emergence of civil society. However, this legacy and its implications, which will be discussed below, must not be underestimated and certainly put the impressive upsurge of organised civic life since 1989 somewhat more into proportion.

---

[371] Empirical evidence can be found in Kuti 1996, Šilhanová et al. 1996: 19, and BORDO 1998: 60 A more detailed analysis of these dynamics is provided for the Czech Republic, Hungary and Poland by Forbrig 1998. An overview of the dynamics in Slovakia can be found in Woleková et al. 2000: 66.

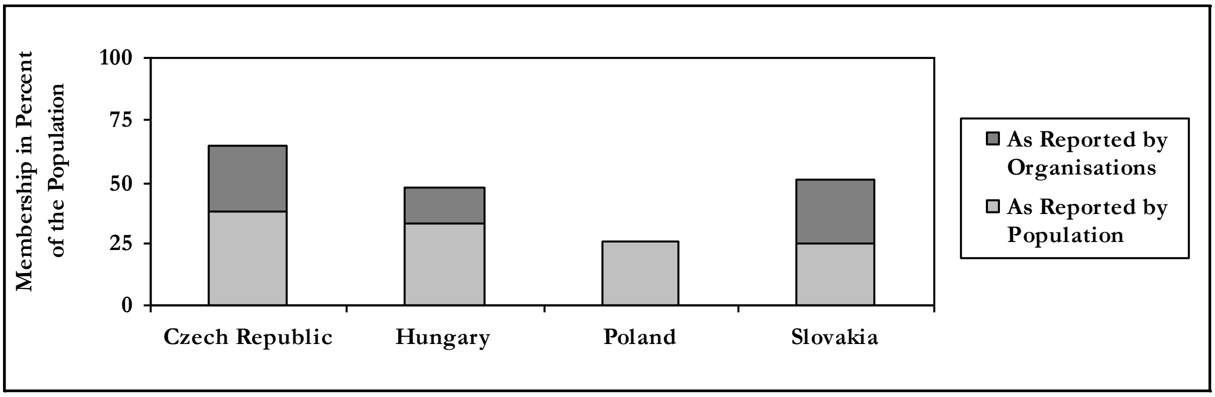
[372] A number of sources provide clear evidence for this claim. Frič 1998: 11 shows that the focus of newly established organisations lay with fields such as education and research, health and social services. In Poland, the main areas of foundational activity are human rights, health, social assistance, education and science, media and development (BORDO 1998: 31). KSH 1999: 18 illustrates that, as of 1997, the areas of education and research, health, social services (besides culture and religion) were dominated by foundations.

Civil Society in its Social Environment

Until this point, the discussion has largely focused on organisational and structural characteristics of civil society in the region and a number of critical issues revolving around them. The present considerations would, however, neglect a constitutive dimension of civil society, if they were to overlook the relationship between this realm and its broader social basis and environment. After all, civil society is a reflection of society at large, translating societal pluralism into organisational structures. Derivative from this is the assumption that this realm is only as strong as is its anchoring in society. Consequently, one cannot but explore and attempt to assess the embeddedness of this realm in the societies of East-Central Europe, not least since problematic questions also arise in this respect and have been frequently pointed out by observers.

The most conventional indicator for the social significance of civil society is membership. Although, as shown above, not all organisational forms revolve around the notion of membership, as is the case for foundations, the vast majority of civil society structures are indeed associations of individuals. A first indication of the social embeddedness of civil society in East-Central Europe is therefore given by the accumulated membership in organisations of this realm. The following figure provides such an overview.

Figure 10 – Membership in Civil Society in East-Central Europe, 1995/1998



Sources: Data for the Czech Republic, from Kroupa & Mansfeldová: 1997: 178, and from Frič 2001: 144; for Hungary, from Angelusz & Tardos 1999: 260, and KSH 1999: 143; for Poland, from Leś & Nałęcz 2001: 24; for Slovakia, from Bútora et al. 1997: 227, and Woleková et al. 2000: 65; own computations. See Table 8 in the Statistical Annex.

Note: Data for the Czech Republic refers to 1995, for Hungary to 1997, for Poland to 1998, and for Slovakia to 1996. Although additional data was available for individual countries for further years, preference was given to have population and organisational data for the same year per country.

From these figures, one arrives at a somewhat ambiguous picture of the social anchoring of civil society organisations. Although available only for three of the countries in the region, the information provided by organisations indicates that half and more of the population in East-Central Europe is involved in civil society through membership. Throughout the region, however, this organisational perspective contrasts starkly with population surveys. According to these, one fourth of the population declares membership in civil society organisations in Poland and Slovakia, one third in Hungary and slightly above that in the Czech Republic. This discrepancy is due to various factors. Organisations, on the one hand, tend to exaggerate their membership for a number of reasons.[373] In addition, such organisational data cannot account for multiple memberships of individuals. Population (or survey) data, on the other hand, commonly refers to the adult population and thus excludes children and young people, although the involvement of the younger generation in civil society must not be underestimated.[374] Against these caveats, figures reported by organisations and by the population should be considered as the upper and the lower limits, respectively, of a range, within which the actual extent of membership in civil society can be ascertained.

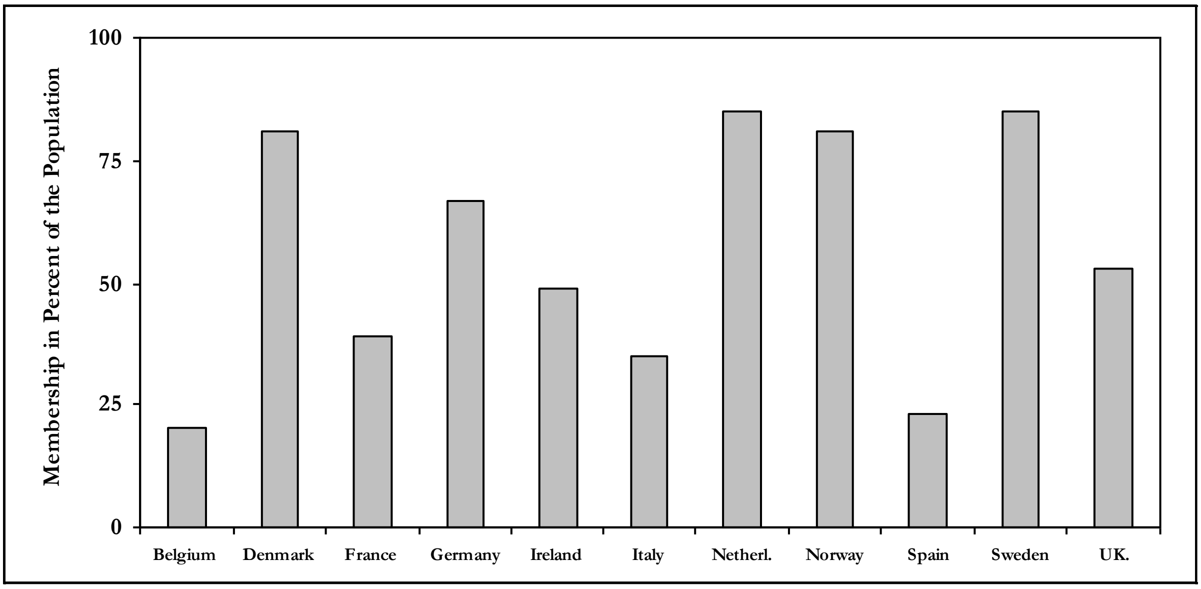
Whichever the precise extent, the above figures safely allow for the observation that, at least viewed in terms of membership, the social anchoring of civil societies in the region has so far remained relatively weak. Depending on the country, half and more of the population are not members of any organisation. How these low membership figures of civil society in East-Central Europe compare to the situation in Western Europe is indicated by the following figure 11.

---

[373] Membership figures are often taken to express the significance of a given organisation, not least with implications for organisational structure and finance. In particular in the case of old social organisations, the post-1989 decline of the membership base thus threatened established assets and provoked attempts at concealing this decline by providing exaggerated figures.

[374] As a rare exception from survey research, ISSP 1998 includes data on youth under 18 years of age.

Figure 11 – Membership in Civil Society Organisations in Western Europe



Source: World Values Survey. See Table 9 in the Statistical Annex.
Note: Figures refer to 1990.

First and foremost, these figures provide additional evidence for the very uneven development of civil society across the established democracies of Western Europe. Membership levels are generally the higher, the father north one travels in Europe. In Scandinavia and the Netherlands, three quarters or more of the population declare membership in civil society organisations. By contrast, Mediterranean societies but also Belgians exhibit a much stronger reluctance to involvement in civic organisations, with between 20 and 40 percent of the population declaring membership.[375] These figures lend further credence to the observed rift in civil society development across the established democracies of Western Europe. Very apparently, the social embeddedness of civil society is not a challenge limited to new democracies.

What is more, this comparison with Western European countries indicates that East-Central Europe fares better than the short period of free civil society development may have suggested. All four countries of the region find themselves on par with those less vibrant civil societies of, primarily, the South of Europe. The Czech Republic and Hungary exhibit memberships in civil society typical of the somewhat more advanced France and Italy, while Poland and Slovakia compare to the less developed Belgium and Spain. Yet as these levels represent the bottom-end of the Western European spectrum, this comparison further substantiates the earlier assessment that membership, or the more formalised involvement of society in civic structures, remains a challenge for civil society in East-Central Europe.

---

[375] This weakness of civil society in a range of Western democracies has been frequently observed, as "[m]any Latin Catholic countries like France, Spain, Italy […] exhibit a saddle-shaped distribution of organizations, with strong families, a strong state, and relatively little in between" (Fukuyama 1996: 55). Following Banfield 1958, authors usually attribute this weakness to the "familial" character of those societies.

The primary explanation for this weakness lies in the fact that, under the previous regime, membership in a range of social organisations was essentially obligatory for each and every individual; it was one of the rituals required under the "social contract." What this compulsion to membership triggered after 1989 was a wholesale aversion to any formal commitment to organisations on part of a broad section of society.[376] This aversion found its expression in a mass exodus of people from organisations they had belonged to under the old regime, and a widespread abstention from joining any new organisation. The regained freedom to form and join associations could also be seen as the freedom not to join any organisation, and significant parts of the populations of East-Central Europe have made extensive use of this right.[377]

From further sources available, however, it appears that the societal reluctance towards membership in civil society is gradually changing. Survey data for the Czech Republic indicates that, after the close-to-total coverage of social organisations prior to 1989, membership in civil society had fallen to 24.6 percent of the population in 1993 but has been gradually increasing since, climbing to 37.3 percent in 1995 and 42.9 percent in 1996.[378] Although not as dramatic and later in timing, a similar succession of decline and recovery is evident from organisational reports in Hungary. After a steady decrease throughout the 1990s and reaching its lowest mark at 39.6 percent of the population in 1998, membership in Hungarian civil society has been increasing again in recent years, reaching 44.5 percent in 1999 and 48.9 percent in 2000.[379] Opinion polls in Slovakia indicate a comparable dynamic, although with even more delay, as the continued decrease in membership levels reached a turning point only in 2000; since then, membership in civil society has gradually been on the increase again.[380] Much less clear a recovery is evident from Polish data, which suggests a more stagnant situation throughout the 1990s, as membership in civil society encompassed 27 percent of the population in 1990, 22 percent in 1995, and 23 percent in 2000.[381]

---

[376] This effect is particularly obvious in the case of political parties in the region, which cannot escape association with "the party;" see Szczerbiak 2001: 65f but also any figure on membership of and trust in political parties. Translated into the terms of civil society, organisations have obvious difficulties to evade the image of "social organisations" and "social activity," which are well remembered and of little appeal to societies in the region.

[377] Howard 2000. In the specific context of trade unions, similar observations are drawn by Ost 2002: 35.

[378] See Kroupa & Mansfeldová 1997: 178, who also report a 1984 figure for membership in social organisations with 85.1 percent.

[379] For the overall dynamics, compare KSH 1996: 44; KSH 1997: 91; KSH 1998: 104; KSH 1999: 143. Figures provided in text are from KSH 2000: 140; KSH 2001: 47; KSH 2002: 47; own calculations.

[380] An overview by Woleková et al. 2000: 66 substantiates this claim for Slovakia. Judging from the larger organisations of Slovak civil society, memberships between 1995 and 1996 remained largely stable. On longer term trends in Slovakia, see also Strečanský 2003.

Across the region, the height of societal aversion to joining organisations and the resulting depression of membership seem to have largely passed by the late 1990s. In the Czech Republic, Hungary and Slovakia, people have begun to again join civil society organisations. By contrast, Polish society appears to have retained a stronger reluctance towards this kind of commitment, which renders it likely that civil society in this country will remain at lower levels of membership in civil society for the foreseeable future, while social dynamics in the other three countries suggest a gradual recovery.

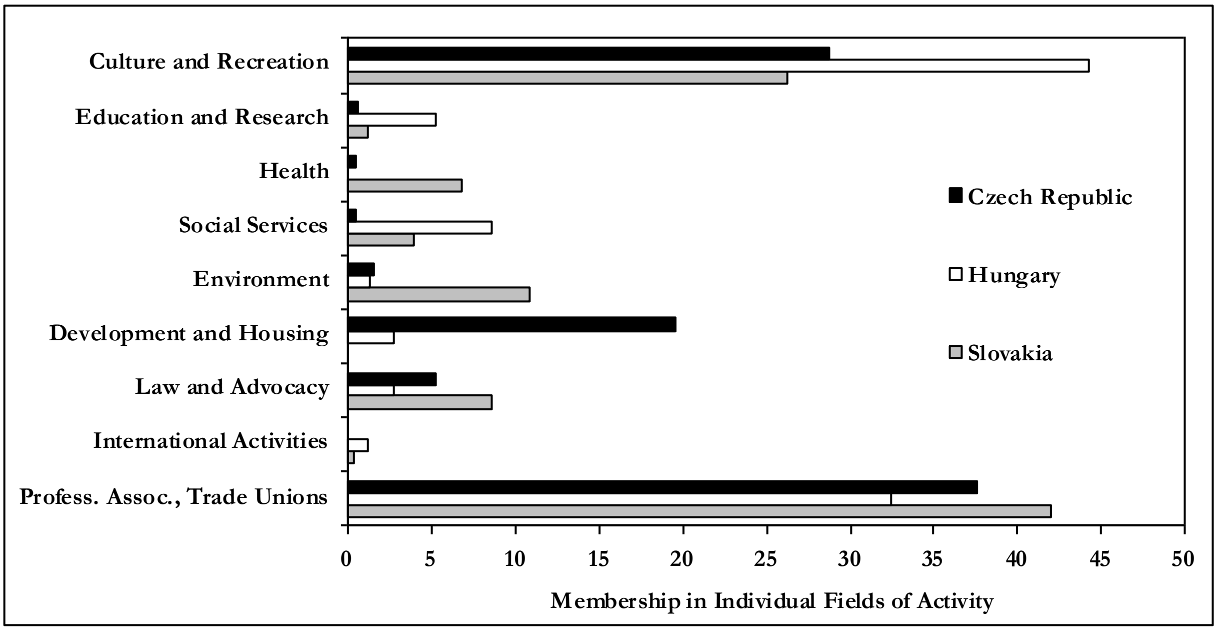
The contrasting dynamics of the four countries also draw attention back to the considerable differences in membership across the region, which can be observed from the above figures. Judging primarily from the survey data presented, it appears that the Czech Republic (37.3 percent) and Hungary (33 percent) are characterised by significantly higher levels of membership in civil society than Poland and Slovakia (26 and 25 percent, respectively). Not only does this constellation parallel the overall growth dynamics outlined earlier but it also hints at the relevance of the demographics of civil society for its societal anchorage through membership. The greater membership in the Czech Republic and Hungary coincides with the earlier observation that, in particular, these two countries exhibit a very strong legacy of organisations established before and transformed after 1989. The lesser significance of such older organisations in Poland and Slovakia, in turn, concurs with a smaller overall membership in civil society. Consequently, the suggested conclusion of this analysis is that civil society is more solidly embedded in its social environment, wherever it could build upon strong membership continuities retained by organisations existing prior to 1989.

While the overall extent of organisational and, consequently, membership continuities demonstrably differ across the region, these legacies are of comparable significance within each of the civil societies of East-Central Europe. The following figure illustrates how membership is distributed among organisations in different fields of activity.

---

[381] Leś & Nałęcz 2001: 30. In addition, Leś & Nałęcz 2002: 3 suggest that membership in social organisations had already steadily declined throughout the 1980s, from 98 percent of the population in 1980 to 74 percent in 1981 and around 30 percent in 1990.

Figure 12 – Membership in Civil Society Organisations by Field of Activity, 1995/1996



Sources: Data for the Czech Republic, from Frič 2001: 143f.; for Hungary, from KSH 1998: 104; for Slovakia, from Woleková et al. 2000: 65. See Table 10 in the Statistical Annex.
Note: Data for the Czech Republic refers to 1995, for Hungary and Slovakia to 1996.

These figures illustrate the overwhelming concentration of membership in two areas, namely those of culture and recreation, and of professional organisations and trade unions. Across the three countries, between two thirds and three quarters of all members of civil society organisations can be found in one of these fields. A very comparable picture emerges from the sources available for Poland although, besides the two central fields identified here, social services as well as education and research also appear to play a more significant role.[382] This distribution parallels the earlier findings of a strong organisational legacy within civil societies of the region. This suggests that, in particular, transformed social organisations can rely upon a relatively strong anchoring in society through membership. Despite the, at times, dramatic losses of members these organisations have undergone since 1989, they continue to dispose of a membership base that is incomparably stronger than that of newly established organisations and of those active in more recently re-established fields of activity.[383] In terms of membership, civil societies in East-Central Europe are, thus, characterised by a significant imbalance between a socially well-anchored section of inherited structures and a multitude of newly established organisations that have, in terms of their membership base, so far remained fledgling.[384]

---

[382] In contrast to Figure 12, where membership data is based on reports from organisations, empirical evidence for Poland is only available on the basis of survey results. A 1998 survey generated the following results for membership in civil society organisations: total – 26 percent; unions, business and professional – 9 percent; social services – 8 percent; culture, sport and recreation – 7 percent; education and research – 6 percent; all other fields – 1 percent and below (see Leś & Nałęcz 2001: 24). It should, however, be noted that this survey excluded organisations with more or less mandatory membership, such as chambers, which are included in Figure 12. Social services, in turn, include the inherited network of voluntary fire brigades. The overall figure for membership (26 percent) includes multiple memberships.

[383] In the case of trade unions, membership continues to decrease, as will be documented and discussed below. Overviews of transformed social organisations, particularly in the area of recreation and culture, show that

Nevertheless, the membership dynamics outlined earlier also point to changes with regard to the predominance of older organisations. If, as has been mentioned, the overall memberships in civil society have been stabilising and, as in the Czech Republic, Hungary and Slovakia, have even been rising, the logical conclusion is that civil society organisations, and in particular new ones, have been increasingly successful in recruiting membership. Comprehensive empirical evidence in this respect is available only for Hungary and demonstrates robust membership growth in the fields of education and research, health and social services, law and advocacy.[385] Comparable observations can be drawn for Poland where, towards the end of the 1990s, participation in areas such as education, social welfare and services, and health has caught up with, if not outnumbered, activity in more traditional organisations.[386] A similar shift is reflected by Czech survey data on actual and potential participation in organisations active in different fields.[387] Hence, there are indications that the initial social attitude of abstention from civil society is not only giving way to a renewed interest in membership but that this recovery is mainly to the benefit of organisations established after 1989 and for purposes that have entered the agenda of civil society more recently.

However, a characterisation of the social embeddedness of civil society in East-Central Europe on the sole basis of membership would be premature. First of all, not all civil society organisations are based on membership. A significant proportion of civil society, encompassing between five percent of organisations in Poland and forty percent in Hungary, evades any categorisation along with membership.[388] Neglecting this section of civil society, however, would be particularly problematic. Since the vast majority of these non-membership organisations, most prominently foundations, have come into being only after 1989, their inclusion in the social perspective of the present considerations may provide insights additional to the above

---

the membership of these entities has generally shrunk to a fraction of its pre-1989 size; see KSH 1993: 309, 311 on Hungary, and GUS 1996: 291, 296 on Poland.

[384] This is also reflected in empirical evidence on the size of civil society organisations in the region. Survey data shows that the majority of organisations have a membership of up to 50 people. As of 1997/1998, 44.2 percent of Czech organisations, 61.2 percent in Hungary, and 53.2 percent in Poland claim that size (Frič 1998: 69; KSH 1999: 140; BORDO 1998: 64). However, the number of active members is significantly below formal membership (BORDO 1998: 64).

[385] Compare KSH 2000: 140 and KSH 2001: 179 for Hungary.

[386] CBOS 2000: 2.

[387] Potůček 1999: 58 reports that, while actual participation in human rights, environmental and service-providing organisations is relatively low, interest in and potential involvement with such activities outnumber the willingness to participate in the more established fields of leisure and recreation, professional and labour interests. According to Frič et al. 2001: 37, membership in organisations devoted to social welfare and social services have outnumbered cultural associations and caught up with sports and recreational organisations.

[388] See Figure 12 above.

observation of a structural legacy. Furthermore, if it has been claimed that membership as a formal commitment to an organisation meets with a significant social reluctance, it is necessary to explore other ways of involvement with civil society, and thus its social embeddedness, which may not face this problem.

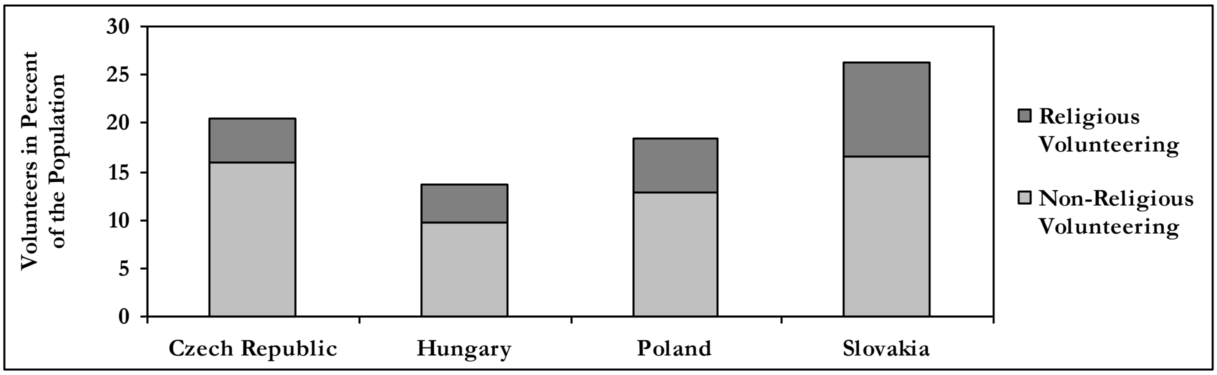
Against this background, volunteerism in civil society is often used to further describe the social anchorage of this realm. Not only is volunteerism a frequently cited constituent characteristic of civil society, in particular in its non-profit capacity, but empirical evidence also shows clearly that volunteers are an important resource for most organisations and that many rely on volunteers to ensure their activity. Surveys demonstrate that in the Czech Republic, 89 percent of organisations make use of this resource, 79 percent in Poland, and 83.1 percent in Slovakia.[389] At the same time, volunteering does not necessarily imply membership and, thus, opens a possibility of involvement with civil society without formally committing to a given organisation. The extent, to which this possibility is appreciated, shows in the fact that 28 percent of Czech volunteers are not members of the organisation they work for, with the equivalent figures being 24 percent in Hungary and 42 percent in Slovakia.[390] Volunteerism, thus, broadens the perspective beyond membership and provides a second angle to assess the social embeddedness of civil society. The following figure captures volunteerism in the region on an aggregate level.

---

[389] Data from Frič 1998: 14, BORDO 1998: 66, and Bútora & Fialová 1995: 51, respectively. Figures refer to 1997 for the Czech Republic and Poland, and to 1994 for Slovakia. A survey in 2000 found that even 87 percent of Polish organisations work with volunteers; Dąbrowska & Wygnański 2001: 2. The data available on Hungary provides the much lower figure of 41.4 percent of organisations involving volunteers as of 1997 (KSH 1997: 140). The Hungarian figure, however, is based on registered organisations, while results for the remaining three countries stem from surveys, which necessarily narrow the universe of civil society to actually functioning organisations, and in the case of Slovakia even further to social welfare organisations.

[390] Data from Frič et al. 2001: 63, KSH 1995: 22, and Bútora & Fialová 1995: 66, respectively. Figures refer to 1997 for the Czech Republic, to 1993 for Hungary, and to 1994 for Slovakia.

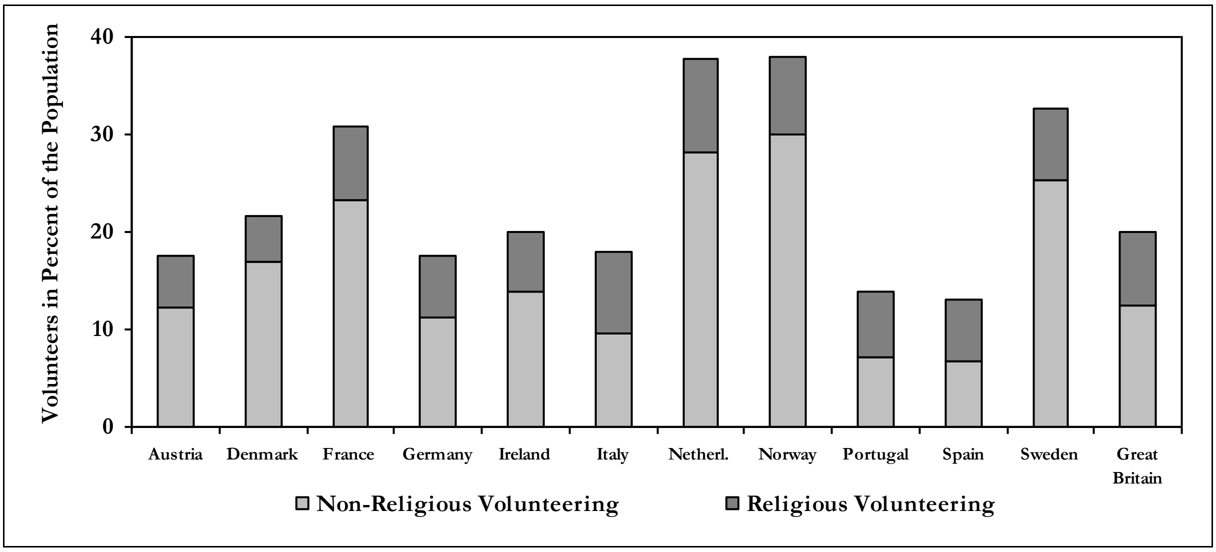
Figure 13 – Volunteerism in Civil Society in East-Central Europe, 1998



Source: International Social Survey Project 1998. See Table 11 in the Statistical Annex.
Note: Volunteering refers to time contributed to civic organisations on three or more occasions in the course of the preceding twelve months. Religious volunteering refers to help lent to churches and religious groups.

Against the backdrop of the preceding considerations of its organisationally necessary as well as individually less committal character, it appears that volunteerism in the region has generally been at relatively low levels by 1998. The situation in Hungary is certainly the most dramatic, where a mere 13.7 percent of the population report voluntary work of a non-religious or religious kind. Intermediary levels are represented by the Czech Republic and Poland, exhibiting voluntary involvement in civil society of 20.5 and 18.5 percent of the population, respectively. With 26.1 percent, Slovakia is the only country of the region that surpasses the average of Western Europe, which stood at 23.4 percent of the population as of 1998. Figure 14 provides a more detailed comparative overview of volunteering in Western Europe.

Figure 14 – Volunteering in Civil Society Organisations in Selected Western European Countries



Sources: International Social Survey Project 1998. See Table 12 in the Statistical Annex.
Note: Volunteering refers to time contributed to civic organisations on three or more occasions in the course of the preceding twelve months. Religious volunteering refers to help lent to churches and religious groups.

Fully in line with the earlier observations on organisational density of and membership in civil society organisations, volunteering in civic structures is characterised by significant discrepancies across Western Europe. Broadly, two sets of countries can be identified. Scandinavian countries, the Netherlands and, somewhat surprisingly given the earlier findings, France represent rates of volunteering of between 30 and 40 percent of the population. By contrast, the large remainder of Western European countries find themselves at much lower levels of volunteerism, typically between ten and 20 percent of the populace. Most obviously, even many established democracies, where civic life could develop freely for decades, face difficulties to engage citizens voluntarily in civil society.

In comparison with the West, the countries of East-Central Europe fare generally relatively well. Slovakia, with more than a quarter of the population volunteering in civil society, finds herself closer to the top of the European scale. Even the lower rates exhibited by the Czech Republic and Poland – of about one fifth of the population – are equivalent to the strength of volunteerism common for many a Western European country, from the United Kingdom and Germany to Austria and Italy. Only Hungary, with less than one seventh of the population reporting voluntary work, is placed at the low end of the European range, comparing to Portugal and Spain. However, this seemingly favourable comparative picture results from the weakness of volunteerism in Western Europe rather than from its strength in East-Central Europe, and it must not distract from the fact that the volunteer base underlying civil societies in the four post-socialist countries has, so far, remained rather fragile.

The observed variations across the four countries are accompanied by largely different dynamics in the development of volunteer participation in civil society organisations during the 1990s. For Hungary, a 1993 survey indicated, with 28.7 percent of the population, a significantly higher level of volunteerism, but the trend in that country has been on the decrease ever since, thus reaching the 1998 low point mentioned above.[391] The situation in the Czech Republic seems no less problematic, where non-religious volunteering was indicated to be on the decline towards the end of the 1990s.[392] In Slovakia, by contrast, the dynamics of volunteer behaviour appear to have taken the opposite course, as volunteerism steadily increased between 1994 and 1998.[393] In turn, largely stable levels of volunteerism have been reported from Poland since 1998, oscillating around one fifth of the population.[394]

---

[391] For the survey cited, see KSH 1995: 9. According to the annual reports of the Hungarian Statistical Office, volunteerism as indicated by civil society organisations steadily fell from about 500,000 in 1995 to roughly 300,000 people in 1999; compare KSH 1997: 31, KSH 1998: 39, KSH 1999: 140, KSH 2000: 43, and KSH 2001: 210.

[392] Frič et al. 2001: 62 reports that, as of 1999, a mere 8 percent of the population engaged in non-religious voluntary work. A significant drop is thus indicated from the 15.9 percent reported for 1998 (see Figure 13).

[393] Volunteering was reported by 11 percent of the population in 1994, 13 percent in 1995, 19 percent in 1996 and, as shown in Figure 19, 29 percent in 1998; see Gaskin & Smith 1997: 28, and Demeš & Bútora 1998: 641.

These differential rates and dynamics point to an interesting complementarity between volunteering and membership in civil society organisations. It appears that in those countries of the region, where membership is comparably stronger, volunteerism is relatively weaker, and vice versa. Accordingly, the Czech Republic and Hungary exhibit the higher rates of membership observed earlier, yet witness significant weaknesses of volunteerism. In turn, the lower levels of membership found above for Poland and Slovakia are accompanied, and possibly compensated for, by a stronger voluntary involvement of the populace. This (hypothesised) correlation lends further credence to the importance of both more and less formalised possibilities of participation in civil society, and it may well indicate a more lasting cultural differentiation of civil societies in the region.[395]

Similarly of a cultural nature, religion holds considerable significance for volunteerism. Not surprisingly, religious volunteering is observably higher wherever religion retains a strong influence on society, such as is the case for Catholicism in both Poland and Slovakia. In turn, the lower levels of religious volunteering in the Czech Republic and Hungary parallel the farther-reaching secularisation of these two societies. While differing in extent across countries, the influence of religiously motivated volunteering on civil society more broadly must not be underestimated. After all, many religious-based organisations are devoted to a wide range of activities beyond worship, such as charitable work, and it is here that religious motivations are channelled into a large variety of non-religious tasks for volunteers.

These differences notwithstanding, one characteristic of volunteerism can be generalised across East-Central Europe (and beyond) and adds to the observed weakness of volunteer inputs to civil societies in the region. Typically, civil societies rely upon a much narrower base of regular volunteers, while receiving the occasional voluntary support from a larger part of society. The above figures refers to that portion of society, which carried out voluntary work in a civic organisation on at least three occasions over the preceding twelve months. Of this group, more regular volunteers, active on a monthly basis or more often, represent only between one half and two thirds. It is primarily in this more regular and, therefore, narrower understanding that civil society organisations appreciate and report volunteer contributions. By the mid-1990s, Hungary and Slovakia reported 500,000 and 250,000 volunteers, or 5.0 and 4.4 percent of the population, respectively.[396] Towards the end of the decade, these figures had dropped to 3.7 percent in Hungary and risen to 6.6 percent in Slovakia, thus further illustrating the dynamics discussed earlier, and they had reached 4.6 percent in both the Czech Republic and Poland.[397] In addition to the relatively low general levels of volunteering in the region, civil societies in East-Central Europe are dependent on a fraction of the populace as a continuous voluntary work force.

---

[394] For Poland, see Leś & Nałęcz 2001: 25 and, for a similar assessment, the time series provided by CBOS 2002: 5. Further, and somewhat deviant, survey results are reported by Dąbrowska & Wygnański 2001 but, given the narrower range of civil society organisations addressed by volunteering, could not be included in the present considerations.

The comparably thinner volunteer base thus indicated, however, restricts a resource of utmost importance for civil society at large, as well as, in particular, for all those organisations that have been established more recently. Among the latter are all those organisational forms that are not based on membership, first and foremost foundations, which cannot draw on the support of a stable constituency of members. In addition, the limited extent of volunteerism also affects many new membership organisations since, as argued earlier, these face significant societal reluctance. In either case, the input of volunteers assumes particular importance, and any restrictions to it have particularly impeding effects on the performance of civil society.

This problem is most obvious if considering specific fields of activity. The empirical evidence clearly points to the fact that volunteerism assumes particular importance with regard to some fields of activity, while being less salient in others.

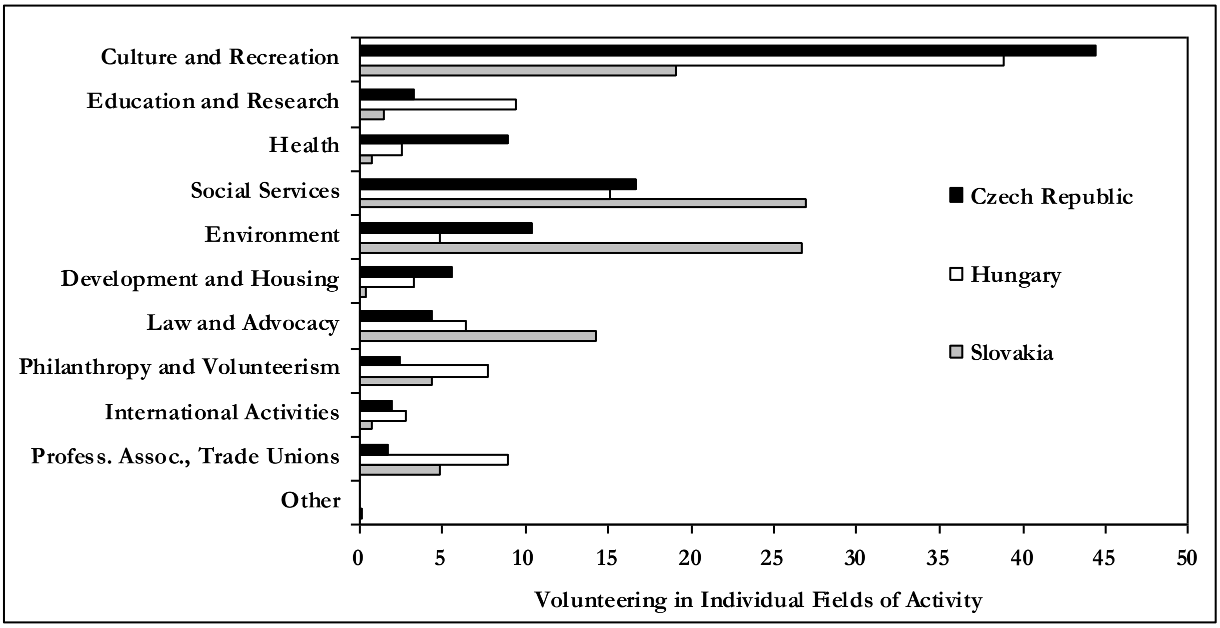
---

[395] Glinski 2000: 372 speculates in the context of Poland, whether or not "we may have to do it in our country with some version of civil society of a more individualist nature (of the liberal tradition) rather than of a communitarian character (of the strictly civic tradition)."

[396] Data for Hungary, from KSH 1997: 31 and KSH 1999: 44; for Slovakia, from Woleková et al. 2000: 64. On the basis of a survey of selected civil society organisations, BORDO 1998: 41 states that the number of volunteers exceeds one million people, or 2.6 percent of the Polish population. Given that the population of organisations underlying this study was not exhaustive, volunteerism in Poland is necessarily higher.

[397] ISSP 1998.

Figure 15 – Volunteerism in Civil Society Organisations by Field of Activity, 1995/1996



Sources: Data for the Czech Republic, from Goulli et al. 2001: 165f.; for Hungary, from KSH 1998: 100; for Slovakia, from Woleková et al. 2000: 64; and own computations. See Table 13 in the Statistical Annex.
Note: Data for the Czech Republic refers to 1995, for Hungary and Slovakia to 1996.

Along with similar evidence from Poland, which could not be included in the above figure due to its methodologically different format, it becomes obvious from these figures that volunteerism is most common in the areas of health, social services, environment, law and advocacy, and culture and recreation.[398] With the exception of the latter, all these areas belong to those, where organisational activity has become possible only since 1989, where accordingly organisational structures are in the majority of recent origin, and where membership is relatively weak, as shown above. It is here that volunteerism embodies one of the main pillars, upon which civil society's performance rests. Consequently, it is precisely in these "new" fields that the observed small numbers of volunteers available make themselves particularly felt as an obstacle to the activity of civil societies in the region. This effect and difficulty is clearly illustrated by surveys of civil society organisations, according to which around forty percent of Czech organisations in the areas of education and research, health, social services and ecology consider the recruitment of volunteers a serious problem, while 30.5 percent of Slovak social welfare organisations cite this obstacle.[399]

---

[398] The evidence from Poland has not been included since, in contrast to the organisational report underlying these figures, data from Poland is based on population surveys. According to these, volunteering is most common in the fields of culture and recreation (35.8 percent of the surveyed individuals), social services (27.4 percent), education and research (16 percent), professional organisations and trade unions (8 percent), and health (4.6 percent); see Leś & Nałęcz 2001: 26.

Religious-based organisations face comparably less problems with involving volunteers, as mentioned above. Given the religious emphasis on charitable behaviour and community values, this specific advantage of denominational organisations should not come as a surprise, and it is also reflected in the empirical evidence available. Accordingly, about one fifth of all volunteers in the Czech Republic and Hungary contribute their work to religious-based organisations, while in Poland the figure reaches about one half of all voluntary activists.[400] Belief is apparently an important driving force behind volunteerism, as will be further discussed below.

This exceptional religious component notwithstanding, the weakness of voluntary involvement in civil society in East-Central Europe is striking, and the empirical material available points to a number of underlying causes. Generally across the region, people point to the lack of time and the need to cater for themselves and their families, thus indicating how the protractedly difficult economic situation in the region sets clear limits to volunteerism. This combines with a widespread belief, inherited from life experience under the previous regime, that it is first and foremost public authorities which have the responsibility, as well as the resources, to tackle urgent social problems. In turn, the contribution civil society organisations can make in this respect, and thus the justification for individual voluntary involvement, is frequently seen pessimistically. This combines with a lack of trust towards such organisations and a widespread opinion that they function in an amateurish manner, both of which primarily originate in the relative newness of civil society as a player in public policy. Most surprisingly, however, is the frequency, with which individuals cite the importance of civil society organisations approaching them with the direct requests for voluntary support. The declared willingness of many people to do voluntary work, if asked, points to a significant, yet so far untapped, potential for active participation, reportedly amounting to 17 percent of the population in the Czech Republic, around 20 percent in Poland, and up to 40 percent in Slovakia.[401]

Although certainly demonstrating nuances across the countries of the region, all these factors contribute to keeping volunteerism at levels which are comparably low in comparison with membership in Poland and Slovakia, while they represent only a fraction of membership rates in the Czech Republic and Hungary. On both accounts of social embeddedness, then, civil societies in the region are characterised by a significant vulnerability. Thus it is strongly indicated that civic organisations have so far permeated East-Central European societies only in a very limited way.

---

[399] Frič 1998: 15f.; Bútora & Fialová 1995: 58. From Gaskin & Smith 1997: 99, it becomes clear that civil society organisations in post-communist countries generally face this problem of volunteer recruitment to a significantly larger extent than their counterparts in established democracies.

[400] Frič 2001: 63; KSH 1995: 11; Leś & Nałęcz 2001: 25.

This overall social fragility is further aggravated by the fact that civil society, its organisational structures, activities and constituencies are not evenly distributed across society. After all, as has been frequently observed, civil society is conditioned by a multitude of economic and political, social and cultural factors including, among others, political traditions, the role and structure of public authorities, socio-economic development, social structure and cultural heterogeneity.[402] Resulting from these various influences are structures and activities of civil society, which are characterised by significant disproportions across social groups and geographical regions within each of the countries of East-Central Europe.

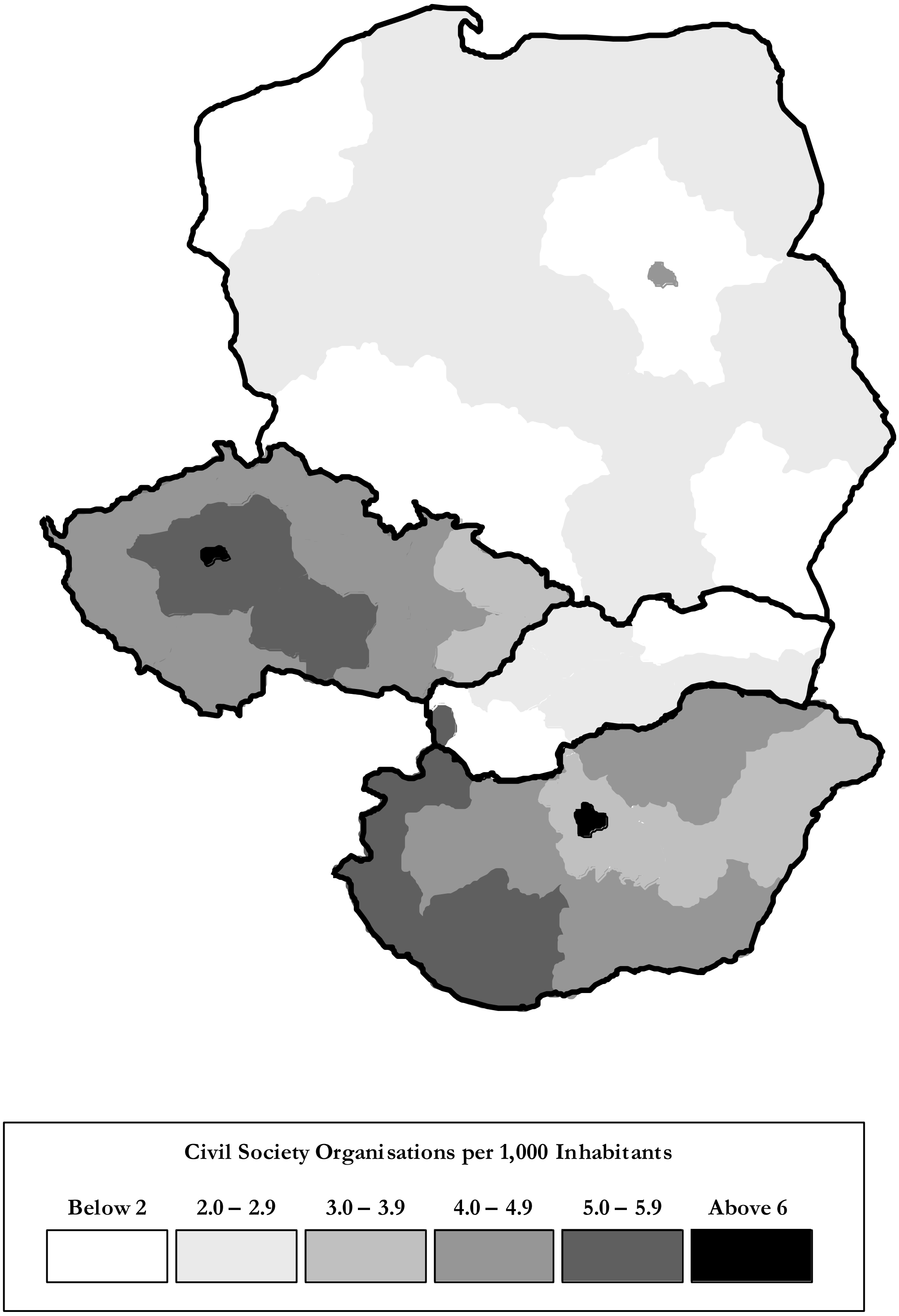
A first indication for the extent, to which civil societies in the region have become socially differentiated, derives from the geographical distribution of their organisational structures within each of the countries. The following figure provides an overview.

---

[401] Survey data covering motivations for and reasons for not volunteering are provided for the Czech Republic by Frič 2001: 66-71; for Poland, see CBOS 1997 and Dąbrowska & Wygnański 2001: 7; for Slovakia, Bútora et al. 1997: 228 and Gaskin & Smith 1997: 43, 54 and 58.

[402] A well-known study that scrutinised geographic differentiations of civic life in Italy are Putnam 1993.

Figure 16 – Geographical Distribution of Civil Society in East-Central Europe


Civil Society Organisations per 1,000 Inhabitants
Below 2
2.0 – 2.9
3.0 – 3.9
4.0 – 4.9
5.0 – 5.9
Above 6

Source: For the Czech Republic, Albertina 2001, and Central Statistical Office (ČSÚ); for Hungary, KSH 2001: 66-69; for Poland, GUS 2002; for Slovakia, Albertina 2001, and Slovak Statistical Office (SÚSR). See Table 14 in the Statistical Annex.

Note: Figures refer to 1999 for the Czech Republic, Hungary and Slovakia, and to 2002 for Poland. Figures exclude organizations primarily devoted to religious worship.

Based on registered organisations, and thus with the above caveats applying to interpretation, this figure provides ample evidence for geographical discrepancies characterising the organisational structures of civil society in East-Central Europe. Besides reinforcing the earlier observation concerning the Czech Republic and Hungary as having civil societies of much higher organisational density than Poland and Slovakia, important differences can also be detected within each of the countries of East-Central Europe.

The most striking characteristic this spatial perspective reveals is the overwhelming dominance of capital cities. In terms of organisational density per capita, Budapest and Prague exceed the country average by one and a half times, while this factor is even two and a half for Bratislava and three for Warsaw.[403] This concentration also reflects a strong heritage of centralisation that, at least in the cases of Prague and Budapest, can be traced back to the nineteenth century, that was firmly established in the inter-war period and further reinforced in line with the "democratic centralism" advocated by Soviet-type regimes. As a result, capital cities came to be a natural location for the bulk of civil society organisations with country-wide outreach. Older and transformed organisations were more often than not headquartered in the capital city. Newly established organisations also typically chose to locate in the capital city in order to take advantage of better infrastructure and the skilled personnel available, of proximity to public administration, political decision-making and sources of funding alike. While the capital cities in all four countries have come to boast a strong organisational landscape of civil society soon after 1989, a stronger organisational permeation of the remainder of each country has only become visible during the latter half of the 1990s.[404]

Starkly contrasting with the vibrant civic structures of the centre, the above figure also gives an indication as to regions in all four countries that have been largely bypassed by a comparable, if at all significant, development of civil society organisations. This is particularly obvious in the cases of Poland (Śląskie, Świętokrzyskie and Zachodniopomorskie voivodships) and Slovakia (Trnava, Nitra and Prešov regions), whose organisational densities of under two per 1,000 inhabitants signal that these areas are essentially devoid of any significant structures of civic initiative. Although less drastic in absolute terms, regions with an obvious underdevelopment of civil society can also be found in the Czech Republic (Zlin and Ostrava regions) and Hungary

---

[403] In the case of Warsaw, this organisational concentration is less obvious from the above figure, since the underlying data does not discriminate between the city of Warsaw and the surrounding Mazowsze voivodship it is part of. However, not only is this concentration in the capital reflected in the higher density of the entire region but it can also be derived from additional sources; see BORDO 1998: 57.

[404] The establishment of regional infrastructures promoting civil society organisations, providing information and advice, establishing network structures and advocating co-operation among organisations has been an increasing trend in all countries since the mid-1990s and may serve as an indicator for civil society reaching out beyond capital cities.

(Northern Great Plain), whose organisational densities of under four per 1,000 inhabitants are much below the respective country average.

This weakness of civil society's development in some parts of the East-Central European countries as well as the more general pattern of distribution of civic activity escapes straightforward explanation. Various propositions can be found in the literature, many of which extend into detailed social analyses that cannot be more than hinted at in the current context. A powerful explanation relates to the distinct heritage of civil society a given country, and parts thereof, could develop during the nineteenth century. As mentioned earlier, civic activity in the Czech lands and Hungary, to a lesser extent also in the Austrian and Prussian partitions of Poland, met with less constraints and materialised in a stronger organisational landscape than in Slovakia or Russia-Poland.[405] Intervening with the civic legacy resulting from this historical condition is the extent to which regions underwent changes in their social composition and, consequently, in the significance of regional traditions and identity. Visibly from the above figure, the Czech Republic exhibits stronger structures of civil society in those parts of the country, which were less affected by population exchanges during and after World War II. Although less obvious from the figure provided here, a similar weakness of civil society pertains to the Western and Northern parts of Poland, which were resettled with arrivals from other parts of the country at the same time. A further causality derives from the cultural composition of society in a given region. Generally, cultural heterogeneity is associated with more vibrant civic structures and activities. This correlation is indicated in the above figure, as it is precisely in those Southern parts of Slovakia and the Western regions of Hungary, where significant ethnic minorities reside, that a comparably stronger organisational landscape of civil society can be found.[406] Finally, economic differentials between regions appear to have an impact on civil society. A case in point, indicated by the above illustration, are the urban and industrial districts of Upper Silesia in Poland and Ostrava in the Czech Republic, both of which have faced severe economic depression in recent years, and where civil society remains underdeveloped compared to the rest of the two countries. More prosperous regions, such as the central parts of the Czech Republic or the Western regions of Hungary, in turn, are characterised by stronger structures of civil society than the remainder of the countries.

While this spatial dimension without doubt merits further inquiry, suffice it here to summarise that the geographical structure of civil society in the four countries is highly uneven, with stark contrasts between dense organisational landscapes in some regions and much looser to almost no civic networks in others. This provides a first indication of social irregularity within the civil societies of East-Central Europe. The social differentiation of civic activity, however, extends further, as the inclusion of additional socio-economic factors readily reveals.

---

[405] In more detail, this has been analysed for Poland by Bartkowski 2000.

[406] In theoretical terms and for the non-profit sector, this argument has been brought forth by James 1987. This observation is further substantiated by survey evidence from Slovakia, according to which participation rates in civil society (membership, volunteering) are significantly, up to two times, higher among the Hungarian minority than among Slovaks (Bútora et al. 1997: 227f.).

From a range of population surveys inquiring into the extent of active participation in civil society organisations, four main observations can be drawn with regard to social differentials within East-Central European civil societies at the end of the 1990's. The data bears witness to the fact that active involvement in civil society is a function of individual educational status. The higher one's educational achievement, the more likely an individual is to take up membership in civil society organisations and to become involved in their activities. Typically, primary and vocational education correlate with civic initiative far below country average, while secondary and higher education demonstrate values significantly above that and result in a frequency of active participation in civil society twice or three times that of those people with lower educational levels. The marked exceptions to this observation are religious organisations, for whom active support is more evenly distributed across educational categories. This deviation notwithstanding, civil societies in East-Central Europe can be characterised as overwhelmingly resting on the better educated. This differential has remained largely unaffected, wherever participation levels have slightly risen, as indicated above, towards the end of the 1990s. Instead, such increases have been more or less evenly distributed among educational groups, thus elevating the education-based disproportion of civic involvement onto a somewhat higher level.[407] The re-establishment of free civil societies in the region has, thus, resulted in a shift from, as one Polish observer phrased it, "a mass, not always voluntary and passive membership to a more elite-like, conscious and active membership."[408]

A second observation relates to the significance of different types of settlement on participation in civil society and complements the spatial perspective provided above.[409] It is a widespread opinion that civic activity is very much an urban phenomenon, that is, positively dependent upon size of settlement. In the light of the sources available, this view can be somewhat qualified for the countries of East-Central Europe. Contrary to expectation, villages and settlements of up to 5,000, and occasionally 10,000, inhabitants are by no means those places, where civic activity is weakest but commonly exhibit country-average or stronger participation in civil society. By contrast, it is in smaller and medium-sized towns that civic participation is surprisingly weak, with levels frequently far below country average. Only with regard to settlements above about 50,000 inhabitants, often those with specific administrative functions, does civic activity increase again and in line with the urbanisation hypothesis. In terms of settlement size, civil societies in East-Central Europe appear to be most weakly embedded in those social communities that exceed village size but do not reach larger urban proportions.[410]

---

[407] The empirical sources underlying this postulate are, for the Czech Republic, Kroupa & Mansfeldová 1997: 179, CVVM 1998: 4, Frič et al. 2001: 38 and 61; for Hungary, KSH 1995: 20 and Angelusz & Tardos 1999: 266; for Poland, Gliński & Palska 1996: 392, Gliński 2000: 393, CBOS 2002: 9; for Slovakia, Bútora et al. 1997: 227. The findings on the basis of these country sources find unanimous confirmation with the one international and comparative survey available; see ISSP 1998.

[408] Juros et al. 2002: 3.

What lies behind this observation is the fact that villages and rural areas retained a set of traditional organisational structures, typically local parishes, voluntary fire brigades, sports clubs, farmers' circles, cultural associations, upon which civil society and social life more broadly thrives, often for the lack of the other, public or commercial, alternatives available in towns.[411] In turn, the establishment of new organisations since 1989 has primarily benefited the other end of the settlement scale, focusing on the larger urban and administrative centres of the countries of the region. In towns of lesser size and significance, where traditional organisational structures have already fallen victim to urbanisation and modernisation, and where newly established civic structures have not yet established themselves, a gap has opened up in civil society that finds its reflection in significantly lower participation rates. It is against this background that observers have often pointed to the need for newly emerging civil societies to "trickle down" the settlement scale and reach out into more peripheral areas.[412]

Thirdly, active participation in civil society is significantly differentiated along with age groups, although patterns of distribution differ starkly across the region. The following figure captures self-declared activity in civil society organisations (charitable, religious and other) in East-Central Europe in 1998.

---

[409] For Poland, this question has been covered in much detail by Bartkowski 2000.

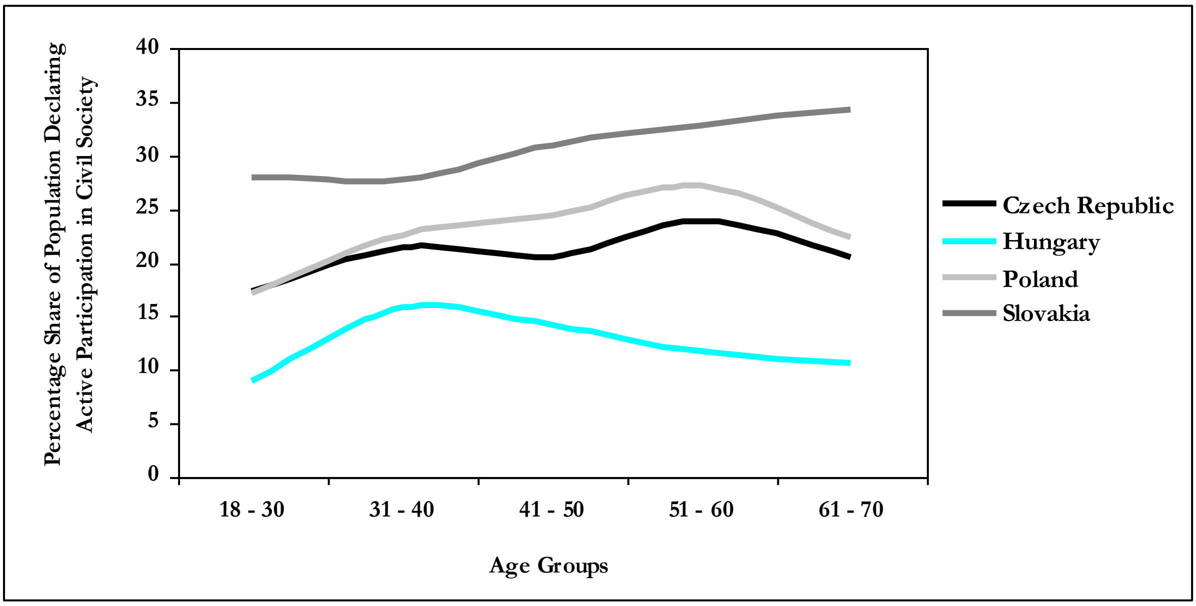
[410] Comparative evidence further qualifying and largely confirming this claim is provided by ISSP 1998. On individual countries, see Frič et al. 2001: 38 and 61 for the Czech Republic; for Hungary, KSH 1995: 23 and Angelusz & Tardos 1999: 266; for Poland, Gliński 2000: 393, CBOS 2002: 5f, CBOS 2002: 9.

[411] Frič et al. 2000: 38.

[412] Wygnański 2000: 3 makes this unmistakably clear for Poland, when stating that "awaiting us is the complicated process of moving the organisational surplus from the cities towards those most neglected places." Comparable concerns are expressed for Hungary by Kuti & Sebestény 2001: 10.

DOI: 10.2870/42402

Figure 17 – Active Participation in East-Central European Civil Societies by Age, 1998



Source: International Social Survey Programme 1998. See Table 15 in the Statistical Annex.

While illustrating the general impact of age on activity in civil society, it also becomes obvious from these figures that strongholds of civic participation lie with very different age groups across the four countries. In Hungary, civil society has, during the 1990, largely rested upon the activity of individuals between the ages of 30 and 40, with significantly lower rates among the younger and older generations.[413] In the Czech Republic, two distinct age cohorts carry much of civil society's activity, namely people between 30 and 40 and, somewhat more pronouncedly, those aged between 50 and 60.[414] Poland and Slovakia, in turn, exhibit patterns of civic activity clearly increasing with age, more rapidly in the former, more gradually in the latter. An additional difference is the fact that this growth pattern encompasses all age groups in Slovakia and thus reaches highest rates amongst pensioners while, in Poland, it arrives at its peak with people in their fifties and decreases sharply with retirement age.[415]

This age structure of participation in civil society in the four countries allows for two further observations. On the one hand, through the specific cohorts indicated, civic activity is clearly influenced by earlier periods of history and events that had a formative impact on specific generations.[416] Thus, Poles, Czechs and Slovaks born during and socialised immediately after World War II as well as Czechs, Hungarians and Poles socialised during the 1980s are significantly more likely to assume an active role in civil society than the age groups preceding or following them. In the very same way, Czechs that experienced their formative years during the "normalisation" following 1968 are likely to remain much more passive. On the other hand, young people of under 30 years of age appear to be particularly reluctant to actively participate in civil society. With the partial exception of Slovakia, it is amongst the youngest citizens that rates of involvement with civic organisations are lowest.[417] While such a reluctance does not bode well for the future of civil society in the region, some indications point to renewed interest in civil society among this age group towards the end of the 1990's.[418]

---

[413] For further empirical evidence, see KSH 1995: 19 and Angelusz & Tardos 1999: 266.

[414] Additional information is provided by CVVM 1998: 4 and Frič et al. 2001: 38.

[415] On Slovakia, see Bútora & Fialová 1995: 65; on Poland, CBOS 2002: 5, Gliński 2000: 392, and Dąbrowska & Wygnański 2001: 11.

Although to be treated with some caution, as this described demographic correlation certainly requires further analysis, an additional characteristic of civil society in East-Central Europe appears to lie with the uneven influence of particular age groups, albeit specific ones, in each of the countries.

Lastly and as indicated earlier, religion is an important factor conditioning civil society and active participation in its organisational structures. Across the four countries, intensity of religious belief and practice strongly and positively correlate with activity in civil society. In the first place, and naturally, this correlation benefits religious-based organisations, many of which go beyond denominational purposes and pursue broader social aims. In addition to that, however, secular organisations can also rely upon stronger support among believers, in particular if their activity is of a charitable nature in the wider sense.[419] In absolute terms, however, the actual and potential contribution of individuals to civil society deriving from this religious motivation depends on the extent, to which religion is anchored in each of the four societies. Most prominently, it is in Poland that religious belief is deeply entrenched in society, somewhat less so also in Slovakia. By contrast, the role of religion is much more modest in Hungary and marginal in the Czech Republic.[420] Accordingly, the further potential for civic participation that is, at least partly, triggered by some religious moment is likely to decrease in this order of the four countries.

While a range of further socio-economic characteristics would deserve additional analyses, the four social aspects of education, settlement size, age and religion indicate significant discrepancies of civic activity within each of the four societies of the region. Civil society apparently relies upon relative strongholds among some social groups and contexts, while others

---

[416] For Poland, Gliński 2000: 368 arrives at comparable conclusions, pointing out that age cohorts born during the war, during the 1950s and in the early 1970s exhibit significantly higher participation rates than the age groups between them.

[417] The exceptional status of Slovakia in this respect requires some clarification. In 1998, civic organisations in that country joined forces and launched the Civic Campaign OK '98, with the main objective to increase voter awareness and election turnout in the 1998 parliamentary elections. This campaign, involving an unprecedented number of young people, appears to find its reflection in the above 1998 figures. See Bútora & Demeš 1999.

[418] Such indications can be found with Frič et al. 2001: 38 for the Czech Republic, and CBOS 2002: 5 for Poland.

[419] ISSP 1998.

have so far been largely absent from its activities. Thus, an important element of social differentiation adds to the spatial disproportions of civil society observed earlier.

To sum up the preceding considerations, it has become obvious that, in terms of their social embeddedness, civil societies in East-Central Europe have so far failed to become solidly anchored in their wider societies. Overall levels of civic participation, demonstrated through membership and volunteerism, have to date remained at comparably low levels. Within the minority of the population that actively contributes to activities and organisations of civil society, stark discrepancies are pertinent among social groups and regions. The fledgling nature of the social embeddedness of civil society organisations sheds critical light on the extent to which civil societies reflect the pluralism of the four societies in the region and, more broadly, on the extent to which this realm can meet the democratic expectations frequently invested in it. It is only very slowly that this social vulnerability appears to be changing, judging by some of the data available for the end of the 1990's. Membership rates seem to be recovering somewhat in the Czech Republic and Hungary, and volunteerism seems to be on the increase in Slovakia. It remains to be seen, however, to which extent these are signs that civil society has begun to tap the potential for civic initiative present in the region and that frequently gives rise to optimism among observers of these three countries.[421] The pessimistic alternative is, no less persuasively, pointed out by Polish observers. The question remains as to "whether or not Poles have an aversion not only to socialist collectivism or also to civic communitarianism."[422]

---

[420] ISSP 1998; see also New Democracies Barometer III – V.

[421] Potůček 1999: 58 provides survey data on the willingness to participate in a wide range of Czech civil society organisations, with interest in participation (want to/want to but cannot participate) frequently exceeding actual participation rates by far. Similarly optimistic voices can be found for the other countries, see the above-mentioned Bútora 1997: 228, Gaskin & Smith 1997: 55, Frič et al. 2001: 70.

[422] Gliński 2000: 372 (translation by the author, J.F.). This pessimism is largely shared by other academic observers from Poland; see exemplarily Szawiel 2001: 155ff.

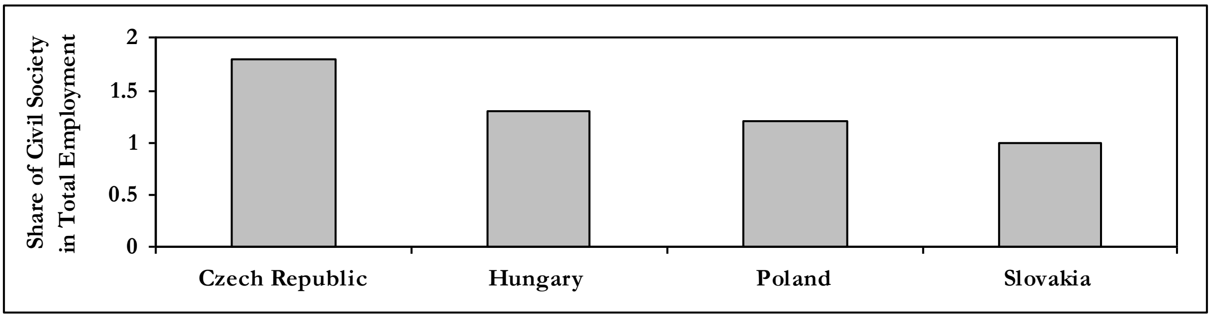
The Economic Significance of the Realm

A last source of caution with regard to assessing strength or weakness of civil society in East-Central Europe lies with the economic capacity of this realm. At first glance, the adoption of an economic perspective may be somewhat surprising, even considered inappropriate, given the often highlighted normative value of civil society and, through the frequent connotations of its non-profit, not-for-profit, public benefit or charitable character and the distinctiveness of this realm in relation to market actors. However, in the definition adopted here, civil society is comprised of organisational structures which dispose of financial, material and human resources, inevitably incur costs to be budgeted for, raise funds, sometimes place investments, often employ staff, and often produce and even sell material outcomes. Although to vastly differing extents across organisations, economics are, thus, a day-to-day feature of civil society's functioning. Accordingly, economic indicators can provide some additional insights as to the organisational capacity civil society has achieved in East-Central Europe.

From an economic perspective, employment in civil society organisations is a first important indicator. Besides the importance of volunteers, many civil society organisations also employ personnel on a part- or full-time basis. Paid staff assumes particular importance with regard to a number of organisational tasks that require specific skills, typically legal and accounting expertise. The extent to which specialised administrators and managers are employed in organisations, is clearly a function of organisational size and scope of activities, with some organisations availing of vast bureaucracies, while numerous smaller initiatives and structures commonly see such administrative tasks carried out by contracted or voluntary workers. Moreover, organisations providing specific services in fields such as education, social services or health care depend on the employment of specialised and professional personnel, in addition to which voluntary workers can only play a complementary role. Employment, then, signals not only an economic capacity but also the extent to which civil society organisations have become professionalised and consolidated.

The following figure captures the economic capacity of civil societies in East-Central Europe in terms of employment. Paid staff is calculated in full-time equivalent employees and includes both full- and part-time personnel of civil society organisations. In aggregate, the figure illustrates the share of the non-agricultural hired workforce represented by employment in civil society organisations.

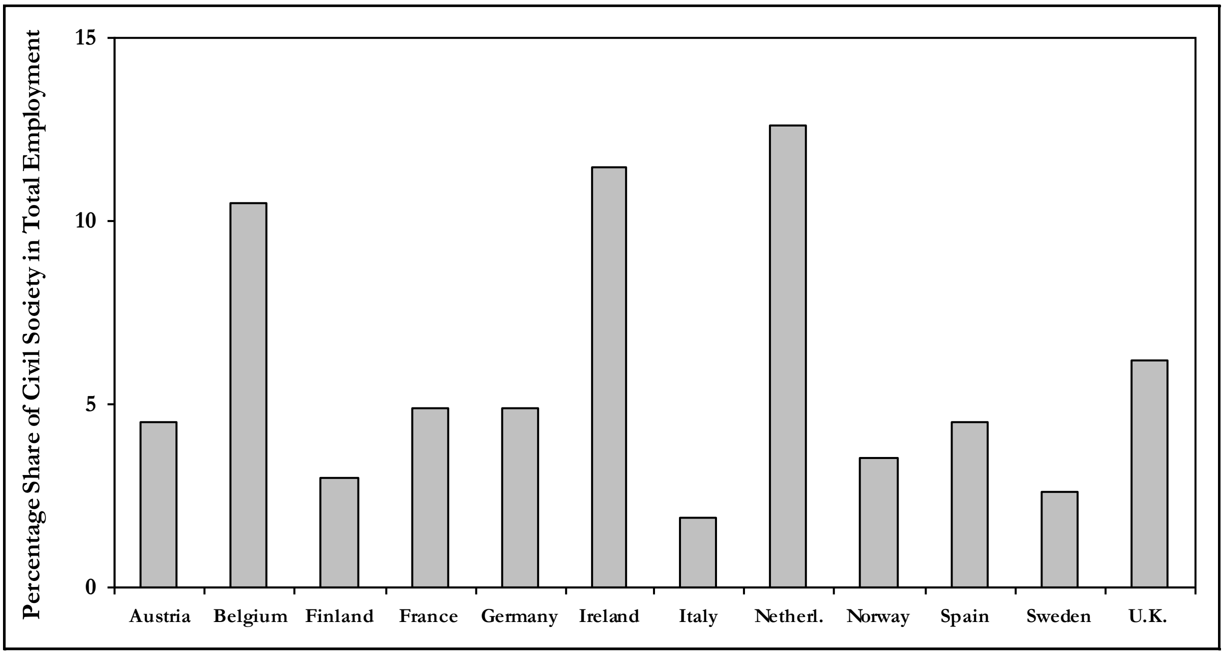
Figure 18 – Share of Civil Society in Total Employment, East-Central Europe, 1995/1997



Source: Salamon et al. 1999 and Leś & Nałęcz 2001. See Table 16 in the Statistical Annex.
Note: Data refer to 1995 for the Czech Republic and Hungary, to 1996 for Slovakia and to 1997 for Poland. Total employment refers to total non-agricultural employment.

With values ranging from 1.0 percent in Slovakia to 1.8 percent in the Czech Republic, and Hungary and Poland occupying the middle ground (1.3 and 1.2 percent, respectively), part- and full-time employees in civil society represented only a marginal share of total non-agricultural employment in East-Central Europe by the mid-1990s. Given the only recent arrival of civil society organisations to the economies of the region, relatively modest rates of employment could certainly have been expected. Nevertheless, the weak economic capacity these levels generally represent is striking and becomes particularly obvious by way of comparison with developed democracies in Western Europe and beyond, whose average value of employment in civil society reaches six percent of the total.

Figure 19 – Share of Civil Society in Total Employment, Western Europe, 1992/1997



Source: Salamon et al. 1999. See Table 17 in the Statistical Annex.
Notes: Total employment refers to total non-agricultural employment. Figures generally refer to 1995, with the exception of Sweden (1992), Finland (1996) and Sweden (1997).

As with all other indicators cited for the development of civil society in Western Europe so far, employment also discloses considerable differences across countries. Comparably high levels of employment in civil society can be found in Belgium, Ireland and the Netherlands, all of whom range above ten percent of the total non-agricultural work force. Typically, Western European countries exhibit rates of employment in civic structures between three and five percent of the total. This lends further credence to the claim that established democratic regimes are by no means to be automatically associated with thriving, or in this case economically significant, civil societies.

By comparison, by the mid 1990s the countries of East-Central Europe still found themselves well below the bottom end of this Western European scale. While overall growth dynamics suggest that civil societies in the four countries reach this baseline in the medium term, the prospects for the region long term are to be treated with much more caution. Not least depending on the overall economic development of the four countries, it stands to be expected the East-Central European civil societies will only very gradually overcome their pronounced weakness on this economic front.

The low rates indicated are accompanied by a far-reaching concentration of employment in specific fields of activity. By the mid-1990's and across the four countries, culture and recreation accounted for the single-most important share of employees, with one third and more of the entire employment in civil society, while professional organisations and trade unions

Forbrig, Joerg (2004), Civil Society: Theory and practice in East-Central Europe
European University Institute DOI: 10.2870/42402

employed between one tenth and one sixth of civil society's work force in the four countries. Although not confined to these exemplary fields, this concentration of employment signals the persistent importance of the above-mentioned structural legacy of organisations existing prior to 1989.[423]

Throughout the 1990s, however, the employment structure of civil society in the region has been undergoing gradual change. New fields of activity, such as education and research, health, development and housing, in part also social services, have dynamically grown into important areas of employment, representing between one third and one half of civil society's salaried work force in the four countries by the mid-1990s. From the angle of employment, education and research have become new strongholds in civil society in the Czech Republic, Poland and Slovakia. Development and housing have become more important in Hungary. And in the Czech Republic, Hungary and Poland health has also grown in importance, even if somewhat less significantly.[424] Slowly but surely, it is thus also on the account of employment that the predominance of older and transformed organisations gives way to a more balanced organisational landscape with an increasing significance of structures and activities that emerged after 1989.

In the first place, this shift can be attributed to the steady overall growth of employment in civil society organisations over the last decade, exemplified by Hungarian figures reporting 33,000 employees in civil society in 1990, 45,000 in 1995, and 56,000 in 1999, and by a growth of employment in Czech civil society of 18 percent between 1995 and 1998.[425] Taking its departure from virtual non-existence as an employer, civil society received an initial impulse from the transformation of existing organisations and thus the transfer of their employees to this realm. Ever since, new employees appear to be hired primarily in new fields of activity and by newly emerging organisations. In turn, employment in more traditional areas and organisational structures has been largely stagnating, if not receding.[426]

---

[423] According to Salamon et al. 1999, culture and recreation, and professional organisations and trade unions, respectively, accounted for the following shares of civil society employment: Czech Republic – 29 and 12 percent in 1995; Hungary – 38 and 16 percent in 1995; Slovakia – 31 and 9 percent in 1996. Polish figures are provided by Leś & Nałęcz 2001: 17 as follows: culture and recreation – 31 percent, professional organisations and trade unions – 12 percent.

[424] According to Salamon et al. 1999, education and research, social services, health, and development and housing, respectively, represented the following shares of civil society's employment: Czech Republic – 14, 11, 13 and 7 percent (1995), Hungary – 10, 11, 5 and 13 percent (1995), Slovakia – 29, 5, 2 and 1 percent (1996). For Poland, Leś & Nałęcz 2001: 17 provide the following figures for 1997: education and research – 24 percent, social services – 17 percent, health – 7 percent, and development and housing – 1 percent. Social services should be treated with some caution, since it is in this area that strong traditional structures (voluntary fire brigades) mix with dynamically developing new organisations around social welfare issues.

[425] Data for Hungary, from Salamon 1999 and KSH 2001: 166; for the Czech Republic, from Goulli et al. 2001: 191.

[426] Comprehensive evidence for this development is only available for Hungary; see KSH 1999: 137 and KSH 2001: 166.

Curiously enough, inasmuch as this trend diminishes the importance of the fault line between inherited and newly established organisational structures and activities of civil society in the region, a new divide appears to be opening up, which is also illustrated by employment figures. As of 1997, 83 percent of civil society organisations in Hungary and 75 percent in Poland functioned without any employees, being entirely dependent upon volunteer work.[427] In the Czech Republic, by contrast, the significantly lower figure of 44 percent of organisations working without employed personnel appears to underline a more favourable condition of civil society in that country.[428] What is more, the empirical evidence available also suggests that these proportions have remained largely stable in recent years, with any increases in overall employment benefiting primarily those organisational structures that already rely upon employed staff.[429]

These disproportions in employment signal an emerging gap within civil society along with organisational professionalisation. A relatively small section of civil society in Hungary and Poland, and a larger one in the Czech Republic, rely upon specialised personnel in the pursuit of their activities. Contrasting with these are numerous civil society organisations, which have so far refrained from employing individuals, thus omitting this step towards professionalisation. Clearly, various factors may have stood in the way of such a step. A good many organisations simply do not require employed personnel, as their small organisational size and their restricted scope of activities may satisfactorily be met by volunteers. Not rarely, organisations and the individuals involved show a significant reluctance towards any professionalisation, which is frequently considered to be alien to the voluntary, participatory spirit of civil society. A further constraint is of an economic nature, with limited resources, poor work conditions and a shortage of suitable personnel, preventing organisations from employing professionals. At second glance, hence, the above employment figures may also point to the problem of professionalisation within civil society organisations, which observers have identified time and again as one of the stumbling blocks to the further development of civil society in the countries of the region.[430]

These problems - the overall relative insignificance of civil society as an employer and the stark contrasts with regard to this indicator within civil society - are largely paralleled by a second economic measure, namely the operating expenditures incurred by civil society organisations. Minimal as these may be for a good many organisations, their ongoing functioning incurs running costs. As organisational size and scope of activities increase, these running costs naturally rise, with administrative work and maintenance of an organisation's facilities creating the most frequent expenses. Wherever organisations make use of employed staff, salaries add to operating expenditures. All those organisations that offer specific kinds of services face more significant expenditures, be these services exclusively for their own members as in the case of many interest groups, or be they for a wider public, such as is the case of service providers in the fields of education, health care and social services. Operating expenditures, thus, also signal the extent, to which civil society has developed its capacity.

---

[427] Data from KSH 1999: 40 and Leś & Nałęcz 2001: 16. Comparable figures are reported for Slovakia, where two thirds of organisations functioned without full-time staff and 85 percent without part-time employees in 1994; see Bútora & Fialová 1995: 47.

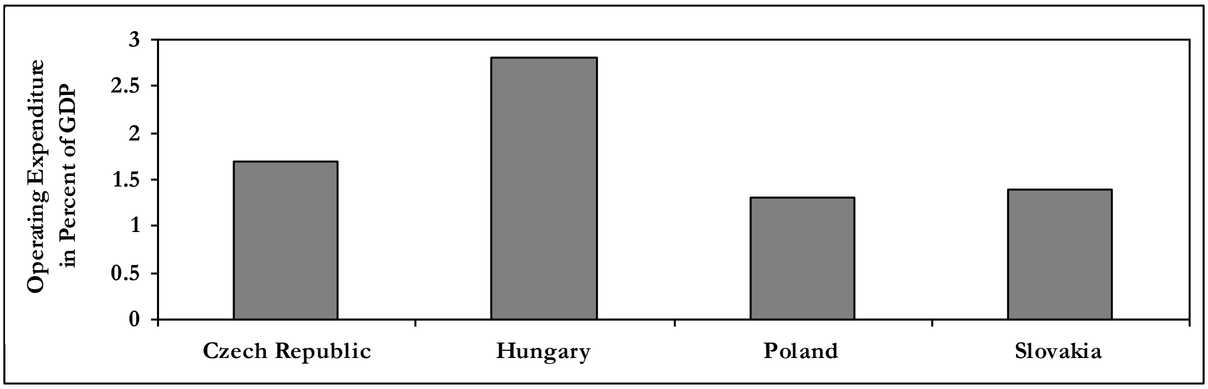
[428] Frič et al. 2000: 29.

[429] Such evidence is available for Hungary and indicates that the percentage of civil society organisations without employed staff stabilised around 83 percent towards the end of the 1990s; see KSH 1999: 40 and KSH 200: 42.

[430] See, exemplarily, Frič et al. 2000: 33; Wygnański 2000: 4.

In aggregate and related to the GDP of the four countries, this indicator figures as follows for the civil societies of East-Central Europe.

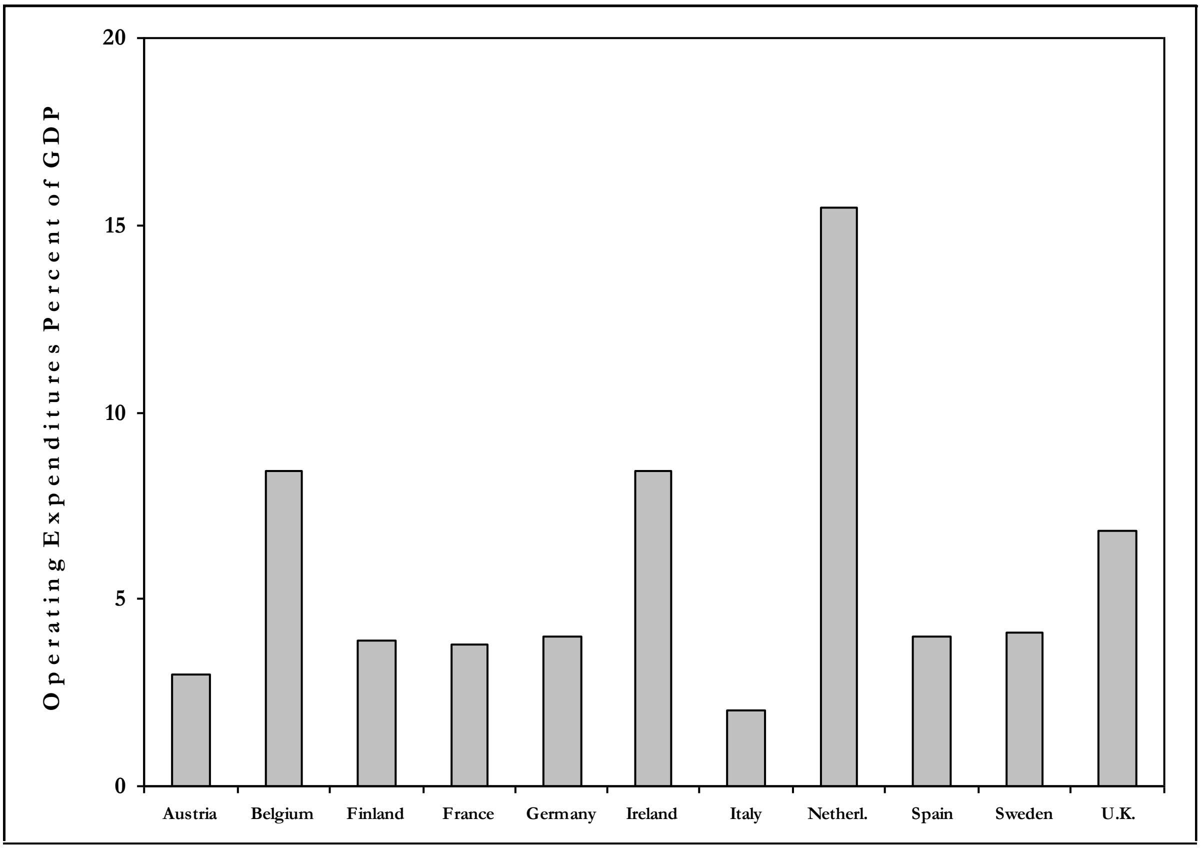
Figure 20 – Operating Expenditures of Civil Society, East-Central Europe, 1995/1997



Source: Salamon et al. 1999 and Leś & Nałęcz 2001: 12. See Table 18 in the Statistical Annex.
Note: Data refer to 1995 for the Czech Republic and Hungary, to 1996 for Slovakia and to 1997 for Poland.

Obviously, in terms of operating expenditures, civil societies in East-Central Europe also reveal a rather marginal significance. In Hungary, civil society accounts for expenditures equalling 2.8 percent of the GDP of that country. Poland and Slovakia, in turn, reach only half that level, while civil society in the Czech Republic exhibits the somewhat higher rate of 1.7 percent of the GDP. Similar to employment, these levels of operating expenditures have so far remained significantly below those common to civil societies in most established democracies of Western Europe, as figure 21 illustrates.

Figure 21 – Operating Expenditures of Civil Society, Western Europe, 1995



Source: Salamon et al. 1999. See Table 19 in the Statistical Annex.

Besides providing further evidence for the very uneven development of civic structures across Western Europe, these figures also illustrate a clear, if obvious, correlation between employment and operating expenditures. Essentially, these figures on operating expenditures reiterate those earlier ones on employment, with high levels found in Belgium, Ireland and the Netherlands, while most other countries oscillate around four percent of a given country's GDP. This relationship suggests that salaries embody the single-most important operating expense of civil society organisations in Western Europe, with all other costs being much less important.

Curiously enough, East-Central European figures defy this correlation. The Czech Republic as the country with the highest employment in civil society in the region shows operating expenditures much below those of Hungary where, in turn, civic structures employ considerably less people. In addition, Poland and Slovakia exhibit similar levels of operating expenditures to GDP, yet the employment levels in those two countries differ markedly, as shown above. This somewhat "distorted" economic picture suggests that personnel costs represent a much less important share in the operating expenditures of civic organisations in East-Central Europe than is the case with their counterparts in Western Europe. Recent research on Poland found that, on average, salaries account for a mere 15.1 percent of overall expenses.[431] Apparently, civic organisations still find it difficult to commit to employed personnel and, thus, to develop their human resources. Instead, scarcity of resources forces them to concentrate primarily on direct programmatic expenses. This constellation indicates that civic structures in the four countries are still a far cry from organisational consolidation.

In further relation to employment, operating expenditures are highly unevenly distributed among civil society organisations. A first fault line can, again, be drawn between inherited and newly established organisations of civil society, as becomes obvious from the operating expenditures spent within particular fields of activity. By the mid-1990's, culture and recreation, professional organisations and trade unions still accounted for about one half of all civil society expenditures in Hungary and Slovakia, and for about forty percent in the Czech Republic, with the remainder primarily spent in the areas of education and research, health, social services, in the Czech Republic and Hungary also in development and housing, and on environmental issues in Slovakia.[432] Apparently, this distribution had already resulted from a shift towards new fields of activity that began, after the initially overwhelming dominance of older organisations, during the first half of the 1990's and has steadily continued ever since.

A second differentiation, again paralleling the previous observations on employment, pertains to an imbalance of resources within civil society more generally. At the end of the 1990s, it is reported that about one tenth of Polish organisations accounted for two thirds of civil society's overall operating expenditures, while in Hungary twelve percent of organisations dispose of and spend 90 percent of the financial resources of the realm. In turn, one fifth of Polish and one fourth of Hungarian civil society organisations functioned essentially without any expenditures.[433] This condition, in fact representing a permanent threat to the continued functioning of many civil society organisations, is only slowly giving way to more favourable financial circumstances, as the available empirical evidence allows to conclude.[434]

Both developments along with the indicator of operating expenditures, the inclusion of a broader range of activities, as well as the trickling-down of financial resources towards less well endowed organisations, largely benefited from a steady overall growth of financial resources available to civil society organisations, even if slow. Similarly, the gradual growth of employment in civil society described earlier could not have been afforded, had not the financial means available increased. These piecemeal improvements notwithstanding, the insufficiency of funds available for their functioning has so far remained the single-most important problem for civil society organisations in East-Central Europe, as surveys have repeatedly revealed.[435] This dependency draws questioning attention to the sources providing civil society with revenue, and to the extent to which these sources have conditioned the development of civil society in East-Central Europe during the 1990's.

---

[431] Dąbrowska, Gumkowska & Wygnański 2002: 36.

[432] Salamon 1999.

[433] KSH 1999: 75 and Leś & Nałęcz 2001: 16.

[434] In comprehensive form, such evidence is available only for Hungary. Accordingly, the percentage of civil society organisations reporting essentially no expenditure has continuously shrunk from 29 percent in 1995 to 21 percent in 1999; see KSH 1997: 56 and KSH 2001: 106.

Civil society organisations receive financial resources from a range of sources. Firstly, and frequently highlighted, private philanthropy provides important financial resources to civil society. Primarily, philanthropy encompasses donations from private individuals and commercial entities, as well as from grants made available by private foundations, both national and international. In order to stimulate financial transfers from these sources to civil society organisations, public authorities typically grant various forms of tax deduction to donors and recipients alike, although not all are similarly eligible for these benefits.

Secondly, public funding embodies an important source of revenue for civil society organisations. Besides the tax deductions mentioned, a further indirect form of public funding is the dedication of particular taxes, such as an earmarked percentage of individual income tax, to civil society organisations. More directly, public authorities often provide support to civil society organisations through subsidies, funds and grants, or through direct payments in return for services provided under the terms of public contracts. Public funding schemes typically exist on the national level and through local government, and international assistance, primarily through European Union programmes, are also important sources of public support for civil society.

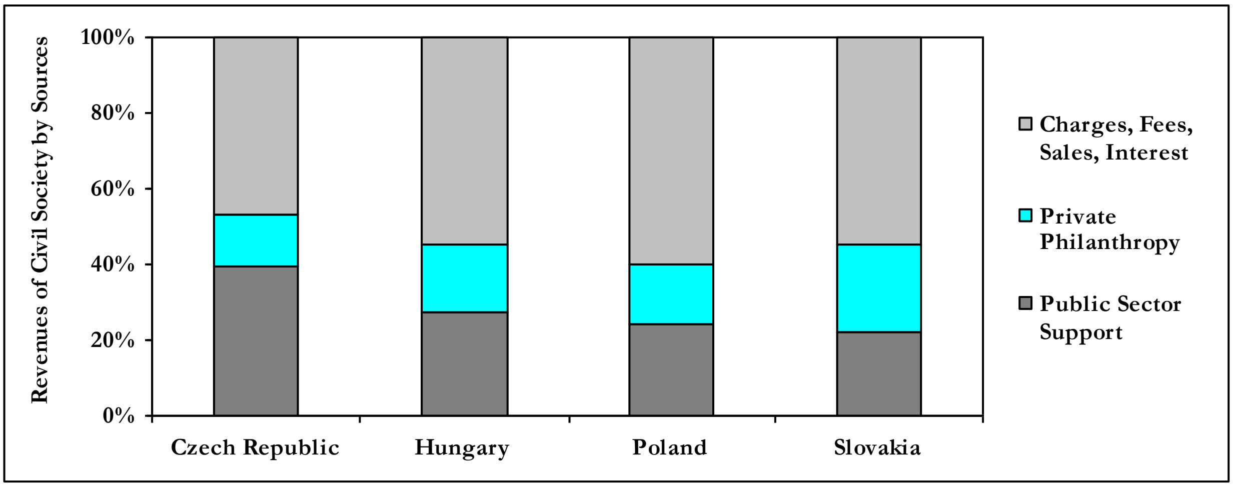
Thirdly, civil society organisations generate incomes in various ways. Membership organisations receive dues. Foundations and endowments, among others, often benefit from interest on capital stock. Many organisations provide services, in return for which they receive fees, and others produce goods for sale. Commonly, civil society organisations undertake a range of activities, not rarely only remotely related to their statutory aims, in order to generate the financial resources necessary for their pursuit.

It is from these sources, and typically from a combination of several, that civil society organisations are provided with the financial means they need in order to function. On aggregate for entire civil societies, the constellations of these sources of revenues differ widely and depend on the specific social and economic, legal and political conditions in different countries. The following figure illustrates the significance of these three broad sources of revenues for civil society organisations in East-Central Europe.

---

[435] For the Czech Republic, see Frič 2000: 21ff. Dąbrowska & Wygnański 2001 report that 90 percent of Polish organisations pointed to the lack of funds as a serious problem in 2001.

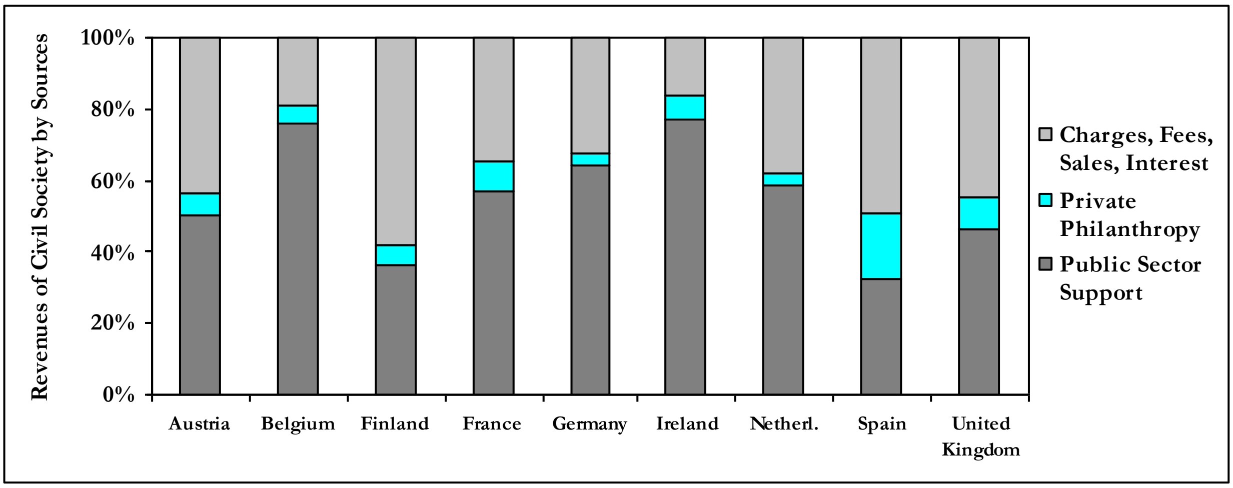
Figure 22 – Cash Revenues of Civil Society by Sources, East-Central Europe 1995/1997



Source: Salamon et al. 1999 and Leś 2001: 123f. See Table 20 in the Statistical Annex.
Note: Data refer to 1995 for the Czech Republic and Hungary, to 1996 for Slovakia, and to 1997 for Poland.

As these figures reveal, civil society in the region primarily relies upon resources generated by the organisations themselves, accounting for 47 percent of revenues in the Czech Republic, while being significantly above one half in the other three countries. This own income is supplemented by public funds as a second major source of revenues, providing civil society with between one quarter (in Hungary, Poland and Slovakia) and two fifths (in the Czech Republic) of all finances. The significant remainder, between 14 percent in the Czech Republic and 23 percent in Slovakia, is contributed by private philanthropy. Hence, civil societies in the region essentially represent a pattern inverse to that of their counterparts in most developed democracies, as figure 23 illustrates.

Figure 23 – Cash Revenues of Civil Society by Sources, Western Europe 1995/1997



Source: Salamon et al. 1999. See Table 21 in the Statistical Annex.

DOI: 10.2870/42402

Widely differing funding constellations across Western Europe notwithstanding, the public sector typically accounts for the bulk of civil society funding. With the exceptions of Finland and Spain, public sources provide one half and more of the finances available for civic structures. These funds are supplemented primarily by self-generated income which, on average, accounts for 37 percent of civil society's financial resources. Private philanthropy, in turn, embodies an only marginal share that does not normally exceed ten percent. Both the overwhelming prominence of public funding and the relative insignificance of private philanthropy, which can be considered typical of Western Europe, may as a surprise. Much of the recent public discourse on civil society seems to suggest that civic organisations represent a serious alternative to public administration, and that their access to private philanthropy can do much to mobilise additional resources for public policy goals. The Western European pattern expressed by the above figures defies such an overly enthusiastic view of civil society.

If, in East-Central Europe, financial support for civic structures follows a pattern largely inverse to that found in Western Europe, this is due to a number of factors. The comparably low contribution of the public sector is primarily a function of the economic and political changes the countries of the region have been undergoing over the last decade. In terms of resources, these fundamental reforms have significantly constrained the leeway that public authorities have for supporting civil society organisations financially, with problems of social welfare reform or unemployment usually taking priority in the public policy agenda. The above figures provide a first indication for this influence on a general level. Both the Czech Republic and, to a lesser extent, Hungary exhibit comparably higher shares of public funding for civil society than Poland and Slovakia, which correlates with the common evaluation of the former two countries being significantly more advanced in the reform process than the latter. By the mid-1990's and in absolute terms, public funding for civil society amounted to 38 USD per capita in Hungary and to 32 USD in the Czech Republic, while reaching a mere 12 USD in both Poland and Slovakia.[436] Apparently, and certainly not surprisingly, the overall economic condition of a given country affects the extent to which public funding can be made accessible for civil society organisations.

The limited financial capability of public authorities to fund civil society organisations has also been influenced by the more ideological question of the place of civil society organisations in public policy, and accordingly, the public funding and support these organisations deserve. Tensions primarily derive from the mushrooming of numerous civil society organisations, many of which claim to, and often do, work for the benefit of the public and consequently demand public support, and an inherited etatism in public policy, political thinking and administrative structures, which asserts the prominent, if not exclusive, position of the state with regard to the public good. Throughout the 1990's, this debate shaped much of the relationship between state and civil society. It resulted in uncooperative, often hostile, relationships between civil society organisations and the public administration. It came to be reflected in incoherent, usually insufficient, sometimes contradictory and often disadvantageous legal provisions for civil society and the public support it merits. And it showed in public funding that has been, as indicated above and as claimed by many an observer, insufficient for civil society to realise its publicly beneficial potential. This situation appears to have changed for the better only towards the end of the 1990's, most visibly in Hungary, to a lesser extent also in the Czech Republic and Slovakia. In all three countries, political decision-makers and public administration have increasingly acknowledged the public benefit potential of civil society, amended the respective legal provisions and thus taken first steps towards adjusting sources of public funding.[437] In Poland, in turn, a similar appreciation is still to translate into relevant legal provisions, as the ongoing debate on laws regulating public benefit organisations demonstrates.[438]

---

[436] Own calculation on the basis of Salamon 1999 and Leś & Nałęcz 2001.

Against this general background of meagre state funding for civil society, it is somewhat surprising to notice that in all four countries, organisations in specific fields can and do heavily rely upon public funds. In some cases, these are transformed social organisations, which have traditionally received state funding for their activity and have, as if by inertia, continued to receive such support after 1989. A primary example are sports clubs in Poland, which have the monopoly on revenues from the national lottery and, thus, receive between 70 and 80 percent of all public funds dedicated to civil society.[439] Less far-reaching, yet nevertheless very favourable, are the funding conditions for inherited organisational structures across the four countries. In other cases, previously budgetary institutions were, by way of outsourcing, transformed into civil society organisations but continue to heavily, if not entirely, rely upon public funds. Examples can be found across the region in fields, such as culture and recreation, education and research, health and social services. The problematic implication of both these exceptional cases for civil society is that, within the relatively low rates of public funding distributed, it assigns a significant share to specific organisations and thus further diminishes the availability of public resources for the larger remainder of civil society organisations.

It is due to this unfavourable constellation with regard to public funding of civil society in East-Central Europe that private philanthropy and self-generated income have assumed a crucial role for the resources of organisations. Particularly surprising is certainly the large share of private philanthropy, which exceeds the average in established democracies by two to three times. In the first place, this situation demonstrates that willingness to donate money, whether individually or as a corporate entity, is not necessarily related to the relative affluence of a given society. At the same time, the economic hardships East-Central European societies have gone through over the last decade have certainly put limits to the financial resources accessible through donations, thus, further illustrating the dependency of civil society on the economic situation of a country more generally. In this situation, funds contributed by foreign and international philanthropists, foundations and grant-making institutions have come to embody a significant portion of the resources available for civil society organisations in the region, ranging from about six percent in the Czech Republic and Slovakia to eight percent in Hungary by the mid-1990's.[440] Towards the end of the decade, however, the share of foreign private donors started to decrease, signalling that, after a decade of intensive involvement with the region, many philanthropic institutions began to shift their interest away from East-Central Europe.[441]

---

[437] Such are the evaluations of Frič et al. 2000 and Frič et al. 2002: 10 for the Czech Republic.

[438] Wygnański 2001.

[439] Wygnański 2001. While this regulation endowing sports clubs with a monopoly on national lottery revenues in Poland is based on a pre-war legal provision, most Western countries have opened this financial source to organisations more generally, thus making it the main source on income for civil society.

This development has put even further pressure on civil society organisations to generate their own income, a source of revenue that has been, as indicated above, of primary importance for civil society in the region during the 1990's. Within this source, important, yet for obvious reasons limited, resources derive from membership dues and investments of organisational capital, which in sum accounted for between 15 and 25 percent of civil society's resources.[442] Fees raised by the provision of non-commercial services offered by civil society organisations have become similarly important and offer significant potential for increasing revenues. Their share oscillated around twelve percent.[443] Most importantly, however, and despite stricter legal constraints, organisations have come to increasingly conduct commercial activities in order to supplement their financial resources. In the Czech Republic and in Hungary, such profits constitute about 15 percent of civil society's revenues, while it embodies a much higher share of about one third in both Poland and Slovakia.[444] This difference relates back to the availability of public funding and illustrates how, as in Poland and Slovakia, a far-reaching lack of public funding has resulted in a significant commercialisation of civil society organisations. In turn, a somewhat more generous availability of state funds, as in the Czech Republic and Hungary, prevents organisations from making similarly far-reaching for-profit concessions that, after all, put into question the nature of civil society.

---

[440] Woleková et al. 2000: 62, KSH 1998: 29, Goulli et al. 2001: 181. Empirical evidence from Poland, while not comparable on methodological grounds, confirms this significance of foreign private donors ; see BORDO 1998 : 42f. and 67.

[441] This departure follows a spectrum of donor exit strategies. One influential example is to leave behind sinking endowments, or trusts; see Demeš & Forbrig 2003.

[442] The following figures have been reported for the Czech Republic (1995), Hungary (1995), Poland (1997) and Slovakia (1996), respectively: membership dues – 11.1 percent, 14 percent, 5.1 percent, and 11.2 percent; investments/interest – 6.7 percent, 11.7 percent, 12.1 percent, and 3.6 percent; see Goulli et al. 2001: 181, KSH 1997: 25, Leś & Nałęcz 2001: 20, and Woleková et al. 2000: 63.

[443] Income from fees for non-commercial services was 10.9 percent in the Czech Republic (1995), 14.3 percent in Hungary (1995), and 12.9 percent in Poland (1997); see Goulli et al. 2001: 181, KSH 1997: 25, and Leś & Nałęcz 2001: 20.

[444] The precise figures are 13.6 percent in the Czech Republic (1995), from Goulli et al. 2001: 181; 15.8 percent in Hungary (1995), from KSH 1997: 25; 30.3 percent in Poland (1997), from Leś & Nałęcz 2001: 20; 36.9 percent in Slovakia (1996), from Woleková et al. 2000: 63.

In sum, these observations point to the persistent economic fragility of civil society in East-Central Europe. In terms of employment, operating expenditures and public funding, the Czech Republic and Hungary appear to provide somewhat more favourable conditions, while circumstances in Poland and Slovakia are significantly more disadvantageous. To slightly greater or lesser extents across the four countries, civil societies face severe limitations to their economic capacity. Despite signs of improvement that appeared towards the end of the 1990's, the material, as well as legal, constraints facing civil society so far render it doubtful as to the extent, to which this realm can play a significant economic role in society.

Obviously, the described economic state of affairs facing civil societies in East-Central Europe cannot be de-coupled from the broader processes of economic and political reform challenging the countries of the region. After all, the very notion of civil society organisations as economic entities, as public benefactors, as well as employers and producers, has reappeared in the countries of the region only recently, with all the legal, material and social obstacles that accompany such newness. This re-emergence has been further complicated by the relatively low priority civil society has had so far on the political agenda, in particular in relation to its potential for resolving social problems, its need for material resources and appropriate institutional conditions, in order to function. Inasmuch as civil society in the four countries has nevertheless and steadily gained in economic capacity, its further strengthening is likely to remain a function of both continued economic development in East-Central Europe and political will to recognise civic organisations as partners in realising public policy.

Conclusions: Strong or Weak Civil Societies?

In the light of the preceding observations, analysis and discussion, it seems inevitable that one should arrive at a sobering assessment of civil society in East-Central Europe after 1989. Although, and contrary to the widespread impression, civil society can draw on a long and rich history of civic life before and even during state socialism, and despite the rapid and impressive upsurge of civic initiatives and structures over the last decade, it appears that civil society in the region has, so far, remained rather fragile. As outlined above, neither actual organisational capacity nor the persistence of a significant organisational legacy inherited from the previous regime, neither anchorage in society nor the economic capacity of civil society in each of the four countries, suggest vibrant civic realms in East-Central Europe. Rather, the empirical reality outlined here seems to prove right all those who have insisted on an overwhelmingly bleak picture of civil society in East-Central Europe. Tempting as it may be, however, such a pessimistic evaluation would be premature.

First of all, the considerations of this chapter have provided ample evidence that civil society in the region escapes any sweeping judgements. From an empirical point of view, civil societies in the four countries have come to be differentiated in, at least, three respects. Firstly, much of the above evidence points to an increasing gap between the Czech Republic and Hungary, on the one hand, and Poland and Slovakia on the other. Viewed from the angles of organisational density, the share of inherited and, thus, well-established organisational structures, indicated progress of institutional consolidation, social embeddedness qua membership, and economic capacity, civil society in the former two countries exhibits comparable and comparably higher levels than in the latter. On a more qualitative note, this distinction is further strengthened by the importance of religion for civic life in Poland and Slovakia, where denominational organisations and belief-motivated volunteering are significantly more developed than in the Czech Republic or Hungary.

Secondly, and mitigating against such an empirical categorisation of country pairs is the fact that, on several accounts, similarities and differences cut across this divide. Thus Poland appears to be lagging behind not only those presumable forerunners, but also Slovakia, in terms of organisational density and organisational pluralisation. Dramatically low rates of volunteering set Hungary apart from the other three countries. Youth participation in Slovak civil society appears to be distinctly higher than in any of its East-Central European neighbours referred to in this study. Employment in civic organisations places Czech civil society far ahead of its counterparts in the region while, in terms of operating expenditures, Hungary outnumbers the other countries by far. These constellations render it likely that civil societies have taken a rather country-specific course of development that defies the identification of any patterns emerging across the countries of the region.

Such an assessment receives further support from largely differential growth dynamics of civil society along with several of the indicators employed here and across the four countries. Organisational densities in the Czech Republic and Hungary appear to have, for the time being, reached a peak while the number of civic organisations continues to grow significantly in Poland, and more gradually in Slovakia. As a result, further changes along with organisational pluralisation, demographics and fields of activity within civil society can be expected to be piecemeal in the Czech Republic and Hungary, slow in Slovakia, and still considerable in Poland. Similarly differentiated are the prospects for involving larger portions of society in civic life across the four countries. As indicated above, the decline of membership in civic organisations has largely come to a halt. First in the Czech Republic, somewhat later in Hungary, and most recently in Slovakia, individuals have again begun to join civil society organisations, while stagnating Polish figures suggest a stronger reluctance towards membership on part of society in that country. No less varied are the dynamics of volunteering. According to the data available, the Czech Republic and Hungary have struggled with significantly diminishing volunteer bases, without signs of recovery to date. By contrast, volunteering appears to be on the increase in Slovakia, while having been largely stable in Poland.

Most likely, these differential dynamics of civil society development will have two consequences. On some structural accounts, primarily in terms of organisational density, Slovakia and later Poland are likely to gradually close the current gap with the Czech Republic and Hungary. Along with several social and economic characteristics, in turn, it can be expected that differences between all four countries will continue to deepen and make for largely country-specific shapes of civil society across East-Central Europe. This further differentiation between the four countries will have to be accommodated within any assessment of civil society in the region, and it will be prohibitive of simple characterisations in terms of strength or weakness.

Thirdly, civil society within each of the countries has come to be highly differentiated and, as indicated above, imbalanced in many respects. A wide range of civic organisations established since 1989 share the realm with a well-entrenched set of transformed social organisations inherited from the previous regime and, in some cases, even earlier times. A broad spectrum of different fields of activity distinguishes organisations of civil society. Spatial imbalances can be observed, with islands of denser organisational structures and a more vibrant civic life confronting regions that have, so far, remained largely out of reach of civil society. Social differentiation has similarly left its marks on civil society within each of the countries of East-Central Europe, as socio-economic aspects of education, age, settlement size and religion exemplify. Not least, economic fault lines have emerged within each of the civil societies, be it along with employment and professionalisation, the financial resources at the disposal of organisations or their revenue structure. Given this significant internal differentiation, assessments of civil society would even be well-advised to lower their level of analysis and to focus on those specific aspects of civil society, around which disproportions within the civil society of a given country have emerged.

If, against these caveats, a cautious assessment of the overall vibrancy or vulnerability of civil society in East-Central Europe shall nevertheless be undertaken here, the situation in Western Europe provides a reference point for comparison. As was observed above, civil society in the Western part of the continent is by no means an unequivocal benchmark, with stark discrepancies as to the vibrancy of civic life across countries. This unevenness contrasts starkly with the notions of "developed" or "established" democracies frequently applied to Western European countries, and it raises intriguing questions spanning older and newer democratic regimes alike, to which the current discussion will return shortly. For the time being, the spectrum of civil society development outlined by Western European democracies provides a useful tool to locate and evaluate civic structures and life in East-Central Europe within a larger context.

Generally, the dynamic development of civil society since 1989 has done much to close the gap between the four countries of the region and their, in terms of civic life, less vibrant Western neighbours. On all accounts cited here, the bottom end of the Western European scale has been surpassed by at least one civil society of the region, in some cases by several of them, and occasionally even by all four countries. Levels of organisational density in the Czech Republic and Hungary have come to exceed those of least-developed Italy and to approximate those of the United Kingdom, while the growth dynamics in Poland and Slovakia suggest that both countries will reach this minimum of Western European civil societies in the medium term. Membership in all four countries exceeds that of Belgium and Spain, only slightly by Poland and Slovakia, and to the extent of approaching the intermediary levels of France, Ireland and Italy in the cases of the Czech Republic and Hungary. In the latter two countries, more recent and gradual growth also indicates a consolidating intermediary level of member participation in civil society. Volunteerism in the region finds Hungary on par with Western European "laggards" Portugal and Spain, while Slovakia exhibits intermediary and growing levels comparable to those found in France or Sweden. The Czech Republic and Poland are home to volunteerism of slightly below the Western European average and compare to countries as diverse as Austria and Germany, Great Britain and Ireland, or Italy. On the two economic accounts of employment and operating expenditures, civil society in East-Central Europe compares less favourably. Only one of the countries of the region – the Czech Republic in terms of employment and Hungary in regard of operating expenditures – have caught up with the minimum levels found in Western Europe, while the remainder of countries continue to lag significantly behind. Judging from the growth dynamics indicated, economic capacity will continue to be the Achilles heel of civil society in East-Central Europe for the foreseeable future.

While the indicated catching-up of the four countries with their Western neighbours undoubtedly represents a remarkable achievement, civil society in East-Central Europe has so far remained comparably weak and vulnerable. With the few exceptions indicated, the countries of the region find themselves closer to the low end of the Western European scale, and their prospects to advance towards average or even higher levels of civic life are rather dim, as growth dynamics suggest. It appears that, for the foreseeable future, strong civil societies will remain the unfulfilled promise of the peaceful revolutions of 1989.

Whether this assessment is greeted optimistically as an achievement, or pessimistically as the failure of civil society to date, largely depends on an observer's expectations towards the pace and results of democratic change in the region. Here, it may be worthwhile to remember the dictum of a more cautious observer from the very outset of regime change in East-Central Europe. In 1990, Ralf Dahrendorf warned that "the formal process of constitutional reform takes at least six months; [that] a general sense that things are moving up as a result of economic reform is unlikely to spread before six years have passed; [and that] the third condition of the road to freedom is to provide the social foundations which transform the constitution and the economy from fair-weather into all-weather institutions […], and sixty years are barely enough to lay these foundations."[445]

The first decade of freely unfolding civil societies in East-Central Europe unanimously confirms Dahrendorf's caution. While institutional and economic reforms have undoubtedly established political democracy and market economy in the region, their social underpinnings and most prominently civil society have been much more strenuous in the making, and not least the considerations of this chapter lead one to expect that several more decades will have to pass before civic structures and activity will overcome their current weakness. Curiously enough, the long haul required for the emergence of vibrant civil societies is also indicated by the situation in Western Europe. Generally, those Western countries that share an authoritarian past, be it more distant as in the cases of Germany and Italy, or be it more recent as in Portugal and Spain, continue to exhibit weaknesses of civil society that are less common to their European neighbours, where democracy and civil society could develop uninhibited over a longer period of time. The challenge to further develop civil society is thus not only faced by the new democracies of East-Central Europe. This issue should also be on the agenda of many a Western European democracy.

---

[445] Dahrendorf 1990: 92f.

Yet the challenge for civil society extends even further. The perspective taken by this chapter, and the sobering assessment with which it concludes, have been largely based on a macro-level and quantitative analysis of civil society in East-Central Europe. This approach has provided interesting insights into the structural development of civil society, yet has remained limited in illuminating the functional impact of emerging civil societies in the region on the newly democratic regimes in which they are embedded. In other words, while here, how much civil society there is, has been traced, what is no less important to consider is the issue of which kind of civil society develops. This latter problem has frequently been underappreciated by scholarly and public discourse. Nonetheless, this question entails a considerable challenge for civil society and democracy, as the following considerations will argue.

3 The Challenge: Civil Society, Democracy and Democratisation

It will be remembered from the conceptual history of civil society outlined earlier that this notion has, throughout history, combined analytical with normative elements. In other words, not only does this concept describe a specific realm of social and political life but it has also and always been related to a specific way, usually captured by a particular philosophical ideal, in which social and political life was to be lived. The question of what civil society is has continuously been accompanied by a justification for why civil society is considered to be relevant, and it is this normative side of civil society in the contemporary world that will be central to the following considerations.

Since its advent to modern-day social and political theory some two centuries ago, democracy has gradually become the primary normative reference point for civil society. Be it in the liberal version among the various modern strands, or be it within the contemporary notions cited above, civil society has come to be inextricably linked to democracy. What is more, the renewed interest in the concept of civil society itself is largely due to the fact that, in recent decades, democracy has become the uncontested centre of gravity of political thought, analysis and action. Where there has been democracy for a long time, some identify the need for further democratisation, while others detect phenomena of erosion and call for a democratic revival.[446] Where democratisation has taken place only recently, the challenge is to ensure the survival and stability, functioning and further development of the newly democratic regime. And where there is no democracy at present, speculation abounds as to the reasons for this absence and possible ways of establishing democracy.

To a significant extent, this current democratic vogue on a global scale can be attributed to what came to be known as the "third wave of democracy" that took its departure in Southern Europe in the mid-1970s, spilled over to Latin America soon thereafter and found its culmination in Eastern Europe around 1989.[447] The en-masse exit of dozens of countries from authoritarian regimes within less than two decades and their democratisation was the latest and certainly most influential factor reinforcing an earlier trend.

Since the 1950s, theoretical and empirical research on democracy had already greatly intensified. On the one hand, political science had sought factors explaining the existence of democracy in particular regions of the world and its absence in others. The result was a range of structural conditions, such as economic development or political culture.[448] Soon thereafter, on the other hand, the attention of political scientists was increasingly attracted by processes affecting established democracies, such as the emergence of new social movements, and research interests shifted towards understanding continuities and changes in the functioning of established democracies.[449] With the "third wave of democracy," however, these two problématiques coincided, with the questions of the why, when and how of democracies becoming ever more salient, while the challenges facing established democracies had grown even further since the 1960s. This coincidence has been decisive for the overwhelming centrality of democracy in political science as well as public discourse in recent years and decades.

---

[446] Projects of further democratisation of established democracies are promoted, for example, by Cohen & Arato 1992 and Barber 1998. For diagnoses of democratic decline, see Crozier, Huntington & Watanuki 1975, and more recently the April 2000 issue of the *Journal of Democracy*: "Trouble in the Advanced Democracies?".

Against this background, the renewed interest in notions and concepts such as civil society should not come as a surprise. After all, civil society appears to provide answers to problems and challenges facing both established and new democracies. The intimate and complex relationship between civil society and democracy as the more fundamental paradigm will be the subject of the following chapter. Given the geographical focus of the preceding empirical enquiry, the discussion here will particularly elaborate on contexts of recent regime change to democracy, as they have been going on in East-Central Europe since 1989. This should not, however, distract from the relevance the present considerations have for those contexts where democracy has been in place for a longer time.

The first part of this chapter will outline the theoretical framework of democracy and regime change to democracy, with a particular emphasis on the advanced stage of democratic consolidation. This overview will make it possible to identify in more detail the numerous hurdles that need to be overcome in order for democracy to be established firmly. In meeting these varied institutional, political and social challenges, civil society is frequently highlighted to be of utmost importance. For this reason, the considerations here will continue with a discussion of the role of civil society in (new) democracies. In particular, the major functions civil society is said to perform in democratic regimes will be identified and described. While these blessings of civil society for democracy are commonly acknowledged and frequently highlighted, scholarly research as well as public debate more often than not neglect that civil society can also turn into a curse for democratic regimes by having a number of dysfunctional aspects, which in the worst case may amount to the breakdown of democracy itself. Hence, it is necessary to devote equal consideration to these dark sides of what is usually portrayed as an unmitigated blessing. These

---

[447] Such was the term coined by Huntington 1991. Other authors have argued for a different distinction of periods of democratisation (Beyme 1996: 1-3).

[448] Examples for this "pre-conditions strand" within democratic theory are Lipset 1969 and Almond & Verba 1963.

largely theoretical discussions will be accompanied and illustrated by a range of concrete examples from civil society in East-Central Europe.

The central argument presented by this chapter is that, in order to be fruitful, current discourse on civil society needs to acknowledge the intricate link between civil society and democracy more accurately. This requires a more critical attitude towards civil society itself and its ambivalent status as both a possible blessing and a possible curse for democracy. Herein lies the democratic challenge for civil society at present, as it will be only on this basis that civil societies that meet the democratic expectations harboured by so many and underlying the current vogue of this concept can develop, whether it be in new democracies or in older ones. Such a more critical attitude also needs to be reflected in scholarly approaches to civil society that, after all, can do much to inform public discourse. Hitherto, theoretical and empirical contributions have typically been deficient in this respect, and it is for this reason that the last part of this chapter will develop a novel approach to perceiving, exploring and discussing civil society in its delicate relation to democracy.

---

[449] A number of key words indicating these lines of research may suffice here: pluralism and corporatism, new social movements, catch-all parties, cartel parties.

DOI: 10.2870/42402

Regime Change to Democracy and Democratic Consolidation

Throughout the late nineteenth and the entire twentieth century, democracy expanded at an accelerating pace. In those countries of the West, where democracy had already been established for a certain period of time, democratic regimes gradually became more encompassing and inclusive. In other, previously authoritarian regimes of various kinds also mainly in the Western hemisphere, democracy became increasingly popular as an idea and manifold attempts were made at introducing democratic elements into these regimes. Finally, during the twentieth century democracy became increasingly attractive to countries well beyond the very restricted geographic area, in which democracy as an idea and as an actual type of political regime had originated. From among the numerous countries, where attempts at democratisation had been undertaken, many failed to establish democratic regimes and subsequently restored authoritarian ones. Those, which succeeded, oftentimes remained very fragile, although some of them maintained their democratic regimes for considerable periods of time. Only a few countries developed into the kind of democracy that largely resembles established democratic regimes in the West.

This process of democratic expansion, the numerous backlashes against it, and the empirical reality of democracy resulting from this development had, already by the late 1960s, started to pose challenging questions for democratic theory. On the one hand, an ever greater variety of actual political regimes asserted their democratic character, while at the same time being significantly differentiated among themselves, as well as from established democracies. This invoked important definitional problems and required conceptual re-considerations of democracy. The question to be answered became which regimes were to be considered democratic and upon which definition of democracy such evaluations were to be based. On the other hand, it had become increasingly obvious that the causalities hitherto asserted by democratic theory had a number of deficiencies. The particular problem facing the predominantly structural and functional causalities explaining democracy until the 1960's, was that they proved to be unable to shed sufficient light on the why and when, and in particular the how, of the establishment of democratic regimes.

Taking their departure from this twin-deficiency, theorists began to engage in conceptual re-considerations eventually leading to a widely accepted institutional, minimal and procedural definition of democracy and to develop new approaches to democratisation resulting in more sophisticated theories of regime change, most notably of transition to and consolidation of democracy.

A strong impulse to the definitional question, both within democratic theory more broadly and with regard to democratisation in particular, was offered by Robert Dahl, first outlined in his *Polyarchy* of 1971. In a first step, Dahl explicitly distinguished between ideal and actual democracy or, in other words, between a philosophically justified and normative utopia and the empirical reality of existing democratic institutions. Throughout the conceptual history of democracy, numerous definitions had been provided for democracy. Among these, two major lines of thought can be distinguished. Various authors pursued what could be characterised as an idealist approach to democracy. They took their departure from some fundamental principle, such as common good, sovereignty, justice or the will of the people, and portrayed democracy as that form of political practice that is most conducive to the achievement or realisation of the respective underlying principle. The weakness of many of these idealist approaches had frequently been their inability to devise concrete institutional arrangements commensurate with modern, large-scale societies. Other authors started with an observation and analysis of institutions and processes existing and functioning in political regimes commonly characterised as democracies, mainly those older democracies in the West. These empiricists attempted at identifying those institutions which are common to all democratic regimes, despite their otherwise very different political arrangements.[450] The single-most important problem with definitions of democracy derived from this empirical approach was, however, their static character; once the core institutions of democracy had been achieved, no further qualitative development, deepening, broadening, or completion of democracy was foreseen. Not only did this nature of the definition clash with the historically gradual development of democracy in the West, but it also entailed no potential for critical reflection within democratic regimes as to the further development of these polities.

What is important to notice from these two broad groups of definitions of democracy is that they were associated with two distinct intended purposes the definitions were meant to serve. The empirical concepts mainly aimed at providing a basis, upon which democratic regimes could be distinguished from non-democratic ones. They were commonly less sensitive to differences among democracies. Idealist approaches to democracy, in turn, aimed at assessing the political practices within a given political setting in relation to the democratic utopia they had established. They, thus, had the potential of identifying qualitative differences among democracies.

Dahl's approach can be seen as an attempt at combining the strengths of both approaches, that is, the empiricists' establishment of a democratic threshold and the idealists' perspective for further qualitative improvements of existing democracies. Ideal democracy was for him defined by the following five criteria:

---

[450] The representative author of this approach to democracy is certainly Schumpeter, for whom "the democratic method is that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people's vote" (Schumpeter 1950: 269).

> "*Effective participation*. Before a policy is adopted by the association, all the members must have equal and effective opportunities for making their views known to the other members as to what the policy should be.
> *Voting equality*. When the moment arrives at which the decision about policy will finally be made, every member must have an equal and effective opportunity to vote, and all the votes must be counted as equal.
> *Enlightened understanding*. Within reasonable limits as to time, each member must have equal and effective opportunities for learning about the relevant alternative policies and their likely consequences.
> *Control of the agenda*. The members must have the exclusive opportunity to decide how and, if they choose, what matters are to be placed on the agenda. Thus the democratic process required by the three preceding criteria is never closed. The policies of the association are always open to change by the members, if they so choose.
> *Inclusion of adults*. All, or at any rate most, adult permanent residents should have the full rights of citizens that are implied by the first four criteria."[451]

Dahl held that each of these criteria is equally necessary for democracy, if the members of a political association are to have equal opportunities in determining the policies of this association; the fundamental principle that serves as a justification for democracy is equality.[452] The criteria describe an ideal, essentially that of citizenship, that serves as a standard to evaluate the decision-making processes in any given polity for their democratic character.[453]

Actual democracy, then, can be understood as that set of political institutions, which are both compatible with these criteria and commensurate with the condition of large-scale and highly differentiated modern societies. In order to accentuate the distinction between democracy as an ideal and democracy as a political system, Dahl assigned the term *polyarchy* to actual democratic systems.[454] The basic requirement a polity has to fulfil in order to qualify as a *polyarchy* comprises seven institutions, which are derived from the above-mentioned criteria of (ideal) democracy and the necessity of their application to large and complex communities.

> 1. *Elected officials*. Control over government decisions about policy is constitutionally vested in elected officials.

---

[451] Dahl 1998: 37f. (Italics in the original).

[452] Dahl 1998: 62-80.

[453] Ideal democracy in this sense is not restricted to political decision making but can be applied to other kinds of association as well, such as economic entities or social initiatives. Neither is the association of citizens these criteria are applied to necessarily and exclusively framed by the nation-state. The potential extension of democracy towards realms other than the strictly political and towards sub- and possibly supra-national levels of political decision-making most clearly illustrates the ideal-typical nature of this definition.

[454] The introduction of the term *polyarchy* proved to be less successful than the concept behind it. In the following, therefore, terms such as democracy or democratic regimes will refer to existing institutional settings unless otherwise specified.

2. *Free and fair elections*. Elected officials are chosen in frequent and fairly conducted elections in which coercion is comparatively uncommon.
3. *Inclusive suffrage*. Practically all adults have the right to vote in the election of officials.
4. *Right to run for office*. Practically all adults have the right to run for elective offices in the government, though age limits may be higher for holding office than for the suffrage.
5. *Freedom of expression*. Citizens have a right to express themselves without the danger of severe punishment on political matters broadly defined, including criticism of officials, the government, the regime, the socioeconomic order, and the prevailing ideology.
6. *Alternative information*. Citizens have a right to seek out alternative sources of information. Moreover, alternative sources of information exist and are protected by laws.
7. *Associational autonomy*. To achieve their various rights, including those listed above, citizens also have a right to form relatively independent associations or organizations, including independent political parties and interest groups.[455]

This concept of a democratic institutional framework, more commonly known as a *procedural minimum*, embodied an important contribution to democratic theory in various respects. Firstly, *polyarchy* consequently institutionalises both citizenship (items 3 – 7) and representation (items 1, 2, and 7). The latter is the functional requirement to assure democracy in large-scale and highly differentiated societies; the inclusion of the principle of representation, thus, rectifies an important shortcoming of much of the earlier idealist theory. The former, on the other hand, is the direct derivative of the above-mentioned ideal democracy. At the same time as demanding these core institutions constitutive of democracy, the concept does not erect another utopia by inventing new settings. Instead, Dahl arrived at these arrangements deductively through an analysis of existing democratic regimes; *polyarchy* exists and works relatively well in various countries.

Secondly, this concept determines the minimum institutional requirements regimes have to fulfil in order to accord with the definition of democracy. This minimum combines two important aspects. On the one hand, it is both a yardstick to draw a line between democratic and non-democratic regimes and a smallest common denominator that accommodates a broad range of political regimes, which otherwise vary greatly in the design of their political system, for example federalist or unitary, parliamentary or presidential regimes. On the other hand, the minimum also opens perspectives for the further qualitative development of democracy. Even once a political regime has established this minimum and, thus, has become a *polyarchy*, the point of reference remains the ideal of democracy, which encourages the introduction of additional institutional arrangements in order for the regime to further approximate this ideal.

---

[455] Dahl 1982: 11.

Finally, *polyarchy* is comprised of exclusively procedural requirements. Democracy as an ideal is a process of arriving at decisions under the conditions specified above. Accordingly, *polyarchy* is that set of institutionalised procedures that, on a most basic level, assures these conditions. With this procedural thrust, Dahl's concept fades out a range of substantive issues, which had earlier on been frequently associated with democracy, as notions such as social democracy or participatory democracy, indicate. To be sure, substantive elements, such as social rights or high levels of political participation, do certainly have a bearing on the extent, to which an actual political regime approximates the ideal of democracy. They are not, however, fundamental for a political regime to qualify as *polyarchy*.

On the basis of Dahl's concept, it became possible to clearly distinguish between the essence of democratic regimes on the one hand, and the manifold phenomena that had frequently been associated with it. In other words, denotations and connotations of democracy were set apart. The denotation of democracy was now clearly described by the institutions of the *procedural minimum*. Its connotations, on the other hand, encompass the wide range of consequences, correlations, corollaries and requisites often associated with democracy, such as economic affluence, peaceful international relations, public order and social peace, and a specific political culture. Many authors observed correlations between democracy and these phenomena; some of them had subsequently made one or more of them integral parts of democracy. This had overloaded the concept of democracy with conditions and expectations, which were hardly ever met even by most established democracies, let alone those regimes attempting democratisation. Dahl's concept, thus, represented an important step towards a more modest understanding of democracy.[456] The distinction between denotations and connotations of democracy, then, was to become an important element within a novel approach in democratic theory: regime change to democracy.

In a 1970 article, Dankwart Rustow noted the observation that earlier empirical and theoretical research on democracy had largely omitted the question of how democratic regimes are established in the first place.[457] Instead, it was based on the assumption that democracy is already in place and it had searched for factors that make established democratic regimes function and prosper. Broadly, three major factors had been identified: socio-economic conditions, political culture, and social and political structures. It had been shown by various authors that strong correlations exist between each of these factors and the maintenance of democracy. Although many of these authors had been cautious to highlight the correlational character of these relationships, it was increasingly taken for granted that these factors are causal to democracy.

---

[456] A discussion of these problems can be found in Huntington 1989 and Schmitter & Karl 1991. The distinction between *denotation* and *connotations* is used by Huntington, with the former referring to the very definition of a term or concept (in this case, of democracy), while the latter address "the broader implications or consequences" of the phenomenon thus defined.

Rustow posed the question of the emergence of democratic regimes and argued that in order to inquire into this problem a new, genetic approach, distinct from the earlier, functional one would be necessary.[458] Such an approach would have to differ from previous research in two important respects. Firstly, it was necessary to span the period from the decay of an authoritarian regime until after the advent of democracy, and to inquire into the processes taking place during this entire period. Democracy was, although Rustow did not provide an explicit definition, understood in the procedural terms of political rights (suffrage and freedom of opposition) and competitive elections, thus approximating the above-mentioned definition by Dahl.[459] Secondly, as for the causes leading to the establishment of democracy, Rustow clearly rejected the idea asserted by many theorists of his day that the above-mentioned structural and functional requisites are also significant *pre-requisites*, hence causes which can explain the emergence of democracy. His argument was that for none of these factors clear causal relationships with democracy had been established; their correlational nature left it open as to whether they were causes for or products of democracy, or possibly both. Leaving aside these problematic structural and functional conditions, Rustow advanced the thesis of "patterns of conflict and of recurrent or changing alignments as one of the central features of any political system" and, even more pointedly, of "choice as one of the central concerns of the political process."[460] These choices are more likely to determine whether or not democratic regimes emerge than any structural or functional factors. On this basis, Rustow suggested an actor-oriented model of transitions to democracy that contained many of the central characteristics adopted in subsequent research.

According to Rustow, transitions to democracy can be described as a sequence of three phases in combination with the *background condition* of an uncontested status of the state and its territorial borders, within which democratisation is to occur. The *preparatory phase* witnesses a protracted and fruitless struggle between well-established social groups. This increasingly polarised positional warfare is ended by "a deliberate decision on the part of political leaders to accept the existence of diversity in unity and, to that end, to institutionalize some crucial aspect of democratic procedure."[461] During the subsequent *decision phase* negotiations take place about the precise character of the procedures which are to be introduced in order to end the previous

---

[457] Rustow 1970. This neglect is also observed by O'Donnell & Schmitter 1986.

[458] Rustow juxtaposes function and genesis, in other words the questions of "Which factors make a democracy thrive?" vs. "Which factors make a democracy come about?"

[459] This assumption can be made safely, as Rustow clearly asserts a "general recognition that democracy is a matter primarily of procedure rather than of substance" (Rustow 1970: 345); in addition, he explicitly refers to Dahl when describing the institutionalisation of suffrage and representation during the decision phase of transition to democracy (ibid. 355).

[460] Rustow 1970: 344.

stalemate. Eventually, a consensual solution emerges from these negotiations and results in the establishment of democratic procedures. Once these exist, it is important that both political actors and the populace at large become acquainted with these procedures and gradually come to consider them as the only acceptable means of conflict-resolution. These behavioural and attitudinal adjustments are to take place during the third phase of the transition process, that is, the *habituation phase*.

Hence, the crucial element determining both the transition to and the maintenance of a democratic regime are explicit choices and decisions taken by political actors. This shift away from structural and functional determinants of democracy towards individual actors, their strategies, interests and skills had important implications. It represented a re-orientation from extra-political conditions back to the very core of the political process, that being conflict, negotiation and compromise. Indeed, what was suggested was nothing less than bringing politics back in.[462] This, however, implied a break with the previous determinism and led to a principal possibilistic assumption: Democracy is not automatically established and maintained if certain conditions are in place but it can come into existence if the major political actors decide for it. This assumption, recurring in the somewhat variegated notions of "semi-determinism," "probabilism," or "uncertainty," came to be the central characteristic of subsequent research on regime change.[463] Nothing could illustrate this feature better than the title of the authoritative study on regime change summarising the research that evolved from Rustow's input during the 1970s and 1980s: "Transitions from Authoritarian Rule." In other words, an exit from authoritarianism does not inevitably result in democracy.[464]

Shortly after Rustow's suggestion, democratic theory was literally overrun by numerous attempts at democratisation ensuing from crumbling authoritarian regimes in Southern Europe and Latin America. The intensive and increasingly systematic study of these events and processes led to the emergence of an entire sub-field of democratic theory, eventually named transitology, whose theoretical approach and empirical findings were presented in the 1986 study mentioned at the end of the previous paragraph. Theoretically, these authors adopted the main assumptions made by Rustow, namely the central role of political actors and the consequent indeterminacy of transition. Similarly, these authors used a procedural and minimal definition of democracy as a threshold for processes of democratisation; usually the *polyarchy* definition provided by Dahl was explicitly adopted. Taking their departure from these assumptions, numerous cases of exit from

---

[461] Ibid. 355.

[462] Waldrauch 1996: 3.

[463] The notions of "semi-determinism," "possibilism," and "uncertainty" stem from, respectively, Rustow 1970: 343; Linz 1978: 4; O'Donnell & Schmitter 1986.

authoritarianism since 1974 were analysed and served inductively to refine the theoretical approach to transitions. The theoretical adjustments mainly addressed four issues.

Firstly, the focus on political actors gave rise to an overwhelming emphasis on political, economic, social and military elites. In order to be conducive to establishing democracy, their interaction must take place largely without an active, lasting and large-scale involvement of the population. These elites, secondly, usually enter into pacts between representatives of the old regimes and the opposition. Pacts are both acts of mutual recognition and guarantees of various political rights for either side, such as granting various privileges to parts of the old regime and assuring an access to power positions for the opposition.

The logic of these elite interactions gave rise to a third refinement of the transition model, namely an adjusted distinction of various phases. Transitions to democracy were now seen to comprise the two phases of liberalisation and democratisation. During the former, factions appear within the ruling authoritarian regime as a result of increasingly obvious regime failures, social conflicts and/or growing strength of opposition forces. While hard-liners insist on maintaining the status quo (or restoring the status quo ante) by all possible means, soft-liners place their hopes on a gradual and controlled opening of the regime to the opposition. If the latter succeed in this internal struggle, the opposition is eventually recognised and enters into negotiations with the regime. The opening of the regime to negotiations with the opposition and thus the factual granting of political rights to the latter is the essence of the liberalisation phase. Democratisation is the subsequent phase, during which a series of pacts is negotiated about the future institutional order, the role of the military, and general social and economic policies. Democratisation, and thus the transition to democracy, is seen to be complete when founding elections have inaugurated a democratically legitimated government and when basic civic and political rights are formally guaranteed. Compared to the original model by Rustow, subsequent theorists, thus, narrowed down the concept of transition to democracy. Much of what had been subsumed under the term of *habituation phase* now came to be theorised as part of a separate, subsequent phase of regime change to democracy, that is, consolidation of democracy, to which the present discussion will turn shortly.

A final amendment of the original model addressed types, or modes, of transition. Depending on a number of conditions and circumstances, such as the original instigators for transition, the constellations of ancien regime and opposition, and the strategies employed by various actors, processes of regime change can follow a variety of paths and yield largely different outcomes. On this basis, a number of typologies have been suggested that have, as did the other

---

[464] The title cited is the one of the 1986 study co-ordinated and summarised by O'Donnell and Schmitter (O'Donnell & Schmitter 1986). It stands in contrast with Rustow's wording "Transitions to Democracy," which in the light of his own assertion of semi-determinism is certainly somewhat inconsistent.

three refinements of Rustow's scheme, contributed to a more systematic approach to regime change.[465]

Such was the theoretical framework for studying regime change at the time when the "third wave of democratisation" culminated in the mass and rapid exit of East European countries from communism around 1989. In the wake of these events, the question emerged as to the extent to which the transition approach, based on observations of processes in Southern Europe and Latin America, would be fruitfully applicable to the East European context. Critics of the concept flatly refuted its applicability, arguing that the concepts involved were highly unclear, that the theoretical assumptions of the approach were mistaken, and that the particularity of the communist and post-communist context rendered this approach useless.[466] It is not necessary to here describe and discuss the debate that ensued, as the protagonists of the approach legitimately claimed that it was only through the application of the concept that its inapplicability could be proven at worst, or at best the necessary adjustments could be made. It soon turned out that the transition approach could indeed claim applicability to post-communist countries, if a number of theoretical adjustments were introduced. These pertained, in particular, to the original elite focus, given the greater role of mass political actors in Eastern Europe,[467] and to the significance of the international context as distinct from the originally exclusive focus on domestic factors.[468]

These adjustments notwithstanding, there is, with the inevitable exceptions, broad agreement among scholars that transition to democracy is completed once the procedural minimum of competitive elections and citizenship rights has been formally established.[469] Against the background of Rustow's original model, however, this concept of transition to democracy does not yet entail subjective adjustments on the part of individual political actors eventually resulting in a wide-spread obedience to these formal rules. Without such habituation, as is commonly acknowledged, newly established democracies are very unlikely to survive and thrive. It was this problem of consolidating new democracies that, by the 1990s, began to dominate the agenda of democratic theorists, as a growing number of countries (including those in East-

---

[465] Examples for suggested typologies are Stepan 1986; Linz 1990; Karl & Schmitter 1991.

[466] Representative of this debate and containing most arguments employed by both sides in a very concentrated form is the exchange between Schmitter and Karl, on the one hand, and Bunce on the other; see Schmitter & Karl 1994; Bunce 1995a and 1995b; Karl & Schmitter 1995. A detailed discussion of this debate is provided by Waldrauch 1996.

[467] For an attempt to integrate mass-level processes more strongly into the theoretical framework, see Friedheim 1993.

[468] Whitehead 1996; Schmitter 1996.

[469] The original notion of transition designated "the interval between one political regime and another. [...] Transitions are delimited, on the one side, by the launching of the process of dissolution of an authoritarian regime and, on the other, by the installation of some form of democracy, the return to some form of authoritarian rule, or the emergence of a revolutionary alternative" (O'Donnell & Schmitter 1986: 6). In

Central Europe) had completed transition and faced the challenge of stabilisation and possibly further development of their newly democratised regimes.

In contrast to the concept of transition, the question of consolidation of democracy, the processes it entails and the outcomes one can reasonably expect from it, has not yet been settled satisfactorily and, as will be shown shortly, it is not unlikely that it will not be settled at all.[470] In broadest terms, what underlies any thought on consolidation of democracy is the assumption that successful transition to democracy does not naturally imply its endurance. Instead, newly democratised regimes need to undergo a phase of consolidation separate from transition, during which the likelihood of maintaining democracy is gradually increased. However, as concerns the problems to be tackled and the processes to take place during this phase, as well as the time-frame required for consolidation of democracy, there is fundamental disagreement among scholars.

In most the general terms, among the variety of approaches to democratic consolidation put forth by scholars, a distinction can be drawn between retrospective and prospective notions.[471] Taking the viewpoint of a regime that recently transited to formal democracy, authors usually emphasise one of two broad challenges: menacing relapse into some non-democratic regime, although not necessarily return to the ancien regime (authoritarian regress) or endurance of democracy and further approximation of the democratic ideal (democratic progress). Depending on which of these challenges is endowed with more importance, authors arrive at different ranges of problems and tasks to be accomplished during consolidation of democracy.

Retrospective notions of democratic consolidation take their departure from the observation that many newly democratised regimes comprise a number of formal and informal, structural, behavioural and attitudinal obstacles to the proper functioning of the *procedural minimum* of democracy. These hindrances, potentially leading to an authoritarian regress, can take various forms. Firstly, they may exist as what has been labelled "perverse institutionalisation" resulting in "diminished subtypes of democracy" or "defective democracies," that is, formal and procedural restrictions imposed on the democratic process, more precisely the exercise of power through democratically elected governments, elections inaugurating governments and legislatures, whose democratic legitimacy is questionable, and on civil and political rights.[472] *Tutelary powers* may claim the position of a guardian of some generalised, usually the national, interest and exercise, in the name of this interest, an oversight over government policies in general and

---

combination with the procedural minimum of democracy, this open, possibilistic notion is the most clear-cut concept of transition to democracy.

[470] Meanwhile, various authors have put into doubt the usefulness of a concept of consolidation of democracy; see O'Donnell 1996 and Przeworski et al. 1996.

[471] Similar distinctions, although on a slightly less general level, have been suggested by Pridham 1995: 169; Waldrauch 85f.; and Schedler 1998.

specific policy areas. In cases of recent democratisation, such guardianship has in various cases fallen on the armed forces; historically, monarchs held a tutelary position on the same grounds. Whether it be through potential or actual interference into government activity, such tutelary powers undermine the effective decision-making of democratically elected governments and legislatures. In a very similar way but affecting more specific policy areas, effective government can be limited by *reserved domains*, which are not subject to government decisions and policies. While such areas also exist in many established democracies, autonomous central banks being the prime example, problems arise if actors controlling such areas, most prominently the military or the state bureaucracy, enter into more or less disguised conflict with democratically elected governments. Reserved domains usually generate resources which, if used to interfere into the selection or appointment of officials or into the making of decisions or their enforcement, undermine government effectiveness. While in both the cases of tutelary powers and reserved domains the monopoly of state power in the hands of democratically elected and accountable officials is curbed,[473] elections themselves may also be subject to formal restrictions. These may diverge from the provisions of the procedural minimum in ways, which are advantageous to some and discriminatory to other significant portions of the electorate. An example for such a distortion of the electoral process is the partitioning of mandates into those being subject to free and fair elections, and those being assigned to particular political forces.[474] Similarly important, particular political forces may be blocked from freely participating in elections, be it due to their opposition to incumbent governments, to their general ideological position, or to their constituency.

Given the various possible formal hindrances to the democratic process, consolidation of democracy is conceptualised as a process which leads to the abolition of these constraints and, thus, to full democracy.[475] However, against the background of the procedural minimum of democracy and the concept of transition to democracy outlined earlier, this view is problematic. Regimes suffering from such formal deficiencies do not qualify as being democratic in the sense of the above definition. Instead, these regimes comprise only some of the elements required by the procedural minimum, while those missing can only be established upon the removal of various formal restrictions. Hence, what is considered to be consolidation of democracy is in fact the completion of the formal and procedural minimum. As the establishment of this minimum

---

[472] Such are the terms introduced by Valenzuela 1992, Collier & Levitsky 1997, and Merkel 1999, respectively.

[473] Both notions are usually applied to domestic actors. However, international actors such may also interfere into government policies, and they frequently do so in many new democracies.

[474] The obvious example for such a partition were the elections to the Polish Sejm in 1989, when only 35 percent of the seats in the lower chamber were distributed through free elections, while the remaining 65 percent were assigned to the Communist party and its allies.

has been conceptualised as being the result of transition to democracy, it does not seem to be useful to make the processes abolishing formal restrictions part of the subsequent phase of consolidation.[476]

A second and threatening dimension of authoritarian regress in new democracies is the existence of a significant élite with anti-democratic dispositions, which avails of resources to overthrow democracy. For as long as significant political actors do not accept elections as the exclusive access to political power, but conceive of seizure, insurrection or imposition, whether they be openly violent or more subtle, as equally viable alternatives, such "sudden death" permanently looms over democracy.[477] This threat may emanate from a variety of political actors. The armed forces, or fractions thereof, may attempt at classical military coups. Anti-system parties may undertake the abolition of democracy by means of democracy. Particular social groups, such as a technocratic élite, may openly oppose democracy, whose mechanisms they may consider dysfunctional for the achievement of a particular goal. Although widely differing in available resources, strategic position and motivation, in all these cases a politically significant élite works strategically towards a rapid breakdown of the democratic regime and the establishment of an authoritarian alternative. Consolidation of democracy is, in this perspective, directed at the elimination, marginalisation, neutralisation or persuasion of anti-democratic forces.[478]

While this "sudden death" scenario is mainly based upon the dispositions and activity of specific élite actors, the wider behavioural and attitudinal patterns at both élite and mass levels are a third factor potentially facilitative of a return to some form of authoritarianism. Attitudinally, it is problematic if broad sectors of the populace continue to view authoritarianism as a viable political alternative or if there is widespread indifference to the democratic political system. Behaviourally, authoritarian, particularist and clientelist patterns may continue to regulate social interaction and conflict with the newly established formal rules of democracy.[479] In such a situation, democracy is at the risk of gradually withering away, of suffering a "slow death."[480] Such an erosion of democracy and a concomitant expansion of authoritarianism is particularly

---

[475] This view of democratic consolidation has been brought forth by Valenzuela, for whom "the process of reaching democratic consolidation consists of eliminating the institutions, procedures, and expectations that are incompatible with the minimal workings of a democratic regime" (Valenzuela 1992: 70).

[476] Waldrauch 1996: 60.

[477] O'Donnell 1992: 19. The processes leading to the breakdown of democratic regimes are analysed in detail in Linz 1978.

[478] A view emphasising the avoidance of such "sudden death" has been brought forth by Linz, for whom a consolidated democratic regime is "one in which none of the major political actors, parties, or organized interests, forces, or institutions consider that there is any alternative to democratic processes to gain power, and that no political institution or group has a claim to veto the action of democratically elected decision makers" (Linz 1990: 158).

[479] O'Donnell 1996.

[480] O'Donnell 1992: 19.

likely if democratically elected governments prove incapable of addressing salient questions, such as the basic well-being of its citizens, economic development or social inequality. In the face of such failures, authoritarian dispositions may receive re-affirmation, while long-standing patterns of clientelism and favouritism may simply remain existential to individual survival. In a democracy so undermined, it may take little more than a political stalemate or economic crisis for a fully fledged authoritarian regime to appear as the more promising option.

Accordingly, consolidation of democracy is meant to prevent it from gradual erosion through adjustments on both the levels of attitudes and of actual behaviour. Any authoritarian alternatives will need to be discredited, thus making democracy the option which may be deficient, but still preferable to any other type of political regime.[481] At the same time, it will be necessary to bring the actual behaviour of all (or significant) political actors into closer fit with the formal rules of democracy.[482]

Having outlined these three threats to newly democratic regimes, it should be added that various authors combine them in their concepts of democratic consolidation.[483] However, common to all retrospective notions of democratic consolidation is their emphasis on the removal of constraints imposed on democracy, and which impede the proper functioning of the procedural minimum and increase the likelihood of democratic breakdown. Consolidation of democracy in this negative sense is considered to be complete, once these obstacles are eliminated and minimal democracy is effectively at work. In this perspective, any further institutional refinement of democracy beyond the procedural minimum or political attitudes embracing democracy as a desirable political regime, that is legitimacy in the sense of diffuse support for democracy, are not expected from democratic consolidation.

---

[481] This is very much in line with the well-known statement made by Churchill half a century ago that "[m]any forms of government have been tried and will be tried in this world of sin and woe. No one pretends that democracy is perfect or all wise. Indeed, it has been said that democracy is the worst form of government, except for all those other forms that have been tried from time to time" (cited from Rose, Mishler & Haerpfer 1998: iii).

[482] Behavioural adjustments constitute the core of democratic consolidation for the following authors: Przeworski asserts that "democracy is consolidated when compliance – acting within the institutional framework – constitutes the equilibrium of the decentralized strategies of all the relevant political forces," while for Burton et al. "a consolidated democracy is a regime that meets all the procedural criteria of democracy and also in which all politically significant groups accept established political institutions and adhere to democratic rules of the game." (Przeworski 1991: 25; Burton et al. 1992: 3).

[483] O'Donnell, whose notions of "sudden death" and "slow death" have been mentioned earlier, targets both gradual and abrupt regressions to authoritarianism in his concept of democratic consolidation (O'Donnell 1992). Linz and Stepan even present a view that involves all three threats mentioned here in that democratic consolidation involves three dimensions: "Structural: [...] It posits that no significant reserve domains of power should exist that preclude important public policies from being determined by the laws, procedures, and institutions that have been sanctioned by the democratic process. Attitudinal: When a strong majority of public opinion acknowledges that the regime's democratic procedures and institutions are appropriate and legitimate, and where support for antisystem alternatives is quite low or isolated from the prodemocratic forces. Behavioural: When no significant national, social, economic, political, or institutional actor spends significant resources attempting to achieve its objectives by challenging the regime's

Such more positively democratic targets are characteristic of what can be called prospective notions of democratic consolidation. In these approaches the defensive preoccupation with authoritarian backlashes gives way to a more proactive concern with the further development of newly democratic regimes; the theoretical emphasis shifts from the removal of obstacles to formal democracy to the further elaboration of the framework provided by the procedural minimum. What is at stake for authors taking a more prospective view of democratic consolidation are processes further pushing an actual, although only recently democratised, regime towards ideal democracy. The two aspects frequently addressed by such notions of democratic consolidation coincide with the two dimensions of any political regime more generally, namely the formal side of institutional structures, procedures and rules, on the one hand, and the informal side of cognitive, attitudinal and behavioural relationships of political actors towards these formal institutions, on the other.[484] It is postulated that, in order to consolidate, any newly democratic regime will have to undergo changes and developments along with both dimensions.

Even once all the impediments to political democracy in the minimal and procedural sense, which are central to retrospective notions of democratic consolidation, are largely absent, a newly democratic regime remains institutionally underdetermined. It should be remembered that *polyarchy* as the result of the transition phase solely establishes meta-principles, namely those of citizenship and representation resulting in rulers legitimised through competitive elections. These fundamentals are, however, not yet sufficient as guidelines for day-to-day democratic governance. Theorists have, therefore, asserted the establishment of differentiated institutional structures as a crucial task of democratic consolidation.[485] The sub-concept invoked in order to ground such views of democratic consolidation more solidly is institutionalisation, and the claim is that structural differentiation has to occur along with two dimensions.[486]

Vertically, it is necessary to codify a hierarchy of rules, which usually takes the form of a written constitution. At the supreme level, a number of principles need to be determined.

---

institutions or rules with appeals for a military coup or revolutionary activities, and when the pro-democratic forces abide by its rules and do not engage in semiloyal politics" (Linz et al. 1995: 79).

[484] A typical definition of political regime which acknowledges the importance of both dimensions can be found in Mainwaring 1992: 296.

[485] Linz & Stepan 1996; Diamond 1999.

[486] Institutions are generally said to involve three dimensions: an *objective* dimension comprising the central principles upon which a political regime is based; a *functional-instrumental* dimension encompassing "material" institutional structures, their resources and internal regulations; and an *inter-subjective* dimension relating to the behavioural and attitudinal relationships of individual and collective actors to both the central principles of the objective dimension and the institutional structures of the functional-instrumental dimension (Weinrauch 1996: 57f.). The following largely follows the distinction of these three dimensions, although it utilises a more general separation between formal and informal aspects of political regimes (or institutions), and distinguishes then between vertical and horizontal dimensions of (formal) institutional consolidation (as by Elster, Offe, Preuss et al. 1998: 29ff.). Vertical and horizontal are largely congruent with objective and functional-instrumental. The informal, or inter-subjective dimension will be treated subsequently.

Needless to say, for a democratic regime to be consolidated, these principles will necessarily include citizenship and political competition as provided by the procedural minimum. In order to guarantee the inalienable rights of citizens, as well as to supervise the adherence to democratic rules of access to and exercise of political power, the rule of law constitutes a further fundamental principle. No less important at this level is the determination of the boundaries of the polity to which this constitutional hierarchy of rules applies. In territorial terms, the constitution refers to an existing state; the constituency will, in a democracy, encompass the (almost) entire adult population.

The detailed and explicit codification of these principles is an important task during consolidation of democracy. To be sure, some of them, such as basic rights and competitive elections, are already and de facto introduced by transition to democracy. However, their de jure establishment and their detailed elaboration, such as the precise description of which civil, political, and in some cases, social rights are entailed by citizenship, are finalised only during democratic consolidation. These principles are, with very rare exceptions, not subject to change. Instances of change, in particular those affecting the provisions of the procedural minimum and the rule of law, would endanger the process of democratic consolidation, if not abolish democracy altogether.

From these principles, an array of intermediary regulations is derived. These are particularly important for the day-to-day functioning of a democratic regime, as they specify the institutional format of public offices, the relationships among these as well as between them and the population, the areas for which publicly binding decisions are to be made, and the modes by which such decisions are arrived at and enforced. In order for a democratic regime to smoothly function over long periods of time, these provisions also require relative stability rather than frequent modification. They are, therefore, usually included in written constitutions. Different from the fundamental principles mentioned above, however, they are more easily open to changes and adjustments whenever necessity arises. For such situations, constitutions also provide for the modes through which any amendments are to be made.

On the basis of the fundamental principles and through the institutions and procedures specified, everyday legislation and enforcement of laws is carried out. At this lowest level within the hierarchy of rules, a vast range of political, social and economic questions requires regulation in order for a social and political entity to function. As the conditions in which such an entity exists undergo constant changes and as new problems arise and require regulation, the legal provisions at this most basic level have to be open to more frequent change than those fundamental principles and institutional arrangements outlined earlier. This is particularly salient in a situation of recent democratisation, where many social, political and economic issues require significantly different legal treatment than under the previous authoritarian regime, if they are to be in accord with the respective higher-level fundamentals and institutional arrangements.

Along with this vertical axis, a democracy can be considered consolidated if any decision affecting the public is being made with reference to generally known higher-order regulations, rather than arbitrarily by the decision-maker. In other words, any institution and its functioning (and changes thereof) must be in accord with the democratic credentials laid out at the fundamental level, and any legal act or policy and its enforcement has to abide by the institutional order determined at the intermediary level of the hierarchy of rules.

A second, horizontal dimension of institutional consolidation takes issue with the actual institutions, as they are usually prescribed in the constitution, with their functioning and mutual relationships. What is necessary for a democracy in order to be consolidated, is a "degree of insulation of institutional spheres from each other and the limited convertibility of status attributes from one sphere to the other."[487] The range of institutions to be stabilised in this sense and the emphasis placed on particular institutions varies according to the many authors who favour such a view of horizontal institutional consolidation.

A relatively focused perspective claims the necessary institutionalisation of three spheres: bureaucracy, institutions of governance, and institutions of horizontal accountability and the rule of law.[488] An efficient state bureaucracy is indispensable for the enforcement of any decisions taken by democratically elected governments and legislatures more broadly, if "[c]ontrol over government decisions about policy is [to be, J. F.] constitutionally vested in elected officials," as the above definition of democracy demands.[489] The most obvious reason for this requirement is clearly the extraction of revenues which enable state apparatuses to be sustained and the lack of which, if a state bureaucracy fails to perform this task, materially endangers the existence of the democratic regime. In addition, bureaucracies also provide a number of services to the population, such as the regulation of manifold aspects of public life. In the case that a bureaucracy fails to deliver these services, informal rules, rule makers and enforcers will fill this vacuum, which in turn poses a threat to the democratic regime.

The second realm where consolidation has to take place, that is institutions of governance or political society, comprises political parties, legislatures, elections, and electoral systems. Through these institutions, which can take widely differing formats, the elements of representation and competitiveness contained by the above definition of democracy are translated into structures of pluralist party systems, elections transforming voter preferences into representative legislatures, governments and oppositions. Many theorists have particularly focused on the emergence and stabilisation of these institutions.[490] Variegated conditions have been identified which foster the stabilisation of party systems. The effects different electoral systems have on the party system, on the one hand, and on the workings of legislatures, governments and oppositions, on the other, have been intensely studied.[491]

---

[487] Elster, Offe, Preuss et al. 1998: 31.

[488] Diamond 1999: 93-112.

[489] Quoted from the above *polyarchy* definition by Dahl.

Contrary to this equation of institutions of governance with representation through political parties, other authors have highlighted the equal importance of alternative channels, through which differentiated social groups influence decision-making processes. Schmitter has proposed that representation functions through a number of "partial regimes," with the electoral regime of political parties being an important but not exclusive element.[492] These partial regimes are varied mechanisms of representation encompassing such widely different phenomena and processes as tripartite negotiations between social partners, political lobbying or federalism, among others. In this view, it is not democracy qua representation through political parties that is consolidated but a number of democracies qua various partial regimes, through which the preferences of numerous social groups find an entrance into political decision-making: "[I]t is not democracy as such that is consolidated in the aftermath of the demise of an authoritarian regime. Rather, it is a bundle of diverse institutions or 'partial regimes' that link citizens to public authorities, thereby rendering these authorities accountable."[493]

Whether in the narrow sense of party politics or additionally envisaging alternative channels of representation, what is underlying all these approaches is the assumption that institutions of governance occupy a particularly prominent place within a democratic regime and that their stabilisation is therefore especially important for the consolidation of democracy.

Mechanisms of horizontal accountability and the rule of law constitute a third institutional realm whose necessary consolidation has been highlighted. Horizontal accountability mainly addresses the issue of checks and balances between the classical three branches of governance, that is, between executive, legislative and judicial powers. With regard to the relationship between government and legislature, the question of parliamentary, semi-presidential and presidential regimes has been raised, and the reasons for the emergence of this or that system as well as their effects on the consolidation of new democracies, have been explored.[494] With regard to the judiciary, the establishment of constitutional courts and their position in relation to the other branches of governance have been an important target of inquiry.[495] More broadly, the establishment of an independent court system is the pre-condition for the effective establishment of the rule of law. While, on the one hand, the rule of law implies that governments and legislative bodies work according to the regulatory framework provided in the constitution and the relevant by-laws, it also has a crucial protective function with regard to individual citizens and their rights. If citizenship, a further constitutive element of the above definition of democracy, is to be guaranteed, an effective and independent court system needs to be in place, which shields citizens from any violation of their rights, be that through government action, legislation or state administration.

---

[490] Examples can be found in Pridham 1993: 2, who asserts that "focusing on political parties and party systems must remain a basic if not central theme for examining not only the quality of the liberal democracy in question but also its progress towards and achievement of democratic consolidation. As any textbook description of this type of system will emphasize, 'party competition is the hallmark of liberal democracy'."

[491] Nohlen 1996, Gebethner 1996.

[492] The five partial regimes noted by Schmitter are the following: the *electoral regime* linking individual voters through political parties to the legislative sites of decision making; the *representation regime* connecting potential groups with legislatures; the *pressure regime* through which the demands of particular social groups are channelled through interest intermediaries; the *concertation regime* as a mechanism of negotiation among conflicting social interests; and the *clientelist regime* through which territorially defined groups present and defend their interests (Schmitter 1992).

[493] Schmitter 1995: 285.

Other authors have added two additional realms to this list of needs of horizontal institutional consolidation.[496] Firstly, a developed economic society needs to be in place. This claim is based on the assumption that a democratic regime is neither compatible with economic relationships regulated through central planning and command nor with pure markets. Central command necessarily entails the violation of ownership rights, an integral element of individual freedom. Pure markets, that is, the complete absence of state regulation are not sustainable, as they cannot themselves create and maintain the basic conditions of their functioning, such as ownership rights or prevention and correction of market failures. The economic option most commensurate with democratic regimes is, therefore, markets that are tamed through "a set of socio-politically crafted and socio-politically accepted norms, institutions, and regulations [...] that mediates between state and market."[497] The range of institutions in the economic society is vast. It comprises, among others, central banks and antitrust authorities, labour legislation and courts, technological standardisation and supervision, social insurance schemes and taxation. Unless such questions have been settled and are embodied in institutions, newly democratic regimes will be permanently under threat from dysfunctional aspects of economic markets.

The second amendment concerns the very subject of this study, namely civil society. It has been stressed that consolidation of democracy requires the emergence of a vital civil society, which most authors conceptualise in ways very similar to the definition provided earlier. As questions of civil society as related to consolidation of democracy will be discussed in more detail shortly, it may suffice here to mention that two aspects revolving around civil society have been of particular interest to scholars. Firstly, it has been acknowledged that it is necessary to establish and strengthen structures of interest representation and mediation, in particular in the fields of labour-capital relationships and social welfare provision.[498] Secondly, the need to clarify the relationships between civil society and political society has been pointed out. Both will have to achieve a significant level of autonomy. At the same time, the actors in both spheres need to acknowledge the mutual complementarity of civil and political society and act in non-confrontational ways.[499]

---

[494] On the problematic aspects of presidential systems, see Linz 1990.

[495] Elster, Offe & Preuss 1998.

[496] Linz & Stepan 1996: 7-15.

[497] Linz & Stepan 1996: 11.

In order for a democratic regime to consolidate, all these institutional domains need to develop, although this will certainly not occur at a similar pace and with similar scope across all these spheres. Nevertheless, all of them are closely interrelated; they affect and complement one another. None of them can, therefore, be completely absent if the development of all others, and, thus, the consolidation of the democratic regime as a whole, is to be accomplished. In turn, democratic consolidation does not solely hinge on the full establishment of any single one of these spheres.[500] A certain extent of development of each of these institutions is necessary. No particular extent of any one of them is sufficient.

Even once the formal rules (vertical dimension) have been established and materialised in institutional structures (horizontal dimension), democratic regimes are still only incompletely consolidated, as the maintenance and functioning of these institutions still requires their anchoring by the informal dimension. Cognitive, behavioural and attitudinal adjustments on the part of individual and group actors (rulers or ruled), the second aspect frequently highlighted by prospective notions of democratic consolidation, have to accompany institutional developments.[501]

In order to clarify the nature of these adjustments, it may be useful to remember those behavioural and attitudinal changes comprised by the above-mentioned retrospective notions of democratic consolidation. What was at stake for those approaches was mainly a matter of compliance. It was crucial that actors acknowledge, at least in the short term, the lack of any viable authoritarian alternative to the recently established democratic system, and that the conduct of their affairs remains in accordance with the democratic rules of the game. In Weberian terms, their disposition towards the democratic regime and their actions follow a purely *instrumental rationality*, without any value being attached to democracy itself, which is consequently a "democracy by default." Prospective notions of democratic consolidation essentially claim that a shift towards *value-rationality* is required on the part of political actors, whereby democracy becomes a valuable arrangement in itself.[502] The key to democratic consolidation along with this informal dimension then becomes legitimacy, as one of the main advocates of such a view unmistakably asserts: "If democracy is to be consolidated, it must garner broad and deep legitimacy among all significant political actors and the citizenry at large."[503]

---

[498] Elster, Offe & Preuss 1998: 234ff.

[499] Linz & Stepan 1996:8ff.

[500] Tóka 1997 makes this case for party systems in East-Central Europe. He argues that, while the democracies in this region were considered to be largely consolidated as of 1995, their party systems showed few signs of consolidation at that time.

[501] The necessity of this twin development is put unmistakably by Schmitter, for whom "[c]onsolidation could be defined as the process of transforming the accidental arrangements, prudential norms, and contingent solutions that have emerged during transition into relations of cooperation and competition that are reliably known, regularly practised, and voluntarily accepted by those persons or collectivities (i.e., politicians and citizens) that participate in democratic governance" (Schmitter 1992: 424).

The invocation of legitimacy as a sub-concept that is to substantiate the concept of democratic consolidation, however, does not seem to have yielded much clarification.[504] Fundamental dissent prevails among scholars as to the sources generating legitimacy, the kind of legitimacy required, the actors among whom legitimacy is necessary, and the behavioural patterns generated by legitimacy.

Firstly, legitimacy can broadly derive from two main sources. On the one hand, regimes may simply be judged by their efficiency in tackling substantial questions, such as economic development and material welfare of the society in question. Regimes, which perform well in relation to such substantive questions, can expect to enjoy considerable support. Views of democratic consolidation, which are based upon such substantial legitimacy, consequently highlight the capability and efficiency of a newly democratic regime to address salient socio-economic problems. Unless a democracy achieves significant improvements in the material situation of society, the chances for its consolidation are rather dim.[505] Other authors emphasise that democracies also benefit from procedural legitimacy derived from a lack of open violence, repression and arbitrariness, the existence of individual freedoms and rights, and the possibility to influence decision-making, all of which are generally absent in authoritarian regimes. In particular in settings, where democracy replaced authoritarianism only recently, such procedural legitimacy can significantly contribute to consolidation.[506]

A second controversial aspect of legitimacy is the institutional level such support addresses. Ever since Easton's typology, it has been commonplace that support can be directed either generally to a political regime or to particular institutions and incumbent office-holders within this regime.[507] Consequently, the question arises as to which of these institutional levels will have to benefit from widespread support in order for a democracy to be consolidated. Both options have been introduced to thought on democratic consolidation. It seems, however, that only a combined consideration and analysis of both addressees of political support will yield insights into the state of consolidation of democracy. At the regime level, legitimacy refers largely to democracy as an ideal, whose widespread support does not yet sufficiently indicate that the approximation of this ideal in a given society and the functioning of its institutional structures are equally appreciated by the public.[508] At the level of particular institutions within a democratic regime, the consequences of the distribution of support among differentiated institutional structures are very unclear. It has often been noticed that particular institutions, such as legislatures or courts, but also the military or churches, and incumbent office holders, enjoy widely differing levels of support. Oftentimes, core institutions of democracy, such as legislatures, have fared far worse than less, if not outrightly, non-democratic institutions, such as the military. Nevertheless, such seemingly unfavourable distributions of support have often persisted without necessarily inhibiting the process of democratic consolidation.[509] Hence, it seems that an exploration of support for democracy would be well advised to return to the more complex scheme originally suggested by Easton.

---

[502] Instrumental rationality (*Zweckrationalität*) involves a "rational orientation to a system of discrete individual ends, that is, through expectations as to the behaviour of objects in the external situation and of other human individuals, making use of these expectations as 'conditions' or 'means' for the successful attainment of the actor's own rationally chosen ends." Distinct from that, value rationality (*Wertrationalität*) involves a "rational orientation to an absolute value, [...] a conscious belief in the absolute value of some ethical, aesthetic, religious, or other form of behaviour, entirely for its own sake and independently of any prospects of external success" (Weber 1947: 115).

[503] Diamond 1997: xxii.

[504] The other sub-concept invoked, namely institutionalisation, seems to have fared somewhat better.

[505] Przeworski is probably the main advocate of this view: "I am not claiming that normative commitments to democracy are infrequent or irrelevant, only that they are not necessary to understand how democracy works" (Przeworski 1991: 24). See also his "What Makes Democracies Endure?" (Przeworski, Alvarez, Cheibub & Limongi 1996).

[506] O'Donnell puts this point very clearly: "This mood, less enamoured of democracy than fearful of authoritarianism, is probably the most valuable asset that democratic leaders have" (O'Donnell 1995: 26).

Thirdly, disagreement prevails as to the kind of political actors, who need to consider a democratic regime legitimate and act accordingly. There have been strong arguments for the greater, if not exclusive, importance of legitimacy among élite political actors, thereby neglecting the mass level. It has been asserted that due to their closer involvement with political decision-making, their consequently more frequent confrontation with political opponents, and their opinion-shaping function for broad segments of the mass populace, it is particularly at the level of élite political actors that supportive attitudes and according behavioural patterns need to develop.[510] This élite focus with regard to legitimacy and democratic consolidation clearly corresponds to and continues the perspective of much of the theoretical literature on transitions to democracy, which is based upon élite interactions, their resources, strategies and conscious decisions.

---

[507] In the original typology, Easton included the political community as a third possible addressee of political support (Easton 1990). This is particularly important in situations, where the political community is in question, hence where its boundaries are unclear due to unsettled historical, cultural or ethnic accounts. In the context of the present considerations, however, it should be remembered that settled boundaries are a "background condition" for transition to democracy (Rustow: 1970) as well as a prerequisite for consolidation (Linz & Stepan 1996: 7). For this reason, the political community as an addressee of political support is not being considered here.

[508] An example for such abstract treatment of support for democracy is provided by Morlino & Montero 1995.

[509] In East-Central Europe, it has been noted that persistent low levels of trust in institutions coexist with consolidated/consolidating democratic regimes; see Plasser, Ulram & Weinrauch 1998; Rose, Mishler & Haerpfer 1998.

[510] A typical formulation of this view is the following: "[T]he consolidation of democracy requires the establishment of elite consensus and unity, as well as extensive mass participation in the elections and other institutional processes that constitute procedural democracy. [...] Elite consensus requires agreement on the worth of

Such an exclusive focus on "politically significant groups" has come under heavy attack by other authors. The major argument against a narrow élite perspective has been that the isolated treatment of élite actors neglects broader political, social, economic and cultural developments, which may affect élite actors, change their dispositions and, thus, shape their decisions in the first place.[511] Consolidation of democracy can, therefore, not be achieved unless profound changes favouring a democratic regime, or establishing its legitimacy, take place on the mass level as well.[512] This is not to say that the frequently greater significance of élite political actors is denied by authors taking the broader perspective. Instead, the emergence of legitimacy, necessary at both élite and mass levels, is conceptualised sequentially.[513] Acknowledging the prominent place of the élite level infers that legitimacy of the democratic regime has to emerge first and has to be anchored most sustainably at the élite level. In the long run, however, a similar legitimacy must take root among the mass populace as well, if consolidation of democracy is to be accomplished.

Finally, the implications of legitimacy with regard to behavioural and attitudinal patterns are debated amongst scholars. In a more restricted perspective, legitimacy as the acceptance of the democratic rules of the game may simply imply that political actors develop patterns of behaviour commensurate with democratic procedures, such as moderation, co-operation, bargaining and accommodation.[514] The necessity for the emergence of such patterns is hardly contestable and for various authors their establishment marks the end of democratic consolidation.[515] What is doubtful, however, is how such behavioural patterns can be maintained

---

political institutions and on the rules of the game that is played within and around those institutions" (Burton, Gunther & Higley 1992: 323).

[511] With regard to regime change to democracy in general, this argument addresses both transition to and consolidation of democracy. Inasmuch as the conscious decision of élite political actors is decisive for transition to democracy, their conscious decision to maintain a democratic regime, once it is in place, is significant, since the opposite decision could be made by élite actors to abandon democracy. In both cases, strong explanatory potential rests with the broader circumstances, conditions and developments, in which élite interaction is embedded. For an overview of authors arguing along with this line of thought, see Waldrauch 1996.

[512] Diamond advocates such a view in much detail and argues that "[a]t the level of the mass public, consolidation is indicated when the overwhelming majority of citizens believe that democracy is the best form of government in principle and that it is also the most suitable form of government for their country at their time. [...] I would argue that both logic and the empirical evidence suggest that two-thirds is a minimum threshold, and 70-75 percent is a more compelling indicator" (Diamond 1999: 68).

[513] On the sequencing of the emergence of legitimacy, see Forbrig 2000.

[514] These characteristics are listed by Diamond 1993: 10.

[515] An example for such an exclusively behavioural view are the "turnover tests" suggested by Przeworski 1991 (one-turnover-test) and Huntington 1991: 266 (two-turnover-test), which suggest that consolidation of democracy is indicated by one or two, respectively, instances of alteration in power according to democratic procedures.

in the longer term. It is here that various critics of such a narrow view claim that "these behavioural orientations will be difficult to sustain in the long run unless they become embedded in [a] deeper, more coherent and encompassing syndrome of beliefs and values."[516] Consequently, consolidation of democracy is said to require the emergence of a more comprehensive democratic culture, which goes beyond behavioural patterns and encompasses attitudinal orientations as well. Political attitudes commensurate with democratic regimes are tolerance, pragmatism, trust, willingness to compromise and civility.[517] In this broader cultural view, it is only once these attitudinal patterns have emerged that a democratic regime can be considered consolidated.

It is obvious from this brief overview that perspectives on legitimacy and the resulting changes postulated in the context of democratic consolidation differ widely. While it is generally acknowledged that adjustments of cognitive, behavioural and attitudinal dispositions are a prerequisite in order for a newly democratic regime to consolidate, the scope, pace and quality of these adjustments remain highly unclear. This problem arising from the informal dimension of democratic consolidation, thus, parallels the difficulties encountered in relation to its formal side. It is similarly unclear as to the extent to which the various institutional realms need to be established in order for a democracy to become consolidated.

Authors adopting a prospective view of democratic consolidation have so far not managed to establish a precise threshold relating to both the formal and informal dimensions of a democratic regime, whose attainment characterises a democracy as consolidated. This contrasts with both democratic transition and retrospective approaches to consolidation, where the procedural minimum and the removal of formal and informal obstacles to its functioning, respectively, provide such a litmus test. The difficulty to determine a similar watershed for democratic consolidation with a prospective thrust draws attention to the more fundamental issue of whether or not such a hard-edged notion of consolidation of democracy is either possible or useful.

Essentially, the problem lies with the fact that the referent of democratic consolidation shifts to democracy as an ideal. Both transition to democracy and its (retrospective) consolidation relate to the minimal definition of actual democracy, or *polyarchy*, provided above. Once these credentials are in place without major formal or informal impediments, theorists are left with two options. Either regime change to democracy can simply be considered to be complete, or it can be claimed that the newly established democratic regime requires further development and refinement in a variety of areas. Most authors have opted for the latter alternative, based on the assumption that the endurance of democracy requires its broadening and deepening beyond the minimum provisions established by transition. In doing so, however, their referent becomes ideal democracy, with the manifold political and economic, social and administrative aspects of life in a democratic regime permanently being assessed against this ideal. In this sense, democracy is a moving target and democratic regimes are never fully consolidated, as the approximation of democratic regimes to this ideal demands the continuous extension of democratic principles to ever more aspects of life in a social and political community.[518]

---

[516] Diamond 1993: 10.

[517] Ibid.

Given the normative dynamics generated by democracy as an ideal, it seems neither possible nor useful to seek to describe (and thus prescribe) consolidated democratic regimes in similarly absolute terms as was possible for transition to democracy. The feasibility of such an attempt is undermined by the fact that any such sketch of formal and informal elements of actual democracy is deficient in relation to the democratic ideal. The usefulness of such an attempt is questionable for both pragmatic and analytical reasons. Pragmatically, the determination of such a shopping list of consolidation and its eventual realisation in a given democracy provides dangerous comfort to political actors - the satisfaction with the achieved may very well strike them blind to the dangers looming over democracy, as well as to the potential of further democratisation demanded by the ideal.[519] Analytically, any consolidation catalogue will tend to establish particular sets of formal institutions and informal patterns, whose existence or absence is claimed to decide about the state of consolidation of a democratic regime. Problematic here is a kind of teleological stiffness that imposes specific arrangements, on the one hand, and rules out alternative settings compatible with democracy and its consolidation, on the other.[520] Furthermore, an approach that demands complete fulfilment of such consolidation requirements loses sight of possible processes of partial and sequential consolidation.[521] Democratic regimes comprise numerous components, whose establishment and stabilisation does not necessarily take place at similar paces, to equal extents and with comparable qualities. The particular nature, character or quality of a democratic regime in a given country is then a function of the state of development of these component parts.

None of the above is meant to imply that the concept of democratic consolidation should be abandoned altogether. It simply puts into doubt the ambition of prospective approaches to democratic consolidation in determining a specific threshold at system level, defined as a catalogue of specific formal and informal elements of a democratic regime, with the achievement of which democracy is seen to be consolidated. If this is seen to be the purpose of conceptualising consolidation, democratic theory is most likely to run into a dead end. If, on the other hand, theorists abandon this ambition, take a step down from the level of an overall democratic system to the level of the various sub-systems or components, which form that democratic regime, and explore the development of these component parts and assess their functioning, their progress, in relation to democracy as an ideal, a vast field of fruitful theoretical and empirical inquiry is laid open. For the conduct of such in-depth research on specific elements of a democratic regime, the manifold aspects, problems and processes hitherto assembled by theorists under the heading of democratic consolidation and outlined above provide valuable guidance.

---

[518] Representative of the thesis that democratisation is never complete are von Beyme 1994 and Diamond 1999: 18.

[519] It seems that such a situation applies to a many established democracies in the West, where the self-confident assertion of being democratic has long distracted political actors (as well as scholars? Is this intentional?) from acknowledging democratic deficiencies and problems.

[520] O'Donnell 1996.

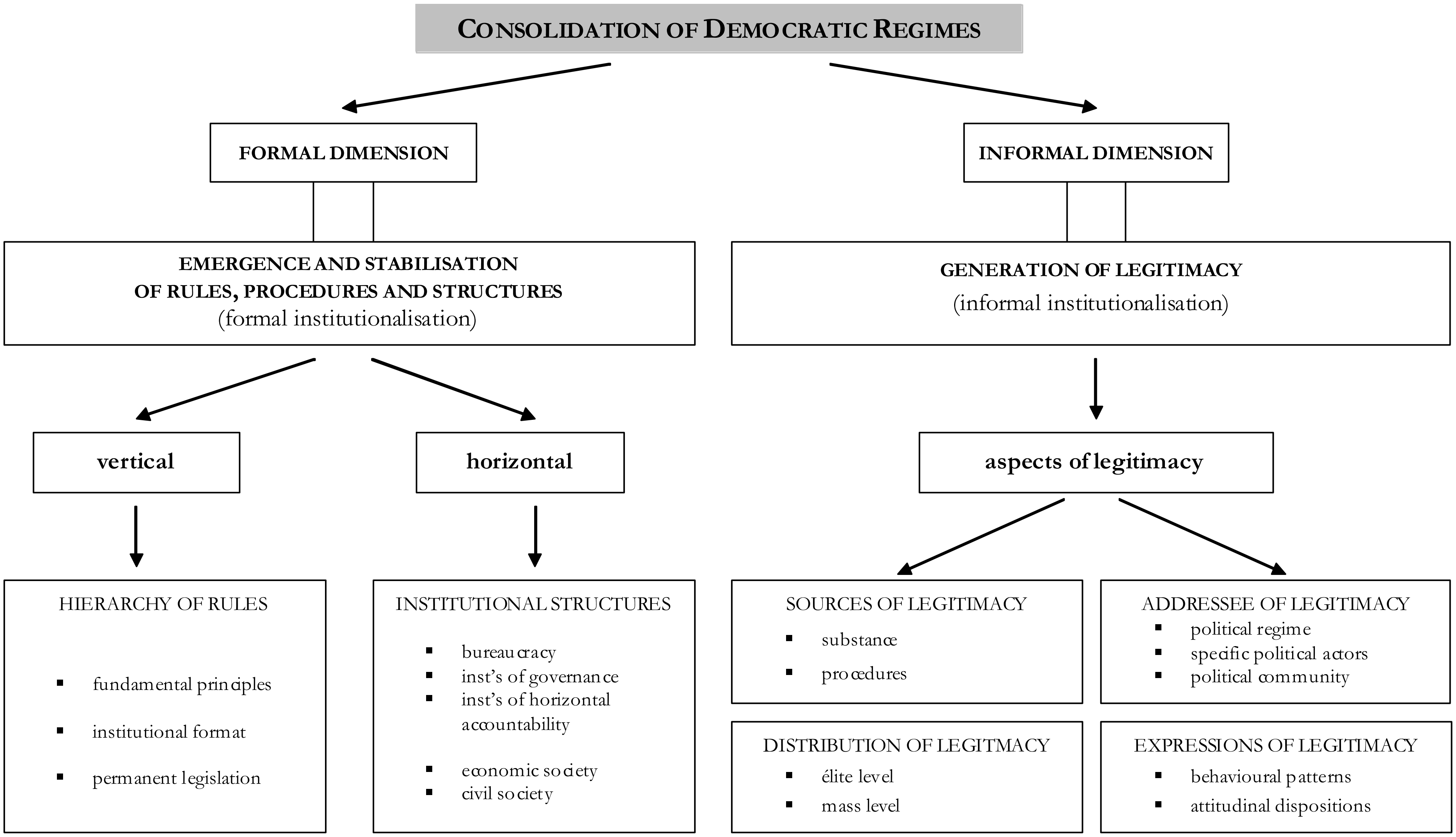
[521] Merkel 1995 suggests a model, according to which democratic consolidation takes place along with four dimensions: core institutions, systems of representation, behaviour, and civic culture. Their consolidation is

It is in this line of thought that the present study focuses on civil society as one of the component spheres of a democratic regime. Given the prospective notion of democratic consolidation adopted here, the question arises how civil society, in the definition provided earlier, can contribute to the further approximation of a democratic regime to democracy as an ideal. It is this potential contribution that the present considerations will turn to next.

---

said to take place sequentially and envisages the possibility that democratic regimes remain partially consolidated, that is, along with only some of the four dimensions.

Figure 24 – Dimensions and Aspects of Democratic Consolidation


CONSOLIDATION OF DEMOCRATIC REGIMES
FORMAL DIMENSION
INFORMAL DIMENSION
EMERGENCE AND STABILISATION OF RULES, PROCEDURES AND STRUCTURES (formal institutionalisation)
GENERATION OF LEGITIMACY (informal institutionalisation)
vertical
horizontal
aspects of legitimacy
HIERARCHY OF RULES
fundamental principles
institutional format
permanent legislation
INSTITUTIONAL STRUCTURES
bureaucracy
inst's of governance
inst's of horizontal accountability
economic society
civil society
SOURCES OF LEGITIMACY
substance
procedures
ADDRESSEE OF LEGITIMACY
political regime
specific political actors
political community
DISTRIBUTION OF LEGITMACY
élite level
mass level
EXPRESSIONS OF LEGITIMACY
behavioural patterns
attitudinal dispositions

Blessings: How Civil Society Contributes to Democracy

The crucial role of civil society in newly democratic regimes has been generally appreciated by theorists of regime change to democracy, as has its significance by scholars concerned with established democratic regimes. This realm is usually said to have the potential for performing a number of functions strengthening new democracies or, in the above understanding of democratic consolidation, further pushing them towards the ideal of democracy. The precise range of functions and the emphasis placed on one or another of them naturally differs among authors.[522] It is, however, possible to derive five major ways, through which civil society contributes to strengthening democracy. An overview of these blessings is the subject of the following section. It will also be demonstrated how, firstly, these functions relate to various aspects highlighted throughout civil society's earlier conceptual history and, secondly, how civil society can, through the performance of these functions, address the manifold problems arising during the consolidation of newly democratic regimes.

The Lockean Function: Control of State Power. Ever since the emergence of the modern distinction between public and private, it has been acknowledged that the fragile balance between the two realms necessitates various institutionalised mechanisms both guaranteeing their separation and regulating their interaction. This need derives from the ambiguous role of the state vis-à-vis society. While it is only the state as a monopolistic power holder that can guarantee the conditions, in other words inalienable individual rights, in which social life evolves, it is precisely this exclusive coercive capacity that, in form of state interference, permanently threatens free social life. The delicate character of these relationships had, as was elaborated upon above, a particular bearing on the concept of civil society. The liberal tradition from Locke onwards has particularly emphasised this permanent potential, if not actual, interference emanating from the state. The prime task of civil society is, consequently, the protection of rights-based individual autonomy and social life from state interference. Other authors relaxed this antinomic perspective of public vs. private and attempted at constructing a more reconciled relationship between the two realms. Montesquieu, Tocqueville and Hegel inserted a range of intermediary bodies: *corps intermédiaires*, *political and civic associations* or *Corporations*. In that these entities are constituted by the rights of private individuals, they are an expression of legally protected individual rights. Their strength directly enhances the law and its authority. In that these intermediaries operate in the public realm and are part of a complex system of checks and balances, in that they share in decision-making processes and interact directly with government, they also fulfil an important observatory function, holding government responsible for particular decisions and making it responsive to the interests of the social groups represented by various intermediaries. Seen from this angle, civil society's function goes beyond the reactive and defensive separatism of the private, which is characteristic of liberal approaches. Instead, through closer involvement with decision-making and more continuous co-operation with state agencies, civil society proactively observes and forces the state to act responsibly.

---

[522] Overviews of civil society's democratic functions are provided by the following authors: Bibič 1994; Schmitter 1997; Diamond 1999; Merkel 1999.

It is these rich sources in the conceptual history of civil society, from which its frequently highlighted function of controlling and delimiting the exercise of state power is derived. Theorists interested in post-authoritarian settings have understandably emphasised this function of civil society. After all, regime change to democracy entails a fundamental shift in state-society relationships. In authoritarian regimes, society is subject to arbitrary direction by state authorities. Individual rights and the resulting social life are at the mercy of the authoritarian rulers. In democracies, individuals and society acquire an object status. Individuals are endowed with inalienable rights, which deserve protection by state agencies. Society, or the pluralism of social groups, is to be taken into account in the making of publicly binding decisions subsequently enforced by the state. In order to assure that the making and enforcement of decisions neither violate individual rights nor disregard the needs, interests or values of significant social groups, democratic regimes comprise a number of institutional devices along with the vertical and horizontal dimensions mentioned earlier. Given the existence of such mechanisms securing private autonomy, both individual and social, civil society is concerned less with direct protection but with the observance of the proper functioning of these institutional devices. While in established democracies such institutions may be largely sufficient to contain an arbitrary and irresponsible exercise of state power, new democracies usually suffer from these institutions being either deficient or absent, one of the legacies of the authoritarianism. In such contexts, civil society also has the potential to fill this institutional gap and act as a direct safeguard of the private until such time as institutional protection of individuals' and society's object status is more properly in place and regulates state-society relationships.

In going beyond the somewhat opaque notion of the state, whose exercise of power is limited and monitored by civil society, many theorists have identified more concrete ways, through which civil society performs this control function. Firstly, many organisations within civil society are directly and explicitly involved in the control of state and political actors, as well as democracy-building activities. These can include the monitoring of government policies, elections, and the treatment of legal cases before courts. Moreover, they elaborate concrete reform projects geared at strengthening the responsiveness of state and political actors through developing institutional frameworks, such as legislative proposals for electoral systems or the decentralisation of state authorities. In that the information compiled by such organisations is made accessible to the public at large, both nationally and internationally, civil society organisations can put significant pressure on governments, political parties, courts and others to act in accordance with the institutional provisions of democracy and even to further develop them. This points to a second aspect of exerting the control function: the dissemination of information on any ongoing political processes. The mass media, chiefly independent newspapers and journals, publishing houses, TV and radio stations expose, otherwise and often incomprehensible, political processes to the wider public. More selectively, many organisations pursuing particular interests or values, such as trade unions or religious institutions, inform their constituencies about the political treatment of issues especially salient to the social groups they represent.

Policy Think Tanks in Poland and Slovakia

Independent monitoring of the policy process, analysis and promotion of policy options, expertise and advise lent to parliaments and governments, and provision of information to a broader public are tasks typically, although not exclusively, covered by think tanks.[523] In so doing, independent policy institutes constitute an important contributor to the democratic process of political decision-making, and they form a small but integral part of civil society. According to a recent directory of think tanks in Central and Eastern Europe, twelve such policy institutes are operational in Poland and Slovakia, respectively.[524] With this comparably dense landscape, both countries outnumber most of their neighbours in the region by far. Polish and Slovak think tanks cover a wide array of thematic fields, from domestic politics to foreign affairs, from economic reform to environmental questions, from civil society development to public opinion research. They do so commonly through a mix of activities, including research and analysis, consulting and advocacy, education and training, conferences, seminars and publications. Judging from some of the most visible think tanks in these countries (such as the Institute of Public Affairs, the Center for International Relations, the Institute for Private Enterprise and Democracy, and the Institute for Sustainable Development in Poland, and the Slovak Foreign Policy Association, the Institute of Public Affairs, and the Social Policy Analysis Center in Slovakia), independent policy institutions have established themselves as influential players in the political and public debate in both countries, with an extensive media presence, dozens of analyses, policy papers and expert publications each year, and a growing capacity to raise awareness of alternative policy options and upcoming policy priorities. In pursuing their activities, policy institutes are certainly without ideological orientations, in most cases of a liberal nature, yet they are not typically aligned with specific political parties. Nor are they part of the state administration, as they are commonly registered as foundations or other forms of civil society organisation.[525] This allows them to make a contribution to the political process in Poland and Slovakia that is not only independent but also far greater in visibility and substance than their number would suggest.[526]

---

[523] Detailed discussions of the significance of think tanks for the political process are provided by Smith 1991, McGann & Weaver 2000, and Abelson 2002.

[524] Freedom House 1999: 185ff.

[525] UNDP 2003: 69.

[526] For a more comprehensive overview of the development and role of policy think tanks in the four countries analysed here, in Central and Eastern Europe, and beyond, see also CIPE 1996, Struyk 1999, Struyk 2000, Krastev 2000, OSI 2002 and OSI 2003.

A third dimension of this control function is the resistance, which organisations within civil society can potentially mobilise against political actors in office, whether they be individuals, political parties or specific social groups, against sections of the state administration, or against particular government policies. Depending on the particular issue, which is considered to have been handled inadequately, mobilisation may be restricted to particular social groups or extend to the populace at large. The resistance so mobilised may take a wide range of forms, from an organised political opposition and its participation in elections to legal proceedings initiated against incumbents and from street demonstrations to strikes.[527]

Finally, an issue often highlighted by democratic theorists relates to so-called “authoritarian enclaves”. The establishment of a democratic regime at the level of the nation-state often leaves the political and social relationships at regional and local levels untouched. In particular, in rural and less developed regions, traditional, patriarchal and clientelistic relationships persist and long-standing socio-economic inequalities translate directly into differential impacts on the political decision-making of state authorities. Such base political inequalities impede the functioning of a given newly democratic regime in that socio-economic status gains supremacy over democratic procedures. This is most likely to alienate those disadvantaged sectors of the population from democracy. If the tight coupling between the socio-economically influential and the state authorities remains unchanged, there is obviously little advantage to democracy altogether. By means of politically representing marginalised groups, or equally by materially empowering them in order to end socio-economic dependencies resulting in political inequality, civil society organisations can contribute to democratisation at these sub-national levels.[528]

These various aspects show how civil society acts as a watch-dog over the delicate relationships between state and society, and thus contributes to democratic consolidation. Monitoring of political processes and potential mobilisation of resistance strengthen society’s object status and force politics to proceed in compliance with democratic principles and procedures. Concrete legislative proposals launched by civil society contribute to the further elaboration, decentralisation and democratisation of the institutional framework of a given democratic regime. The instigation of such institutional improvements is particularly important and visible when it comes to the devolution of politics towards sub-national levels of governance. Through a combination of legislative projects of territorial decentralisation with the empowerment of locally and regionally marginalised groups, civil society generates impulses for a trickling-down of democracy from the national to sub-national levels. Civil society, thus, reduces the leeway of state and political actors to make and enforce public decisions in an arbitrary rather than procedurally accurate and socially responsive manner. Needless to say, a successful performance of this control function also affects the informal side of democratic regimes in that it positively contributes to their legitimacy. The information provided by civil society on institutional formats, processes and results enlightens the public about the various dimensions of the democratic political regime it lives in. As cognition is fundamental for legitimacy, the provision of detailed knowledge contributes to the acceptance and appreciation of democracy and its institutions. In addition, through the reinforcement of procedural accuracy and the dissemination of information about democratic political processes and their outcomes, civil society also generates a strong element of procedural legitimacy. In sum, the control of state and political power exercised by civil society contributes to expanding the democratic effectiveness and legitimacy of political regimes and, thus, to further approximation of the democratic ideal.

---

[527] Studies of such resistance have been presented Ekiert & Kubik 1999 on Poland and Szabó 1996. An excellent example is also the Civic Campaign OK ’98, which led to the electoral success of the democratic opposition in Slovakia; see Bútora & Demeš 1999. Naturally, the mobilising capacity of civil society can also support state policies, as was the case with civic campaigns preceding the referenda on EU accession in East-Central Europe in 2003; see Demeš & Forbrig 2003.

[528] Exemplary studies relating to “authoritarian enclaves” have been conducted by Fox 1994 and Keck 1995.

The Hegelian Function: Interest Mediation. If the outlined control function mainly relates to 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. Assertions that civil society can potentially perform an important function in addressing this problem are also supported by a long line of political thinkers. The heterogeneity of human communities and the problem of arriving at public decisions was early recognised by political thought, as is evident from the medieval conception of the *Ständestaat*. However, it was only with the dawn of modernity that this problem became particularly salient for political philosophy. On the one hand, the degree of societal pluralism increased at an accelerating pace, as individual achievement and decision rather than ascription became definitive for membership in social groups. On the other hand, with the emergence of the state, the scope of generalisable decisions grew sharply, as ever wider areas of social life required regulation by political decision. The answers to this problem provided by political thinkers differed largely.

Montesquieu's scheme of *corps intermédiaires* still drew largely on the medieval concept of the *Ständestaat*. Based on stable (ascriptive) memberships and strict structural and functional separation of the various intermediary bodies, this concept essentially created a range of separate publics, aggregating the interests of particular portions of society and which governed themselves from within and were rarely concerned with generalisable political decisions. Montesquieu's approach attempted at decreasing the heterogeneity of the publics, for which decisions were to be made. The opposite approach was taken by liberal thinkers. Social differentiation and pluralism were explicitly appreciated as being advantageous for the development of society, whether in the largely economic terms of the Scottish Enlightenment or more generally for the American founding fathers and contemporary liberals. In an attempt to minimise, if not resolve, the problem of arriving at generalisable decisions under conditions of such heterogeneity, liberal thinkers proposed to drastically reduce the scope of public decision-making. However, both models were, as a general institutional device, soon rendered dysfunctional by the realities of modern societies. While social pluralism became too complex to be institutionalised in separate publics, the problematic consequences of unrestrained social interaction increasingly necessitated public intervention.

In acknowledgement of this twin difficulty, middle ways were suggested by subsequent authors. In the Hegelian concept described earlier, estates and particularly *Corporations* are central and institutionalised elements of interest mediation. In that they are self-organising and self-governing bodies, based upon and aggregating the interests of a specific social stratum, these entities resemble the separate publics suggested by Montesquieu.[529] However, through their representation in the *Estate Assembly* these intermediary bodies are also directly involved in the making of decisions binding for society as a whole. Hegel consequently translates the permanent need for generating decisions binding across particular social groups into the continuous inclusion of these groups in public decision-making processes.

With very much the same intention, but in a different way, Tocqueville attempted at resolving this problem. He distinguishes between political and civil associations, which eventually institutionalise a distinct arena for issues, interests and beliefs of relevance to the public on the one hand and another arena for those about which free social interaction is considered unproblematic and desirable, on the other. The former were to be adopted by political associations, soon to become parties, which sought public office in order to address questions of public importance. The latter were to be reflected by a universe of free civil associations, whose interaction did not require public intervention.

Common to the thought of these classical authors and many of their more recent disciples is the assumption that interests exist, that their shared character is perceived, that they automatically materialise in organisational forms articulating and representing them, and that they find equal recognition during the making of public decisions. Later authors have questioned this assumption. It has been pointed to the fact that interests differ significantly in their perceptibility and organisability, and in the recognition and access they are given in and to decision-making processes.[530] Besides the mediation of well-established interests, an important aspect is then said to be the generation and publicisation of interests that are new or otherwise not conceived of in their shared character, the articulation of such neglected, marginalised or excluded interests, and their representation to decision makers.

---

[529] The important difference between Montesquieu and Hegel is that, for the former, membership in these entities was largely based on ascription, while the latter proposed access to membership through achievement.

[530] Schattschneider 1975; Truman 1958.

All these authors have left, in one way or another, their imprint on contemporary considerations of civil society's role in democratic regimes, and in particular in new democracies. The point of departure is again authoritarianism, where the mediation of societal interests into decision-making processes is largely, if not completely, absent. Intermediary structures serve as another means of top-down control, direction and interference for the state. In contradistinction, democracy is by definition a political arrangement, in which bottom-up input and responsiveness are institutionalised, in that the concerns of different social groups form the major basis for decision-making. Regime change to democracy, then, requires the establishment of various structures of interest mediation. It is in this respect that theorists have emphasised the potential of civil society, whose contribution generally takes two major forms, which parallel the input and output functions of a political system.

Firstly, it is frequently highlighted that civil society embodies an important supplement to political representation, or the input of societal interests to the political system, through political parties. In democracies, political parties are often considered the central mechanism for the representation of societal interests to decision-making processes. This prominence has resulted in a problematic monopolisation of political representation by parties, with other forms of interest mediation being, considered to be less if at all legitimate by political actors or seen to be of lesser importance for the functioning of the democratic regime. This exclusive focus neglects several shortcomings in the efficacy of representation through political parties, such that could be alleviated by complementary forms of interest mediation through civil society.

A contextual problem in situations of regime change to democracy is frequently the lack of well-established political parties, another well known legacy of the previous authoritarian regime. Parties which, because they were permitted to continue their activity during the previous regime, dispose of developed organisational structures and resources, are oftentimes discredited due to perceived collaboration with that regime. New and possibly more trustworthy parties, on the other hand, need time to develop, build up party apparatuses, and develop a firm anchorage in society. As a result, and for as long as the gradual stabilisation of party systems lasts, the representation of social interests through parties is significantly inhibited. It is here that organisations within civil society may compensate for the deficiencies of party systems, through the aggregation of the interests of particular constituencies and their articulation to decision-making processes through other channels than the electoral.

In addition to this new-democracy specific deficit, interest mediation through political parties is also functionally constrained, in ways for which civil society can potentially compensate.[531] The logic of electoral competition both forces political parties to seek vote maximisation and subjects them to the electoral cycle. Vote maximisation requires parties to go beyond sections of the electorate defined by particular social characteristics. Such a broadening of the potential, and possibly actual, support basis of a given party in society can, however, only be achieved through a higher level of interest aggregation and generalisation in order to be attractive to a wider and, therefore, more diverse electorate. This has two implications.

On the one hand, the interests of all those groups addressed and represented by a given political party are necessarily watered down in order to fit the general aggregation of interests specific to that party. Among the groups included, it may be considered necessary to address its specific interests more forcefully than is possible through party political channels. Organisations within civil society can facilitate this more focused articulation of interests, as they are not to the same extent as political parties compelled to cut across social groups and interests.

On the other hand, the interests of some groups may not find their way into the programmes aggregated by political parties, be it that they are considered too insignificant a minority, or be it that their interests are not clearly enough delineated and articulated. In these cases, social groups may find it promising to supplement or substitute party political representation with the alternative channels of interest mediation offered by civil society. In so bypassing the political party system, minorities can voice their concerns and newly emerging interests can be formulated and articulated, and can eventually find their entrance into the political agenda.[532]

Further, interest representation via political parties is subject to the electoral cycle. Rather than continuously mediating a given interest to decision-making processes for as long as this interest is relevant, party political representation functions in waves punctuated by elections. Ups are likely to occur in the run-up to elections and whenever the support of a given portion of a party's electorate is needed. During other periods, when elections are far away or if the support of particular social groups seems secure, the interests of the various sections of a political party's electorate are likely to be mediated in a less pronounced way. Civil society offers channels of more continuous interest mediation without such oscillations in intensity.

Finally, not all interests, beliefs and passions within society require political representation via parties and intervention through generally binding decisions. Many interests are simply non-political in nature, and their pursuit within civil society does not affect the larger public. There are others, however, which concern clearly defined issues, such as labour-capital relationships, which cannot be regulated by a one-time political decision but require representation of competing interests, negotiations between them, and decision-making on an ongoing basis. Rather than continuously representing them through political parties and making them subject to permanent political intervention, it is within civil society that these issues may be mediated, negotiated and decided about in specialised arenas, separate publics, or *concertation regimes*.[533]

---

[531] Lehmbruch 1979.

[532] Merkel 1999.

In these various respects, civil society as a supplementary channel of political representation can make important contributions on the input side of the political system, that is, it provides decision-making processes with the issues and positions relevant to diverse social groups. In some instances, this interest mediation through civil society even extends beyond representation and involves direct negotiations and decision-making by different social groups. In that it includes elements of enforcement of decisions within social groups, this last aspect already touches upon the second dimension of interest mediation, where civil society can make a similar contribution to democracy. After all, and as the very term "mediation" indicates, interest mediation is not a unidirectional process limited to the representation of interests. In addition to this input, civil society can also affect outputs produced by the political system, that is, the enforcement of political decisions.

The underlying assumption here is that representation and involvement of social interests and groups through civil society organisations in the making of decisions affecting them yields greater acceptance for those policies among the participant interests and groups. It makes these decisions more sustainable than they would have been, had they been made exclusively by remote public officials without the mediation and consultation of civil society. The organisations representing various social groups generate this acceptance in a number of ways.

In that organisations are in direct contact, consultation and negotiation with decision-makers, they decrease the perceived distance between individuals and groups, on the one hand, and often unknown institutions and personalities, on the other. The increased proximity makes it less likely that individuals and groups become alienated from political processes, actors and outcomes. In that an organisation can distribute detailed and specialised information about the process leading to and the factors shaping a particular policy, they make concrete what otherwise risk to be abstract and opaque processes. This increases the understanding of the issue on part of its members, who would otherwise be entirely dependent upon the more general information available from official sources and the media. In that organisations avail of instruments shaping and governing the behaviour of their members, they can also directly enforce a particular policy. Such guidance by a known and entrusted organisation is likely to be more acceptable for its members. Civil society organisations, thus, directly relieve the state, whose policing in the given matter is rendered obsolete.

---

[533] Concertation regimes are one of the partial regimes suggested by Schmitter; see fn. 47.

Such generation of societal support and acceptance for particular policies through civil society appears to be particularly important in contexts of regime change, where a number of fundamental political and economic reforms need to be undertaken. Without the widespread support of significant sections of the populace, many of these structural reforms are likely to either fail or result in social turmoil. In both cases, the functioning of newly democratic systems is seriously hampered. With the involvement and consultation, information and governance of various social groups through civil society, on the other hand, such fundamental structural reforms, as well as more detailed and every-day political decisions, stand a better chance of success. At the same time, such more inclusive and democratic processes of decision-making will also contribute to establishing the newly democratic regime more firmly.

Interest Reconciliation Councils in East-Central Europe

From the very outset of the post-1989 reform process, Poland, Hungary and then Czechoslovakia established country-level arenas for trilateral consultation and negotiation between the state, employers and employees. These interest reconciliation councils were based on the acknowledgement that any necessary economic and social reforms would stand a greater chance of success if all sides affected were involved in their elaboration and implementation. Accordingly, the Hungarian Interest Reconciliation Council, the Polish Tripartite Commission for Social and Economic Affairs, the Czechoslovak Council of Economic and Social Agreement (and its successors, the Czech Council for the Dialogue of Social Partners and the Slovak Council of Economic and Social Agreement), all had as their primary function "to be involved in pre-legislative consultation on economic and social issues and general consultation on issues of national (or sectoral) importance affecting labour relations and employment relationships."[534] In addition to this policy and reform agenda, interest reconciliation councils were also conceived as the national level within a multi-layer system of industrial relations and collective bargaining. On both accounts, these fora yielded mixed results. Generally, trilateral negotiations were comparably successful on distributive measures, such as wages, prices, taxes and compensation, which resulted in a series of general annual agreements in the Czech Republic, Hungary and Slovakia.[535] In turn, the impact of these councils on developing economic and social policies turned out to be limited. Partly as a result, the initial consensus between all parties concerned on social dialogue and its benefits weakened, and the functioning

---

[534] Ladó 1996: 163. For an overview of interest reconciliation councils in East-Central Europe, see Casale 1999. In Hungary, the Interest Reconciliation Council (ÉT) was established in 1990 and dissolved in 1998; for more detail, see Héthy 1996, Ladó 1996 and Héthy 1999. The Polish Tripartite Commission for Social and Economic Affairs was founded in 1994 and functioned until 1999; for more detail, see Hausner 1996 and Sobótka 1999. In Czechoslovakia, the Council of Economic and Social Agreement (RHSD) came into being in 1990. After the separation of the Czech and Slovak Republics, the RSHD continued to function in Slovakia (see Cambaliková 1996; Machaliková 1999) while in the Czech Republic, the successor Council for the Dialogue of Social Partners was established only in 1995 (Kubinková 1999).

[535] Such national annual agreements were concluded from 1990 to 1993 in the Czech Republic (Kubinková 1999: 128f), from 1996 to 1998 in Hungary (Héthy 1999: 190), and from 1991 to 1996 in Slovakia (Cambaliková 1996: 196ff; Machaliková 1999: 296).

Forbrig, Joerg (2004), Civil Society: Theory and practice in East-Central Europe
European University Institute DOI: 10.2870/42402

of these fora was increasingly disrupted in all the four countries since the mid-1990s. It has been recently possible to observe efforts to strengthen interest reconciliation once again.[536]

Through interest mediation, civil society exerts a significant impact on democratic consolidation. It appears to be an important supplement to institutions of governance as mentioned above. While these traditionally revolve around political parties, the additional channels of interest articulation, aggregation and representation provided by civil society contribute to a more differentiated institutional framework for governance. This increased complexity, in turn, is more commensurate with the pluralism of contemporary societies, their high degrees of differentiation and the resulting vast spectrum of interests, beliefs, values and passions. Given the functional (and, in cases of recent regime change to democracy, also the contextual) restraints facing political parties, it is only through civil society that many of these various societal concerns can be represented to political processes. Thus ensuring a greater representativeness of political decisions, civil society is, indeed, an indispensable element of democratic governance. In turn, the incorporation of social groups with competing and conflicting interests in decision-making processes generates societal support and acceptance of public policies. In that civil society facilitates the enforcement of such decisions, it alleviates the burden of executive actions otherwise fully resting on the shoulders of the state bureaucracy. While civil society's inclusiveness and the resulting representativeness of policies contributes to the legitimacy of democratic regimes, it also adds to their efficiency by partly relieving the state bureaucracy of the enforcement of political decisions.

The Pluralist Function: Social Integration. Distinct from the previous functions of controlling the state and mediating interests, which relate to the political processes of decision-making, this third function shifts the focus towards social relationships and social cohesion. The underlying assumption is that no political community is sustainable unless the society at its basis is held together by some measure of social integration overarching the differences among, firstly, individuals and, secondly, social groups, thereby containing the disruptive potential generated by difference. Social integration, thus, entails two broad moments: the integration of individuals into social groups, and the integration of various social groups into society.

It has been mentioned earlier that it was with the dawn of modernity that the question of social integration became particularly salient, and that the theoretical responses to this challenge and the position of civil society within them began to differ significantly. To some extent, this differential treatment of civil society within theoretical concepts tackling the challenges of modernity is related to the question of social integration. It appears that modern theorists usually emphasise one of the above mentioned moments over the other. While this selectivity certainly had problematic consequences, as outlined above, it also enriched thought on civil society's possible contribution to social integration, its third function discussed here.

---

[536] Kubinková 1999: 133; Héthy 1999: 195f.

Thinkers in the liberal tradition commonly emphasised the first moment of social integration that is the integration of individuals into social groups, in that the associative capacity of individuals is central for social relationships. Individuals freely associate on the basis of some commonality: a shared economic interest as emphasised by the Scottish Enlightenment, or more broadly conceived political and economic, social and cultural interests, beliefs and passions shared by individuals in the thought of the American founding fathers and Tocqueville. Social integration in this line of thought is fostered through *associability* along with the common interests of different individuals. Although some of these theorists acknowledged the problems and conflicts potentially arising from societal pluralism embodied in associations, the thrust of this perspective of social integration nevertheless lies with the first of the two moments and fell short of a similar consideration of the integration of these associations or social groups into society. The latter was assumed to occur naturally. However, the aspect of *associability*, as a primary property of civil society, derived from liberal thought figures prominently in the contribution of civil society to social integration.

Rather than emphasising the advantageous aspect of the associative individual, other thinkers took issue with the problem of integrating various social groups and of generating necessary social cohesion. Their focus lay with the second moment of social integration. Their point of departure was the a priori existence of difference as embodied in different social groups. The consequent question was how to regulate differences between these groups and overcome the tensions and conflicts potentially arising from them. Earlier concepts, such as that of the medieval *Ständestaat* and Montesquieu's scheme of *corps intermédiaires*, attempted at regulating this pluralism by assigning particular privileges to specific social groups. Contrary to that, the three modern responses of Republicanism, Nationalism and Marxism took the more radical position, outlined above, aiming at overcoming difference altogether, either in the civic community, the nation or in a yet to be established "true democracy." The particular solution suggested and its implications for civil society notwithstanding, this perspective drew attention to the fact that social integration cannot be considered as an automatic outcome of the associative capacities of individuals, but that the pluralism reflected in civil society is in permanent tension with the necessary overall integration of societies.

In contrast to the selective perspective on either one of the moments of social integration presented by these two strands, Hegel was the first to clearly acknowledge and conceptualise the gradual character of social integration leading from individuals via social groups to society and thus encompassing both these moments. As was outlined above, civil society in his view is the middle realm where mechanisms of social integration are at work that correspond to both moments. Individuals are, particularly on the basis of socio-economic differentiation and stratification, integrated in estates as well as *Corporations*. These are integrated into the larger social and political community specifically through political representation in the *Estate Assembly*, conflict regulation through the *Administration of Justice*, and intervention and redistribution through the *Police*. While Hegel viewed social integration as a more comprehensive and gradual process than his predecessors, the segmented nature of society he advocated appears to be problematic. In his view, the social groups formed by individuals on the basis of their position in the *system of needs* are segments, mutually exclusive in terms of membership and sufficiently encompassing in that they cater for all the needs, interests, beliefs and identities of their members. Consequently, these social groups basically did not overlap, but co-existing while segregated.

Pluralist (group) theorists questioned this view and claimed that, given the high degree of differentiation, such a segmented structure is inappropriate and insufficiently complex to reflect the identity of modern individuals and the resultant pluralism of modern societies. Social groups and associations emerge on the basis of some clearly defined, shared property that, however, represents only one element within the idiosyncratic combination of interests, beliefs, values and passions of a given individual, in other words, his or her identity. Hence, the existence of those other elements makes individuals belong to various social groups. The pursuit of those other interests requires individuals to join a variety of associations and hold parallel associative memberships. In civil society, these multiple identities find their organisational reflection both in numerous associations pursuing a vast range of interests and in multiple individual memberships in several associations. Inasmuch as various elements of an individual identity may and do come into confrontation with one another, memberships in different social groups and associations come into conflict, as the goals pursued or the strategies applied often contradict one another. As pluralist theorists have emphasised time and again, these cross-pressures have an important implication for social relationships and, as these have political consequences, on the functioning of the political regime. On the individual level, the fragile coexistence of conflicting interests tends to have a moderating effect, as no particular element is being asserted in an absolute and uncompromising way, which would aggravate the tensions between this particular, and other interests, forming an individual's identity. On the organisational level, associations are likely to also moderate the interests and strategies they put forth, as otherwise they put at risk the support of their otherwise heterogeneous constituencies. As a result, social relationships become moderated rather than polarised, which increases social integration across various social groups.[537]

It is mainly in this pluralist sense that theorists of regime change to democracy have conceived of civil society's contribution to social integration. Societies are generally characterised by a number of specific cleavages that divide the populace along with political and economic, social and cultural lines, and which form the basis for permanent social and political conflict.[538] In established democratic regimes, various institutional arrangements are in place that mitigate against the aggravation of political conflict along with particular cleavages, threatening the integration of a given society and polity.[539] Newly democratic regimes, however, face a double problem. Firstly, they usually lack institutionalised mechanisms that would tame deeply entrenched social cleavages or, where such mechanisms existed, they are put into question by as considered a legacy of the previous authoritarian regime. Secondly, social cleavages in newly democratised regimes often attain particular significance due to the fact that authoritarian regimes either suppress or instrumentalise social cleavages. As a result, cleavages can become particularly explosive lines of social and political conflict, once they can be freely expressed with transition to democracy. Thus aggravated, social cleavages may lead to social disintegration. With a social basis so undermined, the survival of the entire polity and democracy is at risk.

In such a situation, the pluralist function of civil society becomes particularly crucial.[540] A pluralistic web of associations and multiple memberships can create constituencies that overlap and cut across long-standing social cleavages. The moderating effects this has on both individuals and associations representing social groups and interests can contribute to decreasing the significance and explosive potential of those more traditional lines of conflict. In addition to the first moment of social integration, the association of individuals, civil society can also contribute to the second moment, the integration of various social groups into society, in that it mitigates against the polarising and disintegrating potential of inherited social cleavages in particular, but also of societal pluralism more generally. Needless to say, social relationships thus stabilised are less likely to result in disruptive political conflict challenging the democratic regime.

As regards democratic consolidation, civil society makes a significant contribution to both creating and maintaining the demos underlying a given democratic polity. It was mentioned earlier that consolidation of democracy cannot occur if the boundaries of the respective polity are in question, be it that its territorial integrity is contested or be it that portions of the populace are denied participation in politics. Boundary questions of this kind are usually linked to the existence of deep-seated social cleavages. Consequently, civil society's effects for social integration assume critical importance for constituting polities as a pre-requisite of democratic consolidation. In less extreme cases, where such boundary questions are less salient, civil society nevertheless plays an important role for the maintenance of the integrity of democratic polities, as in nature it counters the polarising and potentially disruptive dynamics inherent to the many differences to be found in contemporary societies. Hence, through constitution and/or maintenance of a socially integrated demos, civil society makes an important contribution to democratic consolidation.

---

[537] See exemplarily Truman 1951: 157, 508-514; Lipset 1969: 211ff. In a more recent version, the result of such a dense network of associations with overlapping memberships is coined social capital; see Putnam 1993.

[538] The classic essay on cleavage structures and their political significance is Lipset & Rokkan 1967. An identification and mapping of social and political cleavages in six post-communist countries (Czech republic, Hungary, Lithuania, Poland, Slovakia, and Ukraine) was undertaken recently; see RSS 1999: 59).

[539] Examples for such institutions are consociational arrangements and forms of territorial and functional autonomy (in response to cultural, ethnic and/or religious cleavages) and established arenas for negotiation among competing interests, as in the case of labour-capital relationships.

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.[541] This informal dimension is an integral part of any political regime in the sense that any regime, whether totalitarian, authoritarian or democratic in nature, requires particular political cultures. If political regimes, be they democratic or not, fail to generate the attitudinal and behavioural patterns commensurate with their formal political arrangements, their long-term sustainability and functioning is put into question. In cases of regime change, in particular those from non-democratic to democratic regimes, this necessity acquires a peculiar salience, since the attitudinal and behavioural patterns cultivated under the previous regime are often diametrically opposed to those required for the smooth functioning and further development of the new democracy.[542] As mentioned previously, a democratic political culture 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*.[543] Although democratic theorists differ in their evaluation of the pace and scope, at which the populace needs to be initiated into such a democratic political culture, there is broad agreement that the persistence of dispositions strongly opposed to democracy renders a given democratic regime very vulnerable.[544]

---

[540] Diamond 1999: 245, Merkel 1999: 7.

[541] Definitions of political culture differ widely. Some authors restrict political culture to attitudinal dispositions (Almond & Verba 1963; Brown & Gray 1977), that is, "orientations to action" (Diamond 1999: 163), while others include behavioural patterns, i.e. actions themselves (White 1979; Puhle et al. 1995). For a more detailed discussion of the importance of the distinction between behaviour and attitudes, see Forbrig 2000.

[542] The most prominent studies on authoritarian political cultures are certainly *The Authoritarian Personality* (Adorno et al. 1969) and *Fear of Freedom* (Fromm 1984).

[543] Diamond 1993.

[544] Besides the above-mentioned question of behaviour and attitudes (fn. 92 – check this), theorists disagree on the issue of whether or not it is sufficient to anchor a democratic political culture on an élite level, or whether or not it also needs to be more widespread among the mass populace. On this problem, see Diamond 1999: 171ff.

The anchoring of a democratic political culture and its reproduction across generations occurs through political socialisation defined as "the process, mediated through various agencies of society, by which an individual learns politically relevant attitudinal dispositions and behaviour patterns."[545] It is precisely here that civil society's contribution to democracy is emphasised by various authors, as its associations are said to be agencies of political socialisation supplementing others, such as the family or formal educational contexts, such as schools.

The most important forerunner of this view was Tocqueville, who states explicitly in a much quoted passage that "associations may therefore be considered as large free schools, where all the members of the community go to learn the general theory of association."[546] Individual participation in the associations of civil society is claimed to inculcate 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.

It is in this very spirit that democratic theorists have highlighted the crucial role of civil society for the development of a democratic political culture. As a supplement to political parties, organisations and groups within civil society provide more frequent and more immediate opportunities for political participation. If the intra-organisational structures and procedures as well as its goals and external strategies are in accordance with democratic principles, their regular, intense and successful practice helps to generate acceptance and eventual respect for democratic norms.

While this effect is said to potentially apply to the entire citizenry, or more precisely all those being active members of civil society organisations, two additional points have been made by scholars focusing the political socialisation function of civil society more specifically on the élite level and on young people, who will only become full citizens in the future. Firstly, civil society is said to be a training and recruitment ground for a future political élite. As a by-product of their activity within civil society organisations, civic leaders acquire a number of skills qualifying them for public office. Besides the very technical capabilities required for running complex organisations and large-scale activities, experiences within civil society organisations also entail a more politico-ethical component. The functioning of an organisation is usually based upon a statute regulating its internal decision-making processes and setting standards for the transparency of these procedures and for the accountability of an organisation's leaders towards its members. Over time, adherence to such standards may inculcate civic leaders with a stronger normative commitment. Inasmuch as it is precisely this combination of technical skill and normative commitment that is required from politicians and office holders in a democratic regime, civil society has thus the potential to create a new political élite. This is particularly important in contexts, where structural or cultural factors limit access to political leadership positions.[547] Civil society, then, can provide an alternative channel to prepare prospective leaders for public office.

---

[545] Langton 1969: 5. Theories of political socialisation are discussed at length by Almond & Verba 1963: 266ff.

[546] Tocqueville 1994: vol. 2, 116. It may be worth noting that the passage cited here explicitly relates to *political associations*. His discussion, however, shows clearly that he attributes similar significance to *civil associations*.

Secondly, various organisations within civil society explicitly pursue education for democracy and citizenship. A particular target for many of these organisations is the younger generation and their civic education, be it within the formal context of the school or through out-of-school activities.[548] For the former, these organisations critically review and develop school curricula, train teachers, assemble teaching materials, and generally provide an interface between schools and civil society. Out of school, such organisations develop, offer and run programmes aimed at enhancing the participation of young people in community affairs through equipping them with skills required for effective political participation, from information on political processes to techniques of conflict-transformation. Although similar activities also target publics beyond youth, the frequent focus on children, youth, and young adults consequently acknowledges the long-term nature of politico-cultural changes so often stressed by theorists.[549]

Civic Campaigns in Slovakia

In recent years, Slovak civil society has demonstrated a remarkable ability to mobilise citizens at large. It first became apparent in 1998 when, through the Civic Campaign OK '98, civil society successfully challenged a government that had jeopardized democracy and isolated Slovakia from the democratic community of nations. Notably, in a comparable campaign in 2002, civil society helped avert that government's return to power.[550] On both occasions, civic involvement was crucial to the democratic development of the country. These initiatives arose from the concerns of civic actors about democracy in Slovakia. Elections were in peril, victim to government manipulation and widespread public apathy. In response, numerous civic groups widely distributed election-related information, encouraged citizens to vote, and monitored media coverage and the course of the elections. These multifaceted activities were, although political in relevance, strictly non-partisan in nature. The success of the two campaigns was reflected in the considerable voter turnout they helped to generate, which reached a spectacular 84 percent in 1998 and a still considerable 70 percent in 2002.[551] This would have been unthinkable had NGOs not developed effective techniques to address and mobilise the public. This expertise became important again when the Slovak government and society faced an uncertain level of voter turnout in the 2003 EU referendum. Involving civic organisations in a pre-referendum campaign consequently became part of the government strategy for securing Slovak accession to the EU. Unlike the previous occasions, the primary impulse behind the 2003 pre-referendum campaign lay with government, which launched a small-grants competition for civic organisations. Projects were eligible for support if they aimed to increase the knowledge of specific social groups on EU matters and to motivate participation in the referendum. Most projects selected combined these objectives with clear advocacy for EU membership, thus taking the campaign beyond simply increasing voter information and participation. As a result of the collaboration between government and civil society, 52.2 percent of Slovaks cast their votes on referendum day, with an overwhelming 92.5 percent supporting EU accession. It is hard to assess the precise extent to which the campaign contributed to this double majority, but it seems beyond doubt that without this joint effort, the Slovak referendum would have fallen short of the 50 percent turnout required to render the referendum valid and binding.[552]

---

[547] An exemplary structural constraint are political parties. The access to political leadership positions within the political regime oftentimes requires an individual to have climbed the ladder of the party apparatus. Outsiders, in turn, are often denied such access, their otherwise suitability for the political post in question notwithstanding. A more broadly cultural constraint relates to the access of women to such positions (Diamond 1999: 246).

[548] For an overview of the issue of youth political participation, and the role of civil society therein, see Forbrig 2004.

[549] This is certainly the essence of Dahrendorf's notion of the hour of the citizen, which "is to provide the social foundations which transform the constitution and the economy from fair-weather into all-weather institutions which can withstand the storms generated within and without, and sixty years are barely enough to lay these foundations" (Dahrendorf 1990: 93).

[550] On the OK '98 campaign, see Bútora & Demeš 1999. On the civic campaign preceding the 2002 elections, see Demeš 2002: 323ff.

It is obvious from this brief discussion that civil society as an agency of political socialisation has a significant bearing on the informal dimension of democratic consolidation, as it generates legitimacy along with several of the aspects discussed earlier. As democratic norms are equally relevant to the internal functioning and external relationships of civil society organisations, familiarisation with and first hand experience of these norms through civil society generate a stronger commitment to them over time and thus contribute to the procedural legitimacy of democracy. The successful participation in and pursuit of interests strengthens feelings of political efficacy and lends a particular legitimacy to civil society as an important institutionalised realm of governance. While, as mentioned earlier, civil society appears to be of particular importance for the political socialisation of civil leaders qua alternative political élite as well as of the younger generation, it also exerts an important influence upon the political-cultural dispositions of the broader population. Hence, civil society anchors democratic legitimacy on both élite and mass levels. Last but not least, civil society affects both behavioural patterns and attitudinal dispositions favourable for democracy, as the regular and successful exercise of democratic modes of behaviour is likely to result in an appreciation and valorisation of democratic values in the long run. With democratic legitimacy and political culture being inseparable components of a democratic political regime, civil society directly and significantly contributes to democratic consolidation through the function of political socialisation.

---

[551] Krivý 2002: 134.

[552] Demeš & Forbrig 2003.

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. In established democratic regimes, the majority of these individual and social needs are satisfied through the combined activity of the public sector of the state and private economic markets. Depending on the nature of a given good or service, that is its either public or private character, one of these two spheres usually functions as the supplier.[553] Although the proportions of goods and services provided by the one or the other of these spheres differ across countries, it is generally acknowledged that public and private sectors are necessarily complementary and function in a complex division of labour.

More recently, this simple dichotomy of public sector and private markets has been increasingly questioned. In particular economists have observed that there exists a range of organisations that cannot be easily accommodated within either one of these realms. Instead, they appear to be hybrids exposing characteristics of both public administration and private enterprise. Taking their point of departure from this observation, notable theoretical and empirical inquiries have been carried out that have now come to figure under the heading of third sector research in order to indicate the existence of a separate realm beyond the public and private sectors.[554] The organisations situated in this third sector are, as was argued above, an integral part of civil society. Their provision of specific goods and services, as it has been emphasised by this particular line of research, therefore, is an important function of civil society in the context of democratic regimes.

Theoretical approaches attempting to explain the existence and functioning of civil society organisations that cater for individual and social needs usually do so by citing a number of deficits limiting the capacity of the state and markets to satisfy certain demands made by the public at large. Economic theories focus on constraints to market performance and identify two major scenarios, both of which are the result of informational asymmetries and in the context of which economic markets fail to generate particular goods and services.[555] Market failure occurs if goods or services are not of a purely private nature, but are of a public or collective type.[556] The goods and services in question yield external benefits to parties other than seller and buyer. Interested parties and potential buyers then avail of an informational advantage over the seller. They conceal their interest in a given good or service, hoping that another party will purchase it, and thereby, enable them to free-ride. With demand so understated, sellers will find it little, if at all, profitable to offer goods of a public or collective type.[557] Contract failure, on the other hand, results from an informational asymmetry advantageous to the seller over the buyer. Some goods and services are so complex in nature that an assessment of their quality requires expertise, which is at the disposal of the seller, but is not available to most buyers. In these cases, market rationality leads suppliers to down-grade the quality of the goods and services offered in order to increase their profitability.[558] Hence, in both scenarios the market proves to be deficient in its capacity to generate goods and services of specific types. These shortcomings of the market mechanism have oftentimes led to state intervention, be it through subsidisation or quality regulation, or be it through the publicly administered provision of such goods and services. However, the capacity of the public sector for such provision is also restricted in a number of ways.

---

[553] Public and private goods are here understood strictly in the economists' sense of the terms. A good is of public nature if it has the two attributes of non-rivalry and non-excludability. Non-rivalry means that the consumption of the good in question does not limit the consumption of the same good by anyone else. Non-excludability means that the producer of the good has no possibility of preventing anyone from consuming this good. Typical examples for public goods are air pollution control or radio broadcasts. Private goods, in turn, are characterised by both rivalry of and excludability from consumption. See Pearce 1981: 345 and 352ff.

[554] Excellent overviews of the research on nonprofit organisations are provided by Rose-Ackerman 1986; Powell 1987; Anheier & Seibel 1990; Powell & Clemens 1998.

[555] Weisbrod 1988: 6.

Political theories particularly highlight two constraints to public provision of goods in democratic polities. Firstly, the public sector is restricted in its capability to satisfy diversified social demands. The state provision of public or collective goods and services is subject to the democratic process, and any positive decision for such supply needs to be legitimated by a sufficient majority. Consequently, the public sector satisfies mainly such demands that can be generalised for the populace at large. In turn, needs of exclusive relevance to particular social groups are frequently neglected by the state as a supplier.[559] Secondly, once politically decided, the provision of a given good or service is implemented through the rule-bound, publicly accountable, centralised and hierarchical structures of public administration. Bureaucratisation, however, limits the flexibility necessary to respond to both changing needs and evolving approaches to their satisfaction. The need for particular public or collective goods and services is not static. Instead, social demand changes over time, be that abruptly or gradually. This dynamic requires more or less rapid adjustments on the part of the public sector. These, however, are frequently impeded by the logic of bureaucracy and its dependence upon political decisions. This results in significant efficiency problems for public policies. An equally dynamic development affects the technological, scientific and even cultural means to provide specific goods and services. In order to identify possible improvements and more effective approaches, it is necessary to design, test and analyse alternative and innovative ways for satisfying social demands. The leeway for such experimentation is, however, very restricted in the public sector. Any such experiment is uncertain in its outcomes, and the risk of potentially having to account for costly failures more often than not forces political decision-makers to refrain from experimentation with public policies.[560]

---

[556] A collective good is a mixed type in that it shares with private goods the characteristic of rivalry of consumption while being, like public goods, non-excludable in nature. An example are public roads, whose usage is rival and non-exclusionary; see Pearce 1981: 69.

[557] Weisbrod 1988: 6.

[558] Hansmann 1986: 62

[559] Weisbrod 1988: 25-31; James 1987.

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 provided to society. It is here that theorists have emphasised the potential of civil society to perform an important compensatory function. It is argued that their simultaneous non-profit and non-governmental character enables civil society organisations to overcome the structural constraints resulting in the failure of markets and states to satisfy social demands for specific goods and services. Their non-profit status implies the absence of the profit motive as the single-most important driving force behind organisational behaviour. Bound by a non-distribution constraint, civil society organisations are prevented from directly returning any revenues to their constituencies.[561] Consequently, the rationale for organisational behaviour shifts from an activity for the sake of revenue to an activity for the sake of a particular good or service. This offsets the prohibitive effects of both market and contract failure. Public or collective goods and services can be provided, although their supply does not generate sufficient revenue. Particularly complex goods and services can be provided without being qualitatively down graded in order to achieve a higher profitability. This is possible because civil society organisations are not exclusively dependent upon and working towards yields from goods and services, but also have access to various other sources of support for their activity, such as donations, volunteer work, government grants and subsidies.

The non-governmental status of civil society organisations implies the absence of the two major constraints effective for the public sector, that is, the generalisability of social demands and the bureaucratic structures for their satisfaction. The provision of goods and services through civil society organisations is not subject to the general democratic process. Instead, it is the result of collective action undertaken by individuals and social groups, for whom a given good or service is of particular salience. Hence, it is through civil society that demands specific to a given social group, rather than universally desired by the populace at large, are catered for. Civil society organisations thus complement the public sector in meeting the diversified social needs arising in highly pluralist societies. The organisational structures, through which civil society fulfils this role, differ starkly from those of the public sector, in that they are highly de-centralised and not as strictly accountable to the general public. Instead, most civil society organisations are comparably small in size and accountable mainly to the group they represent or to the interest they pursue. These characteristics endow these organisations with a greater flexibility to meet social demands than is possible in the public sector. On the one hand, they can detect changing and newly arising social needs more quickly and provide for their satisfaction faster than a public bureaucracy, whose intervention hinges upon time-consuming political decisions. On the other hand, their leeway for experimentation with alternative ways of providing goods and services is greater than in the public sector. Given that there is no necessity of accountability to the general public, uncertainty and potential failure do not amount to a prohibitive political risk. At the same time, the incentives of setting successful precedents are comparably high. Both these aspects, then, provide civil society with the potential to address social demands with greater efficiency than can be achieved through public policies.

---

[560] Douglas 1987: 48f.

[561] Hansmann 1986: 58f.

Non-State Education in East-Central Europe

A typical area for the provision of services by civic organisations is education. Until 1989, state authorities in East-Central Europe held a virtual monopoly on educational institutions and enforced homogeneity in educational approaches and contents. Democratic reform has opened this field up to educational structures embedded in civil society. A strong impetus towards pluralising education in the region came from various religious congregations, largely from various Christian faiths and Jewish communities. These established kindergartens, primary and secondary schools, and even institutes of higher education that combine general training with a particular denominational orientation. However, secular education also underwent this development. Alternative pedagogical approaches, such as Montessori or Waldorf schools, re-emerged in the region. The university landscape was reshaped with the arrival of a range of non-state institutions that specialise in particular areas of higher education or that follow specific ideological orientations.[562] Gradually, educational structures maintained by civic organisations have become an integral part of education systems in the region, and their scope and significance has been on the steady increase, although with differences within each education system and across the countries of the region. Non-state schools play an important role in general secondary education, where they cater for about one sixth of students in Hungary and Slovakia. Comparably significant is their role in higher education, with one tenth of Hungarian university students attending non-state establishments. In turn, their share on nursery and primary school level has remained marginal. Also noticeable are the increasing differences across the four countries, with civil society playing a much larger role in education in Hungary and in Slovakia, while in the Czech Republic and in Poland, state institutions have retained their overwhelming predominance.[563] Apart from different political, legal and material conditions, the greater cultural and social heterogeneity of the former two countries seems also to be reflected in educational diversity. This lends credence to the fact that civil society can make an important contribution to making education systems more commensurate with the heterogeneity of societies in the region and beyond.

---

[562] Examples of such diversification are two universities in Budapest, both of which function as foundations. Central European University, with classes taught in English, is outspoken in its liberal orientation, while the German-taught Andrassy University commits itself explicitly to more conservative thought.

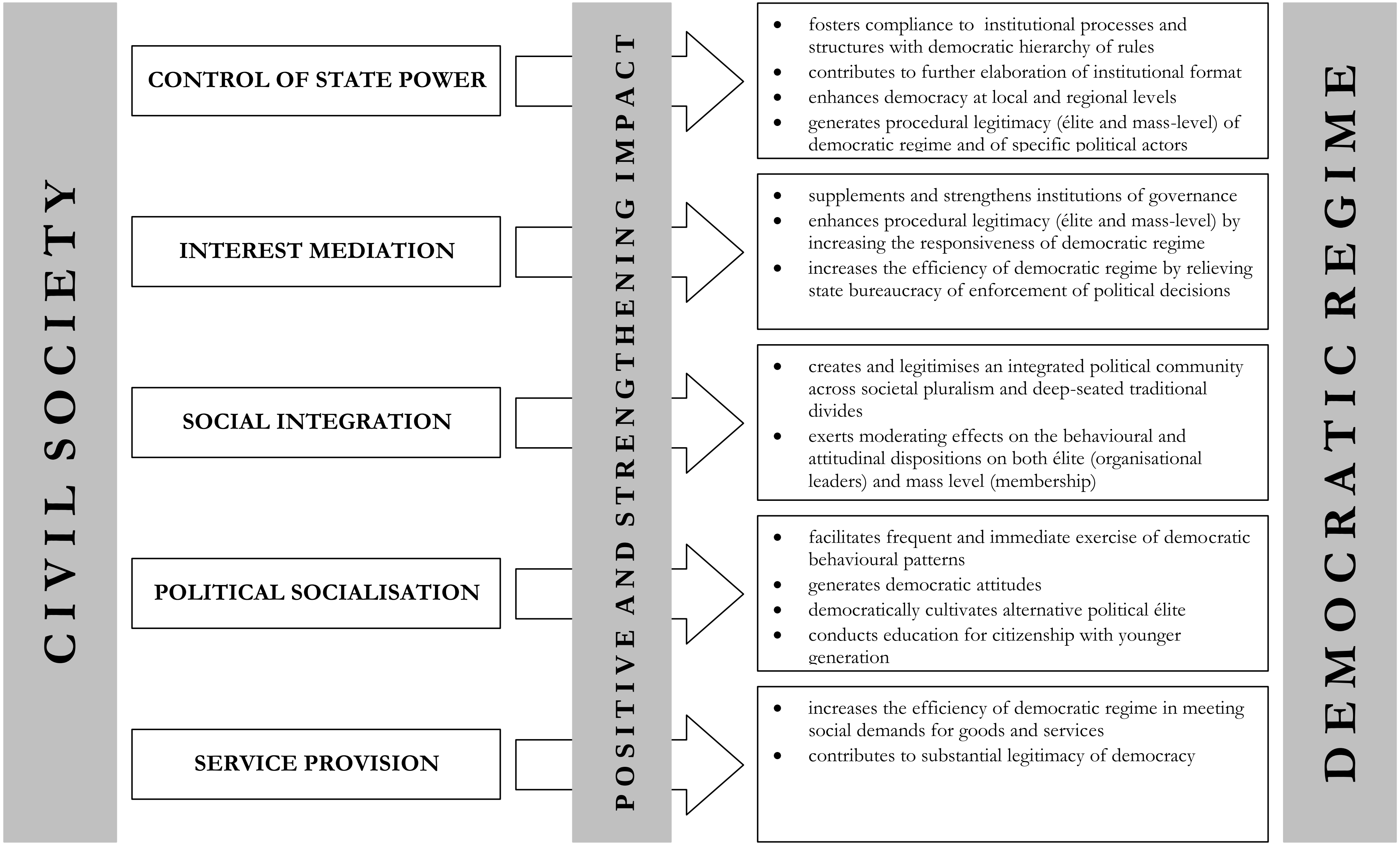
[563] Empirical portraits of education systems can be found in, for Hungary, OKI 2001; for Poland, Leś & Nałęcz 2001: 31; for Slovakia, Pišút et al. 2003: 575f.; and for the Czech Republic, ČSÚ 2000.

Through the compensatory provision of goods and services, civil society significantly contributes to the efficiency of democratic regimes. This efficiency can be understood as the extent, to which the material output generated by a social and political system satisfies the demands arising from individuals, social groups and society as a whole. In an ideal democracy, the combined activity of public sector, market and civil society would perfectly respond to all individual and social needs. In actual democracies, however, efficiency can merely approximate this optimum to a greater or lesser extent. Once achieved and maintained over time, far-reaching efficiency translates into strong substantial legitimacy of democratic regimes. Prolonged failure, or inefficiency, in the provision of socially desirable goods and services, on the other hand, directly undermines the legitimacy of democratic regimes.

Given the described deficits of the public sector and economic markets, high levels of efficiency require civil society's contribution in the form of a variety of goods and services otherwise not available. This compensation turns out to be particularly important in situations, when states or markets, or possibly both, undergo profound change. Change aggravates the "normal" deficiencies of the two realms and, thus, even further diminishes their capacity for satisfying social demand for goods and services. Regime change to democracy is such a situation. Newly democratic regimes have to carry out a number of structural reforms affecting the public sector and, in the case of previously centrally planned economies, the market. Until such time as the formal structures underlying public policies and economic activity are largely institutionalised social demands are inadequately met by the public sector and by the market. Civil society's compensatory function bridges this inefficiency and contributes to offsetting the resulting threat to the substantial legitimacy of newly democratic regimes. Once the public sector and economic markets have been sufficiently institutionalised and, thus, their deficiencies have decreased to "normal" levels, civil society's contribution continues to be important for a democratic regime to further approximate higher levels of efficiency in the response to social demands.

From the preceding considerations of the various functions of civil society, captured in Figure 25, it should be obvious how this sphere can positively contribute to the consolidation of democratic regimes, but also to the further development of established democracies more broadly. Against the background of this potential, the fact that civil society is en vogue should come as little surprise. After all, it is through the performance of these five functions that civil society addresses issues critical for both new and old democracies. 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. However, the latter, and in particular uncritical, praise of civil society loses sight of a number of problems that can be associated with this realm. It is this down side, or alternatively the curses, of civil society that the present discussion will turn to next.

Figure 25 – Blessings: The Positive Impact of Civil Society on Democratic Regimes


CIVIL SOCIETY
CONTROL OF STATE POWER
INTEREST MEDIATION
SOCIAL INTEGRATION
POLITICAL SOCIALISATION
SERVICE PROVISION
POSITIVE AND STRENGTHENING IMPACT
DEMOCRATIC REGIME

- fosters compliance to institutional processes and structures with democratic hierarchy of rules
- contributes to further elaboration of institutional format
- enhances democracy at local and regional levels
- generates procedural legitimacy (élite and mass-level) of democratic regime and of specific political actors

- supplements and strengthens institutions of governance
- enhances procedural legitimacy (élite and mass-level) by increasing the responsiveness of democratic regime
- increases the efficiency of democratic regime by relieving state bureaucracy of enforcement of political decisions

- creates and legitimises an integrated political community across societal pluralism and deep-seated traditional divides
- exerts moderating effects on the behavioural and attitudinal dispositions on both élite (organisational leaders) and mass level (membership)

- facilitates frequent and immediate exercise of democratic behavioural patterns
- generates democratic attitudes
- democratically cultivates alternative political élite
- conducts education for citizenship with younger generation

- increases the efficiency of democratic regime in meeting social demands for goods and services
- contributes to substantial legitimacy of democracy

Curses: Democratically Dysfunctional Aspects of Civil Society

Systematic explorations of the dysfunctional aspects of civil society for democracy have so far been very few and far between in the scholarly literature.[564] The fact that such problematic sides, that hinder civil society from making a positive contributions to democracy in the best case, or through which this realm directly undermines democratic regimes at worst, exist must not be ignored. A critical examination of civil society arrives at a considerable number of such dysfunctions.

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. For the former, be it incumbent governments and the state apparatus at their disposal or be it the political opposition, the co-optation of particular organisations is an instrument to strengthen their own anchorage in society and to increase their legitimacy.[565] This turns out to be particularly important if, as is common to contexts of recent regime change to democracy, party systems have not yet stabilised and developed specific constituencies. In such a situation, the potential of civil society organisations to reach, inform and mobilise particular social groups may turn out to be crucial for the political survival of a given actor and political co-optation is the attempt to tap this potential.[566]

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, societal support and material resources. This competition is aggravated in contexts, where the free expression of social pluralism through civil society has been made possible only through a recent transition to democracy. In such situations, organisational structures are particularly fragile, social embeddedness is underdeveloped and material resources are especially scarce. Political co-optation, then, is an option for civil society organisations to enhance their competitiveness and, as a result, their chances for organisational survival. An alignment with incumbent governments can enable them to receive preferential treatment when it comes to the distribution of public funds and other resources, to access to information, and co-operation with the state administration. On the other hand, those organisations aligned with the political opposition can find themselves excluded from such resources but have the prospect of benefiting if their political partners take office in the future.[567]

---

[564] See, exemplarily, Schmitter 1997: 248; Rueschemeyer 1998; Diamond 1999: 250-60; and Brysk 2000: 151-165.

[565] On such attempts of the Meciar government in Slovakia, see Benesova 1997; a similar case is made by Miszlivetz & Ertsey 1998: 78f. for Hungary. An interesting study is also Berman 1997 on the Nazi infiltration of Weimar's civil society.

[566] Co-optation is usually understood in the narrow sense of the state creating or adopting, and controlling civil society organisations. Diamond 1999: 250 and Brysk 2000: 158 emphasise the tendency of many states to co-opt organisations as a response to challenges to the state by civil society organisations. In going beyond

Governmental "NGOs" in Slovakia

By the mid-1990s, Slovak civil society had developed the basic organisational structures to cater for all essential areas of civic activity, from addressing pressing social and economic problems to representing the concerns of a wide range of social groups and interests. What is more, a functioning infrastructure had emerged for co-ordination and information, advocacy and training among civil society organisations. This growing scope and capacity put the independent civic sector increasingly at odds with successive governments of then-Prime Minister Meciar and his ruling Movement for a Democratic Slovakia (HZDS), for whom civil society became the primary threat to their own political ambitions. Their subsequent attempts at tightening government control over civil society included the strategic establishment of "politically friendly" civic organisations. In the media field, the independent Slovak Syndicate of Journalists faced the competition of a governmental Association of Slovak Journalists.[568] Among youth organisations, the established Youth Council of Slovakia (RMS) was confronted by the Slovak Youth Congress (SMS) that primarily comprised regional representatives of the youth structures of ruling parties.[569] Similar government initiatives addressed social welfare and environmental organisations. In other cases, existing civic structures came under pressure to enter into closer and political co-operation with the government. The Democratic Union of Slovak Women (DÚŽS), for example, abolished its hitherto policy of non-alignment and signed a co-operation agreement with the governing HZDS in 1996.[570] In the same vein, trade unions and business associations faced government pressure. The political acquiescence demanded by government was typically accompanied by an offer of privileged status, not least in form of advantageous access to state funding. This was facilitated by a mechanism, whereby individual ministries were the primary source of public funding for civic activities. As a result, the Pro Slovakia Fund of the Ministry of Culture, for example, clearly benefited "those associations which are closer to the government ideas concerning national culture and which showed their loyalty to the ruling coalition."[571] Besides financial implications for individual organisations, this approach of the Slovak government did much to polarise and politicise relationships between the civic and political spheres as well as within civil society. Ultimately, however, the described government efforts at influence and control over civil society failed, and the Slovak brand of neo-authoritarianism was ousted in 1998.[572]

Political co-optation must not be confused with political affiliation. The latter is an inter-dependency between civil society organisations and political parties, based on a coincidence of specific values, interests and segments of the constituency represented by both. In contrast, political co-optation is a dependency, in which civil society organisations as junior partners, are

---

this state-centred view, the present considerations understand co-optation as the dependency of civil society organisations upon political actors more broadly.

[567] The fact that civil society organisations also have incentives to ally themselves to particular political actors is rarely acknowledged. Under the heading of partisanship, Brysk 2000: 159 touches upon this eventuality.

[568] Interview with Katarina Vajdová of the Civil Society Development Foundation, Bratislava, December 2003.

[569] Bútora et al. 1997: 217.

[570] Bútora et al. 1997: 217.

[571] Bútora et al. 1997: 219.

[572] Bútora & Demeš 1999.

patronised by their political senior partners. In exchange for treatment preferential to that of competitors, civil society organisations subordinate their own agenda to the political goals of their patrons, and they turn into transmission belts for political positions. The result is an excessive politicisation of the inter-organisational relationships within civil society.

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 for 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 various social groups to clearly formulate their interests. This helps create a legitimate expectation on the part of such groups that their concerns come to 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 reinforced by civil society. The resulting inclusion of a wider range of interests, however, bears not only testimony for a greater responsiveness of political actors, but it also has direct and problematic effects on both processes and results of political decision-making.[573]

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. This is particularly problematic if, as is the case in new democracies, a number of structural reforms need to be undertaken, which require both rapid implementation and broad legitimation across a variety of social groups. Moreover, 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 achieve broad legitimacy for the outcomes.

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 of such complex interactions 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 thus expand in extent, time frame, publics affected and the costs generated by them. In the end the results are often unintended and undesirable, with all negotiating sides having difficulties to identify with them.

---

[573] Schmitter 1997: 248, Rueschemeyer 1998: 17.

Hence, although desirable from the viewpoint of ideal democracy, 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, it has long been acknowledged that social groups differ in the extent, to which they can utilise this potential of civil society and exert influence on 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, be it 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, even once some degree of formalisation is achieved, social interests and groups show significant differentials in the effectiveness of interest representation and mediation undertaken through civil society.

Business Associations in the Czech Republic

Industrial relations in older democracies rest upon well-established organisations representing economic interests. Primarily following the bottom-up dynamic of self-organisation, capital and labour have developed parallel organisational structures, although the former often appears to dispose of advantageous strategic resources. By contrast, post-1989 East-Central Europe faced the paradox that business associations needed to emerge almost completely anew, while trade unions were well-established.[574] This initial imbalance had far-reaching effects, and the Czech Republic is a case in point. The two major business associations in the country were both founded in 1990. The Union of Industry and Transport (SPČR) started as an assembly of big state-owned and later privatised enterprises. It largely represents the managerial elite and relationships originating in socialist industrial kombinats and branch ministries. This made it possible for SPČR to quickly develop into the largest and most powerful business association in the Czech Republic, accounting for 1,300 member companies employing 20 percent of the Czech labour force in 1995. The Association of Entrepreneurs of the Czech Republic, in turn, represents small companies, with a declared membership in 1992 of 200,000 that averaged fewer than 20 employees.[575] The dominant position of these two business groups was strengthened significantly when, later in 1990, the government decided to establish the tripartite Council of Economic and Social Agreement, and both associations were invited to form the backbone of the employers' side in the negotiations. This state, or top-down, impulse had lasting effects on the representation of business interests in the Czech Republic. Firstly, this invitation endowed the two organisations with a near-representational monopoly that left the business community with few, if any, alternative organisational channels for articulating their interests. Secondly, this recognition strengthened the orientation of business associations towards political incentives rather than membership interests. Thirdly, the involvement in tripartite negotiations encouraged both organisations to focus on top-level, government and national negotiations rather than on more grassroots-oriented activities, such as services for member companies or sectoral collective bargaining.[576] Taken together, these characteristics highlight the central feature of Czech business associations to date, that is, their fledgling representational function and organisational disconnect from their corporate constituency. In this situation, it should be little wonder that for many in the business community it was more promising "to ignore any form of collective action or representation and to seek advancement alone. This indeed was the logic of much of the economic transformation."[577]

---

[574] Cox & Mason 2000: 327.

[575] For more detail, see Orenstein & Desai 1997, and Myant 2000.

According to theorists, this effectiveness is largely determined by three major 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 the interest in question are important, that is, the appropriateness of the organisational form for the achievement of a specific interest, 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. Finally, the accessibility of political processes and institutions determines whether and which interests are being considered in the course of decision-making.[578] The differentials across social groups concerning these factors systematically skew interest representation through civil society and advantage some interests over others. As an example, it has been shown that "the heavenly chorus (of pluralist interest representation, J. F.) sings with a strong upper-class accent."[579]

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 certain traditional stratifications, political (in)efficacies and spheres of influence. Given the underlying differentials in organisability, strategic position, organisational capacity and government accessibility, civil society has 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. Groups thus systematically disadvantaged by representation through civil society are, over time, likely to become alienated from democratic procedures and the results they produce, both of which are so obviously ignorant of their particular interests. Their retreat from this realm and, even more problematic, their search for alternative ways of pursuing their interests, may pose serious threats to the functioning of democratic regimes.

---

[576] Orenstein & Desai 1997.
[577] Myant 2000: 3.
[578] Truman 1958: 506f.

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. Instead, organisations may equally emerge along with such cleavages.[580] Theorists have pointed to several historical instances, in which ethnically, religiously and linguistically distinct sections of the population have developed their own segregated organisational milieux. Similarly, socially and economically defined social groups, such as the working or the agrarian classes, built up highly differentiated and encompassing organisational subcultures in many countries.[581] In newly democratic regimes, it is not unlikely that the civil society organises along with specific societal divides. It was earlier raised that authoritarian regimes oftentimes either suppress or instrumentalise traditional cleavages and that it is only with transition to democracy that such differences can be expressed freely. What is more, the very process of transition to democracy itself may add an important political distinction around the position concerning the previous authoritarian regime, namely along the line of ancien regime vs. former opposition.[582] The alignment of organisational structures with specific social cleavages, however, affects the capacity of civil society to integrate a given society. Its 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 separation. In this scenario, the relationship 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 relationship to the relevant social cleavage.[583] In such a setting, social cleavages become even more entrenched through the organisational structures of civil society, thereby, exacerbating and perpetuating the significance of these divides. Civil society or, more precisely, several distinct civil societies, can contribute to the fragmentation and even, in extreme cases, disintegration of the overall society and polity.

In practise and more common than a division into several civil societies, is organisational fragmentation within a specific sector or field of activity. Organisations share a similar concern or

---

[579] Schattschneider 1975: 34f.

[580] Rueschemeyer 1998: 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" (italics in the original).

[581] The often-cited case is the *pillarisation* of Dutch society; see Lijphart 1968. Similar observations have been made about Weimar Germany by Berman 1997.

[582] In the post-communist world, Poland usually serves as the prime example, where the conflict between post-communist and post-Solidarity camps is the major characteristic of the post-1989 period. In a similar way, the Pinochet case illustrated the importance of this distinction for post-authoritarian Chile.

[583] Schmitter 1997: 248. The well-known example for such separate civil societies are the Netherlands; see Lijphart 1968.

represent comparable interests, such as charitable activities or labour representation, but they differ because of another characteristic, such as ethnic or religious affiliation or political standpoint. In terms of the organisational expression of societal pluralism, such differentiation is certainly desirable. In terms of social integration through civil society, however, such differentiation is problematic. The integrative potential of civil society is significantly diminished in that the increased homogeneity of such organisations decreases the cross-pressures on both individuals and organisations described earlier.

Trade Unions in Hungary and Poland

Organisations of labour are among those sectors of civil society that are characterised by a significant continuity of organisational structures predating the democratic changes of 1989. While in the Czech and Slovak republics, labour representation has essentially remained the domain of union structures that existed under state-socialism and that later transformed themselves, Hungary and Poland witnessed a thorough pluralisation and fragmentation of unions, with the successors of old organisations existing alongside newly established ones. Of the six national trade union federations in Hungary, three derive from pre-1989 union structures MSzOSz, SzEF and partly ASzSz, while three, the League, MOSz and ÉSzT, are genuinely newly established.[584] In Poland, OPZZ is the successor of the official state union of pre-1989 Poland, while NSZZ "Solidarność" and the smaller "Solidarność 80" grew out of the mass movement that emerged in 1980/1981.[585] This parallelism of transformed and new unions induced a historical and political fault line in labour representation that had problematic effects for both the political atmosphere and industrial relations throughout the 1990s. Politically, unions aligned with political parties along with the "ancien regime vs. former opposition" cleavage, to the extent that OPZZ and Solidarity were integrated into the party political and parliamentary landscape of Poland.[586] Unions, thus, extended political polarisation into civil society. Industrial relations were no less negatively affected by this heritage, as competition and conflict among trade unions frequently inhibited effective representation of labour interests. On the national level, politically-motivated conflict among unions paralysed interest reconciliation councils on more than one occasion.[587] Less drastically, enterprise-level bargaining is inhibited by union competition and confrontation.[588] The historical and political identity of trade unions, thus, often superseded their role as organisations of labour. This contributed to the fact that, to date, this historical cleavage remains a dominant fault line, very visibly so in Poland but to a lesser extent also in Hungary.[589]

---

[584] MSzOSz is the National Confederation of Hungarian Trade Unions, SzEF is the Trade Union Co-operation Forum, and ASzSz is the Autonomous Trade Union Confederation. The three new trade union confederations are the Democratic League of Independent Trade Unions (League/Liga), the National Federation of Workers' Councils (MOSz), and the Confederation of Unions of Professionals (ÉSzT). For more detail, see Aro & Repo 1997 and Cox & Mason 2000.

[585] OPZZ is the All-Polish Alliance of Trade Unions, while NSZZ "Solidarność" is the Independent Self-Governing Trade Union "Solidarity." "Solidarność 80" is a radical wing that split from the main confederation of Solidarity. For more detail, see Aro & Repo 1997 and Cox & Mason 2000.

[586] OPZZ was, until recently, an integral part of the Polish Alliance of the Democratic Left (SLD) and represented in the Polish parliament and SLD-led governments (1993 – 1997). Solidarity, in turn, tried to revive its movement character by establishing "Electoral Action 'Solidarity'," which won the parliamentary elections in 1997 and led the governing coalition until its defeat in the 2001 elections; see Wenzel 1998.

[587] Cox & Mason 2000.

[588] Among Hungarian and Polish enterprises with more than one trade union, about 40 percent describe union relationships in terms of competition, confrontation and opposition; see Aro & Repo 1997: 32ff.

Neither the extreme case of several separate civil societies nor the latter, more sectoral segregation naturally and inevitably amount to the disintegration of a given democratic polity. Analysts of established democracies have pointed to the role political institutions can play in bridging the social divides often exacerbated by civil society.[590] Similarly, umbrella and network structures within civil society can cut across and connect organisations otherwise separated by social cleavages. In that such mechanisms encourage and structure communication and co-operation, the detrimental effects resulting from segregation can be offset. Unfortunately, however, newly democratic regimes frequently lack such arrangements and therefore fall victim to the more or less disintegrative forces of civil society.

Non-Democratic Procedures, Goals and Strategies. It was noted earlier that civil society is an important agency of political socialisation to democracy. The habituation and eventual appreciation of democratic procedures and norms, to which civil society contributes through facilitating more frequent and immediate political participation, however, depends on the characteristics of the internal procedures of organisations, the goals pursued and the strategies applied by them. Intra-organisational procedures need to be in accordance with democratic accountability and transparency. In addition, they must allow for the genuine participation of members of the organisation in question. Organisational goals have to be strictly compatible with democratic credentials, such as human rights and social pluralism. The strategies employed in pursuit of organisational aims must under no circumstances include violence or strategies for the ongoing disruption of the political and social order. Full compliance with these norms, however, cannot be taken for granted for each and every organisation in civil society.

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.[591] An additional problem in large scale organisations are the obvious limits to genuine participation of average members. Instead of actively and frequently being part of running the organisation, rank and file involvement is reduced to rare occasions of mobilisation called for by the organisation's leadership. While these deficiencies might suggest that smaller organisations provide an environment more favourable to the political socialisation of their members, these also have specific problems. Smaller organisations are oftentimes highly personalised. They have come into being upon the initiative of few individuals and their operation largely depends upon the charisma, expertise and contacts of their founders. Such a setting makes it difficult for those beyond this small leadership circle to demand accountability and transparency, and it creates barriers to the active involvement of "outsiders" in running the affairs of the organisation.[592]

---

[589] In Polish public opinion, the split between the former communists and the former opposition dominates all other social fault lines by far, with around three quarters of the population seeing this conflict as stark or very stark; CBOS 2000: 5.

[590] Established democracies have often developed specific mechanisms to tame the problematic potential of such division and pillarisation, most notably the accommodation arrangements described by Lijphart 1968.

[591] The classic advocate of such a view is Robert Michels: "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." (Michels 1962: 365); see also Rueschemeyer 1998: 13.

While organisational structures and procedures impede political socialisation to democracy, non-democratic goals and strategies of organisations run counter to it. Some organisations represent views, which directly oppose democracy and human rights. In the extreme, some organisations promote racist, fundamentalist or revolutionary causes, and openly denigrate social pluralism and democracy. In more subtle ways, other organisations propagate the universal validity of one particular set of beliefs and values, such as religion, and thus question the value of pluralism and democracy. Whether openly or more subtly, such absolute and uncompromising goals are not conducive to positive attitudes towards democracy among the members of such organisation.[593]

Similarly problematic are organisational strategies, which undermine the functioning of the political and social order. These can openly breach or more subtly circumvent the rule of law. Organisations may address their specific constituencies or the public at large with appeals to violence, against particular persons or groups, against corporate assets, against cultural monuments, against symbols, or against government offices. Other groups may use less capital offences but nevertheless illegal means, such as corruption of government officials. Disturbances to social life are the aim of other organisational strategies, such as road blockades or strikes. Although these means of protest are oftentimes fully legal, they nevertheless have problematic implications. Depending on the strategic position of the social group using these strategies, such protests may endanger functions existential to a given society, such as energy supply, transport or health services. In such cases, entire societies are essentially taken hostage in order for a given social group to achieve its goals. Through the employment of such strategies, civil society organisations accustom their members to behavioural patterns, which are diametrically opposed to those necessary for the smooth functioning of democratic regimes. Rather than promoting legality, civility and moderation, organisations foster conscious disregard of the rule of law, violence and social irresponsibility in order to achieve a given aim. If successful, such strategies spill over and motivate other organisations and social groups to use them.[594]

---

[592] Brysk 2000: 156ff.

[593] Brysk 2000: 159f.; Rueschemeyer 1998: 14.

Contentious Politics of Farmers in Poland

In terms of protest activities, one of the most visibly contentious social groups in Poland since 1989 has been farmers. This prominence is largely to do with the very protest strategies employed by farmers, which have frequently been more militant and even drastic than those of other groups. The 1990s have witnessed two major waves of farmers' protests, with the first one between 1989 and 1993 accompanying economic shock therapy, while a second one occurred from 1998 to 2000. Viewing protest among farmers over time, the most striking observation is the increasing element of disruptive, illegal and occasionally violent action.[595] Classical strikes have gradually come to be superseded by the occupation of public buildings, road blocks, demolition of imported foodstuffs and, at times, riots, physical attacks on individuals and hunger strikes. In part, this shift is connected to the emergence of the "Samoobrona" farmers' union and party, whose organisational strategy was to defeat other agricultural lobby groups through an unprecedented radicalism in demands and methods.[596] This extremism has forced other organisations representing Polish farmers to adjust their strategies and to take a more radical direction. In employing these forms of protest, Polish farmers succeeded on a number of accounts and were granted concessions ranging from intervention prices for farming products, loans and credit guarantees, import barriers on agricultural produce from CEFTA countries, and state pensions for private farmers.[597] It is not unlikely that this successful pursuit of protest activities by Polish farmers has encouraged other groups to follow suit with their own demands, and to enforce them with comparable rigour. More problematically, this trend towards more aggressive strategies has come to affect political culture more broadly, as in the longer run, one can observe a notable increase in the popular acceptance of drastic forms of protest, such as the occupation of public buildings, road blocks or hunger strikes.[598]

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 attitudes and forms of conduct, at worst. Such a scenario seriously impedes the consolidation of democracy along with its informal dimension.

---

[594] An interesting case study of the range of possible protest strategies employed by civil society organisations is Ekiert & Kubik 1999 on Poland. Similar inquiries have been conducted for East Germany, Slovakia, Hungary and Slovenia, see Szabo 1996.

[595] Gorlach 2000 provides a detailed analysis of these two waves of farmers' protests.

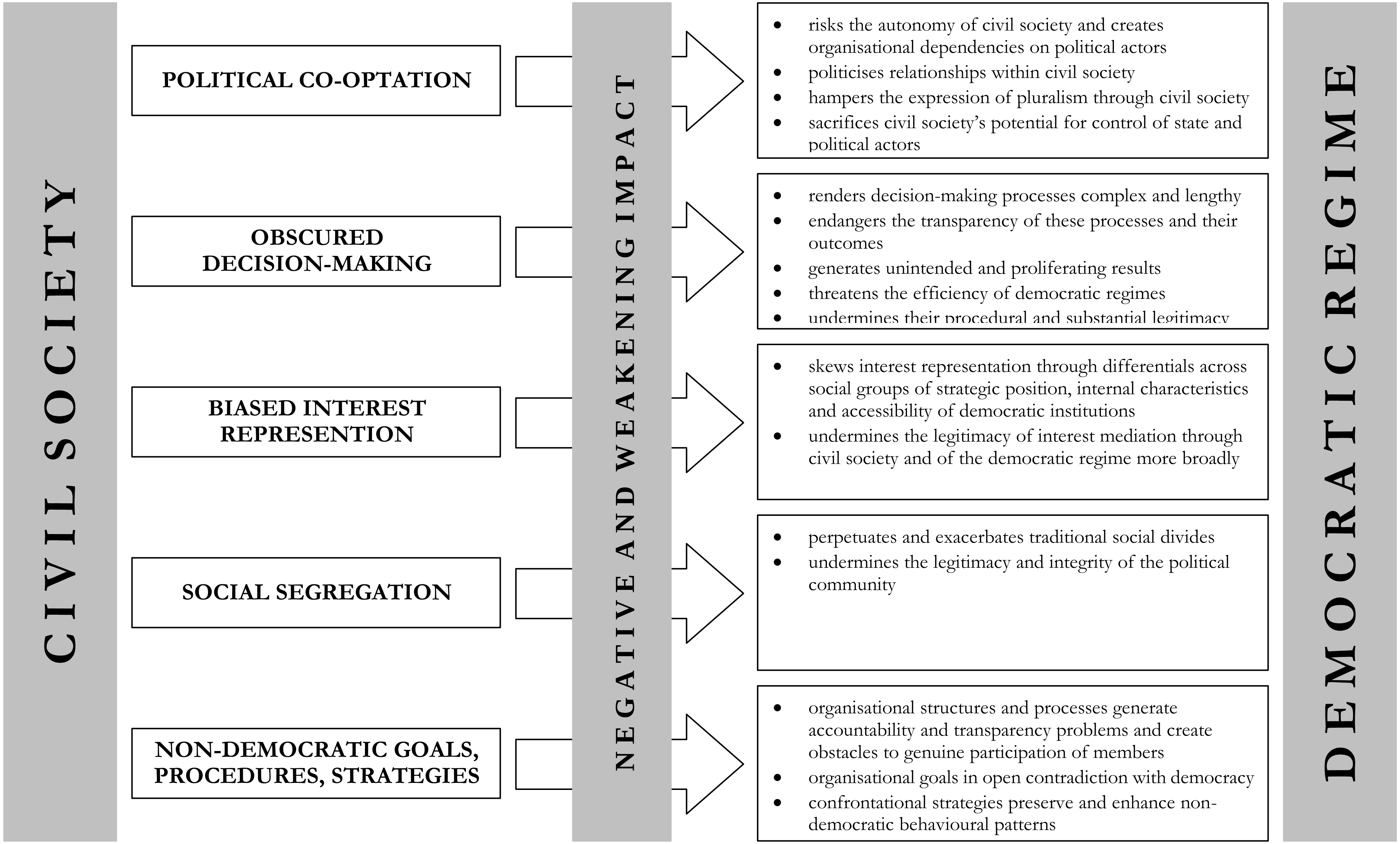
[596] "Samoobrona" (Self-Defense) was established in 1992. Very quickly, it emerged as the most active organiser of protest action among farmers. From the outset, it sought to distinguish itself from existing agricultural groups, be they affiliated with the former regime or with the former opposition and first democratic governments (Gorlach 2000). Radicalism in demands and strategies proved to be the most successful distinguishing feature, which established "Samoobrona" firmly as a rural union but one that is no less visible in its capacity as a parliamentary party since 2001.

[597] Sharman 2002. CEFTA is the Central European Free Trade Area.

[598] CBOS 2002 reports that public support for the three forms of protest mentioned has approximately doubled since the mid-1990s and currently stands at 20 – 25 percent of the population.

By way of the described problematic effects, summed up in Figure 26, civil society can impede the smooth functioning of democratic regimes and prevent their further approximation of the democratic ideal. Taken to extremes, various of these aspects can even directly threaten the survival of democratic regimes.

Figure 26 – Curses: The Negative Impact of Civil Society on Democratic Regimes


CIVIL SOCIETY
POLITICAL CO-OPTATION
OBSCURED DECISION-MAKING
BIASED INTEREST REPRESENTION
SOCIAL SEGREGATION
NON-DEMOCRATIC GOALS, PROCEDURES, STRATEGIES
NEGATIVE AND WEAKENING IMPACT
DEMOCRATIC REGIME

- risks the autonomy of civil society and creates organisational dependencies on political actors
- politicises relationships within civil society
- hampers the expression of pluralism through civil society
- sacrifices civil society's potential for control of state and political actors

- renders decision-making processes complex and lengthy
- endangers the transparency of these processes and their outcomes
- generates unintended and proliferating results
- threatens the efficiency of democratic regimes
- undermines their procedural and substantial legitimacy

- skews interest representation through differentials across social groups of strategic position, internal characteristics and accessibility of democratic institutions
- undermines the legitimacy of interest mediation through civil society and of the democratic regime more broadly

- perpetuates and exacerbates traditional social divides
- undermines the legitimacy and integrity of the political community

- organisational structures and processes generate accountability and transparency problems and create obstacles to genuine participation of members
- organisational goals in open contradiction with democracy
- confrontational strategies preserve and enhance non-democratic behavioural patterns

Properties and Ideal-Types of Civil Society

From the preceding considerations, it becomes clear that the widespread assumption of civil society as having an exclusively positive impact on democracy cannot be maintained. Instead, and as has been shown, this sphere can be as detrimental as it can be conducive to the functioning and further democratisation of democratic regimes. What is more, any existing civil society is likely to expose a specific mixture of the blessings and curses outlined above.[599] For established democracies, it is safe to assume either that the former prevail over the latter, thereby, summa summarum, rendering civil society an overall contributor to the maintenance and viability of democracy, or that specific problematic effects of this realm are offset through appropriate institutional arrangements. For newly democratic regimes, however, neither of these assumptions can be unilaterally upheld. The organisational structures of civil society have been emerging, stabilising and establishing themselves within society and polity only for a comparably short period of time. Not only does this early stage of development limit the potential of civil society to perform its various democratic functions, it also makes several of its dysfunctional aspects more likely to occur, as has been argued above.

Institutional arrangements, on the other hand, which could compensate for such problematic effects, are similarly under development, in flux, or even completely absent. Both the infancy of civil society itself and the weakness of its institutional environment, then, are likely to result in a combination of blessings and curses much less favourable for democracy, if not outright harmful to it.

Consequently, it is necessary to adopt a more critical perspective that accommodates the ambivalent nature of civil society vis-à-vis democracy. On theoretical grounds, such a view would have to conceptualise the equal possibility of a positive or negative impact on democracy. Moreover, it is necessary to envisage the possibility that the very same civil society exhibits a particular combination of blessings and curses, as was mentioned earlier. These theoretical postulates suggest a differentiation of civil society's impact on democracy along with its potential functions and dysfunctions in their relation to specific aspects of a democratic regime. On both sides of the relationship between civil society and democracy, such an approach would move to a lower level of abstraction. Such a dis-aggregation, in turn, gives rise to a third requirement to be met by the approach. In the definition provided above, civil society is conceived of as a sphere or sub-system, whose individual organisational units share a number of characteristics. In order to maintain this perspective of a somewhat integrated realm of civil society and its relationship to democracy, a more critical theoretical approach should also be open for re-aggregation. Once the more specific influences of civil society, through blessings and curses, on the particular facets of a democratic regime they relate to have been identified, these effects should be aggregated in order to characterise the impact of civil society in toto on democracy, more generally. Hence, this perspective would also have to move back up on the "ladder of abstraction."[600]

---

[599] Schmitter 1997: 248.

In its empirical application, such an approach promises to yield a number of important insights. First of all, it would be possible to assess the extent, to which civil society actually performs each of its five democratic functions and, equally important, the extent of its various dysfunctional aspects. Following on from that, the aspects of a democratic regime that are strengthened or weakened through the activity of civil society organisations could be evaluated. Secondly, and on an aggregate level, it would be possible to assess whether civil society, as an organisational realm, affects the overall democratic regime in question positively or negatively. A third insight, and in the context of consolidation to democracy certainly the most important one, relates to changes affecting the exercise by civil society of its various blessings and curses over time. It has been mentioned above that early stages of regime change frequently witness a condition of civil society, which decreases its capacity to perform the five (positive?) democratic functions. At the same time, its dysfunctional effects on democracy are, at that stage, oftentimes exacerbated. Progress of the consolidation of democracy, then, should be accompanied by a gradual strengthening of civil society's positive impact on democracy, and by a weakening of its negative implications. The weight would be expected to shift from curses to blessings, with a commensurate effect on the overall impact of civil society on democracy. Finally, through such a more differentiated inquiry, it is possible to more precisely identify those factors that affect civil society and its performance vis-à-vis democracy, thereby providing insight into the conditions that are advantageous or disadvantageous for democracy, as affected by the behaviour of civil society.

The practical implications of such empirical insights should not be underestimated. In contexts of regime change to democracy, an additional way of assessing the progress a given democratic regime has made in terms of consolidation is opened up. Such an inquiry of civil society is an important supplement to explorations of other realms of newly democratic polities, and it would allow for an examination of the conclusions these other studies have drawn for democratic consolidation.[601] In new, as well as in established, democracies, an exploration along the lines suggested identifies avenues for the further development of civil society and the strengthening of its impact on democratic regimes. It discloses, which democratic functions are satisfactorily performed, and in which areas civil society badly or under-performs. The latter, then, can be subject to more targeted strategies aiming at strengthening civil society and democracy. The effectiveness of these strategies is further increased by the fact that such an empirical inquiry also more closely identifies those factors that are causally related to a given blessing or curse. The resulting ability to address these causes can improves strategies employed by practitioners.

---

[600] Sartori 1984: 44ff.

[601] Two examples are Tóka 1997, who traces democratic consolidation through the stabilisation of political party systems, and Plasser et al. 1998, who focus on political-cultural changes as an indicator for the consolidation of democracy.

It is in the light of these parameters, both theoretical and empirical, and in consideration of their practical implications, that many approaches to and inquiries of civil society undertaken so far exhibit their major deficiencies. Hitherto, and in general, explorations of civil society have usually taken one of two forms. On the one hand, there are approaches that operate on a macro-level and treat civil society as a distinct sub-system of democratic regimes, that is, in line with the definition underlying the present considerations. Researchers then set out to describe this sector along with a number of variables: number and density of organisations, membership and volunteers, employment and revenues, and others. On the basis of these indicators, conclusions are drawn as to the strength or weakness of civil society in a given country. The approach, as so far described, was employed in chapter two of this study.

More problematically, the thus identified shape of civil society is then related (equated / correlated?) to the overall condition of the respective democratic regime: a strong civil society testifies of vitality, a weak civil society signals a fledgling democracy.[602] The problems of such a monolithic and numerical research strategy are obvious. Based on the assumption that civil society is an unmitigated blessing for democracy, the very existence and size of this realm assume central importance: the bigger civil society, the better for democracy. Such a view, however, loses sight of the various potential curses that come with civil society, whose detrimental impact may well increase with the growing size of the sector. Any empirical insight as to the extent of blessings and curses resulting from civil society, of their particular combination, of any changes, and of the manifold factors causing them, is forestalled. Practical strategies are, as a result, prevented from addressing the more subtle aspects of civil society and the more precise causalities underlying these aspects – at the expense of their effectiveness.

In contrast to this quantitative emphasis, other approaches address the qualitative characteristics of civil society. In order to do so, they operate on the meso-level of more specific traits, functions and dysfunctions of this realm. Scrutinised by such studies are problems, such as the relationship between civil society organisations, state authorities and political actors, systems of interest representation, organisational behaviour, civic participation, or the transfer of social and public services to non-profit providers.[603] The description of these phenomena is usually accompanied by an analysis of the causalities shaping the specific aspect of civil society. Furthermore, authors following this line of research subsequently attempt at establishing the repercussions the given aspect of civil society has on particular components of the democratic regime in question. While these studies have much to contribute to studying civil society and democracy, and indeed the earlier description of blessings and curses owes much to this literature, they also have one major shortcoming. They tend to lose sight of civil society as a more encompassing realm and of its complex relationship with democracy. A particular aspect of civil society is, certainly fruitfully, treated in an isolated manner, yet it is not subsequently integrated into a larger perspective of this sphere. More often than not, these studies make no reference to civil society but figure under a range of other headings, from social capital to third sector, from contentious politics to interest representation, which may be indicative of this neglect of a more holistic perspective of civil society.[604]

---

[602] Salamon et al. 1999 describe the non-profit sector, which they equate with civil society, in 22 countries mainly along with employment, revenues and expenditures. Howard 2000 is based on the World Values Survey 1997 and measures the strength of civil society by membership in voluntary organisations. Karatnycky et al. 2002 describe civil society through overall numbers of non-governmental organisations.

The critical perspective to be developed in the following attempts to find a middle ground between the either overly monolithic or the overly differentiated treatment of this sphere that is common in the two general approaches to civil society mentioned above. In order to keep with the theoretical parameters outlined earlier, this approach will combine a holistic perspective of civil society with a more differentiated treatment of its various facets.[605]

In briefly returning to the considerations of the previous section, a closer examination reveals that the blessings of civil society can be related to several of its curses. This relationship is probably most obvious in the case of social integration, which contrasts starkly with the problem of social segregation - blessing and curse 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 the related 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 blessings and curses of civil society figure as alternative scenarios with opposite effects on the democratic regime in question. An overview is provided in Figure 27 below.[606]

---

[603] From the plethora of studies addressing one or another aspect of civil society, the following may suffice here as examples: Micheletti 1995 focuses on the issues that dominated the relations between civil society and state over the past century. Weßels 1994 and Ost & Weinstein 1999 inquire trade unions, Wiesenthal & Stykow scrutinise employers' associations in the context of post-communist democracies. Ekiert & Kubik 1999 study the protest behaviour of Poland's "rebellious civil society." Putnam 1993 and 2000 explores the social underpinnings of democracy in form of civic participation in voluntary associations. Ullman 1998 analyses the new partnership between nonprofit organisations and the state in the provision of specific social services.

[604] To be sure, this lack of references to civil society may be less a shortcoming of scholarly effort than simply the fact that a given author does not conceive of civil society as useful a category as the present study. To give an example, Robert Putnam occupies a prominent place in the current theoretical and empirical literature on civil society, that is, authors endowing civil society with conceptual significance frequently make reference to his works. Putnam himself, in turn, seems to consider the concept of civil society rather negligible, as is indicated by the total absence of this notion from the indices of his *Making Democracy Work* (Putnam 1993: 250) as well as of his recent *Bowling Alone* (Putnam 2000: 520).

[605] Another research project that attempts at a similar combination is the "Civil Society Diamond" launched recently by Anheier and associates (Anheier 2000).

In the face of these alternatives, then, the question arises as to the conditions that 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. Somewhat more systematically, it is possible to identify a specific structural property for each of these blessing-vs.-curse alternatives, 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, an 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.[607] 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 denies such autonomy to civil society, the result is political co-optation. More or less forcibly, civil society organisations enter into dependencies senior with political partners. Political co-optation, then, affects the potential of a given civil

---

[606] As Figure 27 shows in a more visual form, blessings and curses of civil society are not consistently related on a one-to-one basis. The democratic function of service provision does not relate to a specific dysfunctional aspect, while interest mediation is linked to two sides of civil society, which are problematic for democracy.

[607] State authorities often assert such superiority by making reference to the common good or public interest, political society frequently points to its democratic legitimacy as acquired through elections. Civil society, in turn, often makes similar claims postulating its pre-political, genuinely societal or moral character.

Forbrig, Joerg (2004), Civil Society: Theory and practice in East-Central Europe
European University Institute DOI: 10.2870/42402

society organisation to control the exercise of state and political power: the own senior partner is white-washed, political opponents are automatically seen to be in breach of democratic norms. If, in turn, it is civil society that makes strong claims for its own superiority, relationships with state authorities and political society are antagonised. Any exercise of state and political power is essentially conceived of as 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-politicised character is crucial.[608]

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 and traceable in 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 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 the 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 one. In situations where interest mediation is not co-ordinated through rules and is socially skewed, civil society will not be able to act as an additional channel for the representation of social groups to decision-making processes competently. 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 that encompasses as wide as possible a range of social interests.

---

[608] To be sure, non-politicised does not mean the complete absence of aims that may have political consequences. Essentially, the organisation of any interest in civil society is, at least potentially, political in that conflicts with other interests may arise that require political arbitration. The politicised or non-politicised character of civil society referred to here, therefore, relates exclusively to the relationships between civil society and state/political actors and their consequences.

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 such deep-seated cleavages, this realm is conducive to the segregation and fragmentation of the social and political community. A segregated civil society, or several separate civil societies, stand in a 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 need to 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 capacity of civil society to provide quasi-public goods and services in compensation of 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 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 note 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 service provision from the public sector to civil society, can be established.[609] Such an trusting, co-operative attitude on the part of 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 is necessary that specifies the conditions, under which civil society organisations are to provide specific services. 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 of and donating to such service organisations.[610]

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 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 access for civil society organisations to various societal resources. Services thus provided are believed 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 encouraged. The availability of these social resources, in turn, strengthens the capacity of civil society to perform the task of service provision.

An environment thus enabling civil society to the provision of 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 needs 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 finds itself in an environment that can be largely disabling and prohibitive of a significant provision of quasi-public goods and services.

---

[609] An insightful case study on the development of such a partnership between the state and civil society in France is Ullman 1998.

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 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 dysfunctional aspects of civil society described earlier.

On the basis of these properties, it is now 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 is embedded in 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 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

---

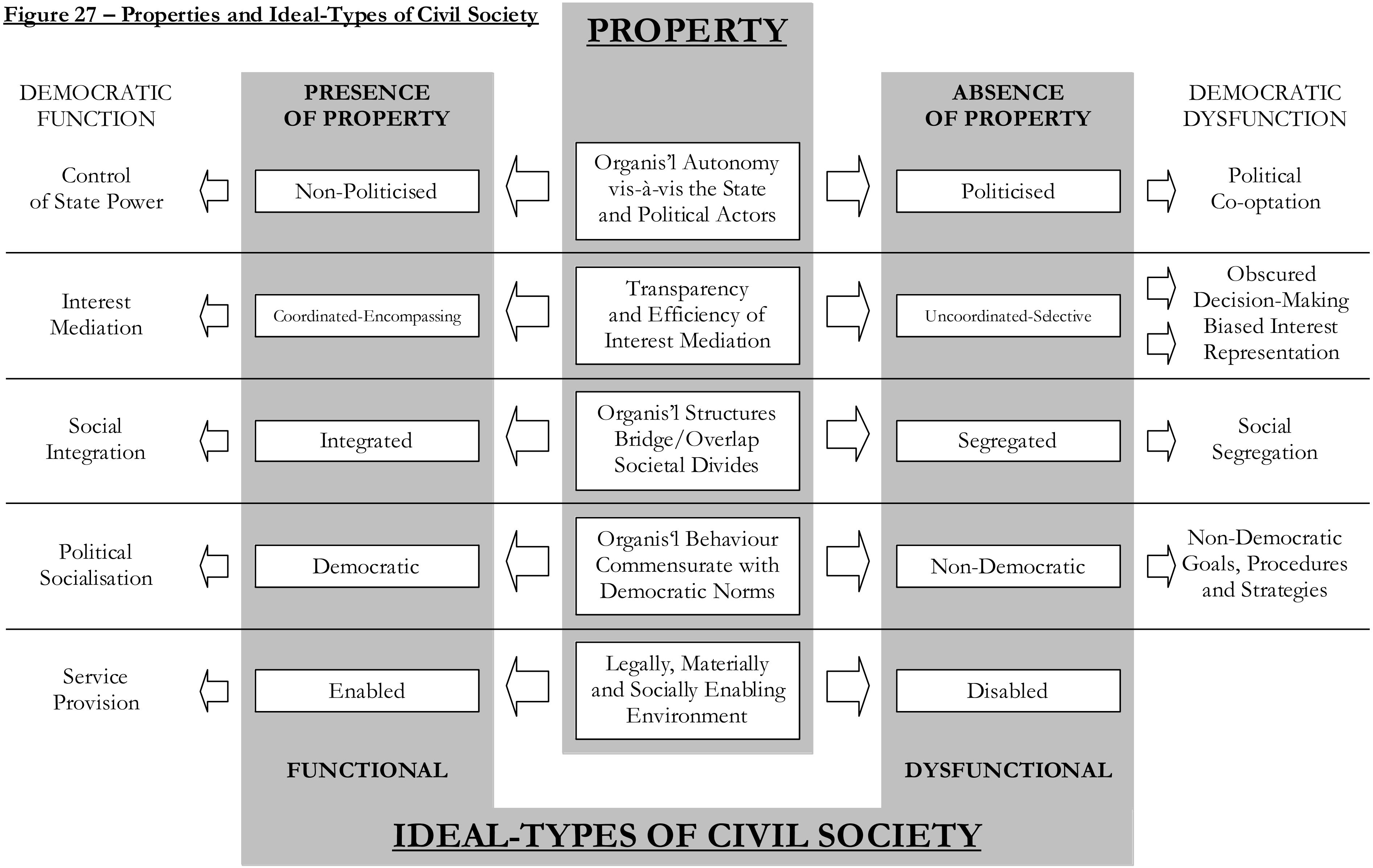
[610] A good overview of the legal and material conditions necessary for a viable civil society is provided by the *Handbook on good practices for Laws Relating to Non-Governmental Organizations* that was prepared for the World Bank's Environment Department by the International Center for Not-for-Profit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

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 dysfunctional) 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 the following Figure 27.

Figure 27 – Properties and Ideal-Types of Civil Society



DEMOCRATIC FUNCTION	PRESENCE OF PROPERTY	PROPERTY	ABSENCE OF PROPERTY	DEMOCRATIC DYSFUNCTION
Control of State Power	Non-Politicised	Organis’l Autonomy vis-à-vis the State and Political Actors	Politicised	Political Co-optation
Interest Mediation	Coordinated-Encompassing	Transparency and Efficiency of Interest Mediation	Uncoordinated-Selective	Obscured Decision-Making Biased Interest Representation
Social Integration	Integrated	Organis’l Structures Bridge/Overlap Societal Divides	Segregated	Social Segregation
Political Socialisation	Democratic	Organis’l Behaviour Commensurate with Democratic Norms	Non-Democratic	Non-Democratic Goals, Procedures and Strategies
Service Provision	Enabled	Legally, Materially and Socially Enabling Environment	Disabled	
	FUNCTIONAL		DYSFUNCTIONAL	

Forbrig, Joerg (2004), Civil Society: Theory and practice in East-Central Europe
European University Institute

DOI: 10.2870/42402

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 bad 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 of 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 the extent to which 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.

Conclusion: Patterns of Civil Society

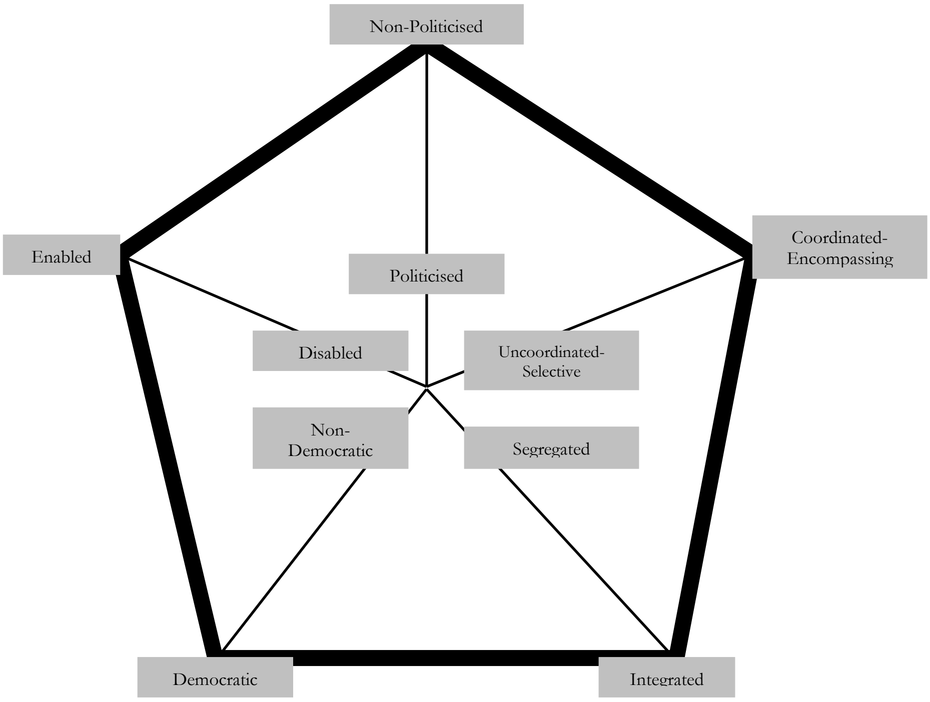
It becomes clear, how the characterisation of existing civil societies along with each of these five dimensions facilitates critical and differentiated judgements about their impact on democratic regimes. Critical, as blessings and curses find an equal place in this model; rather than assuming an a priori positive influence of civil society, its ambivalent character towards democracy is consequently integrated in this approach. Differentiated, as blessings and curses can occur in combination along with different dimensions; rather than making sweeping statements about civil society's either positive or negative influence, the possibility (and likelihood) of a mixed impact is clearly reflected in this model. This both critical and differentiated nature puts, so far, the approach presented here in line only with the first two of the theoretical requirements mentioned earlier. It is, therefore, necessary to also pay tribute to the third of these earlier postulates and to reintegrate these differentiated views into a more holistic perspective of civil society. Such an aggregation can be achieved through conceptualising patterns of civil society.

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. The following Figures 28, 29, 30 and 31 sketch out four of an infinite number of different possibilities for such patterns of civil society.[611] Of these, the first two patterns of civil society represent extreme cases, while the third and the fourth are not unlikely to be found in reality. In all these figures, the radial 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.

---

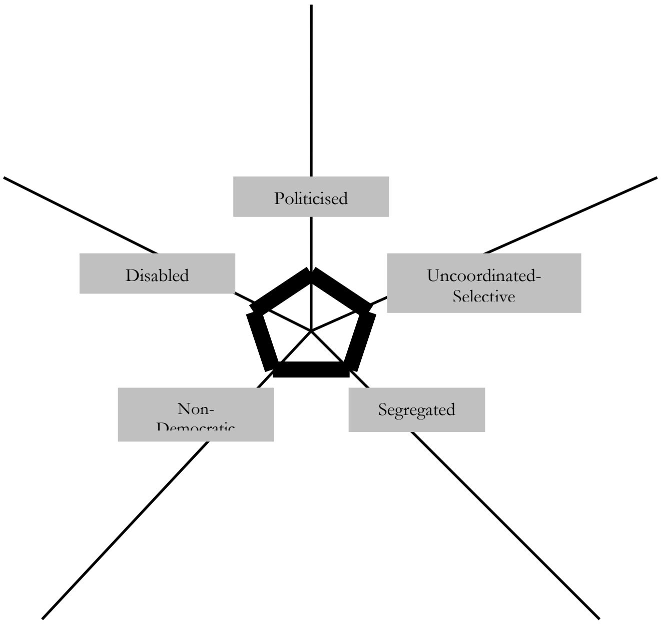
[611] For the inspiration as to how to visualise these patterns of civil society, I am indebted to Helmut Anheier and associates, who use very similar sketches for their "Civil Society Diamond," a comparative research project launched on civil society in 1999. The categories Anheier et al. use to distinguish 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; see Anheier 2000: 6f.

Figure 28 – Patterns of Civil Society: Democrat's Dream


Non-Politicised
Enabled
Coordinated-Encompassing
Politicised
Disabled
Uncoordinated-Selective
Non-Democratic
Segregated
Democratic
Integrated

"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, 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 it is embedded in.

Figure 29 – Patterns of Civil Society: Democrat's Nightmare

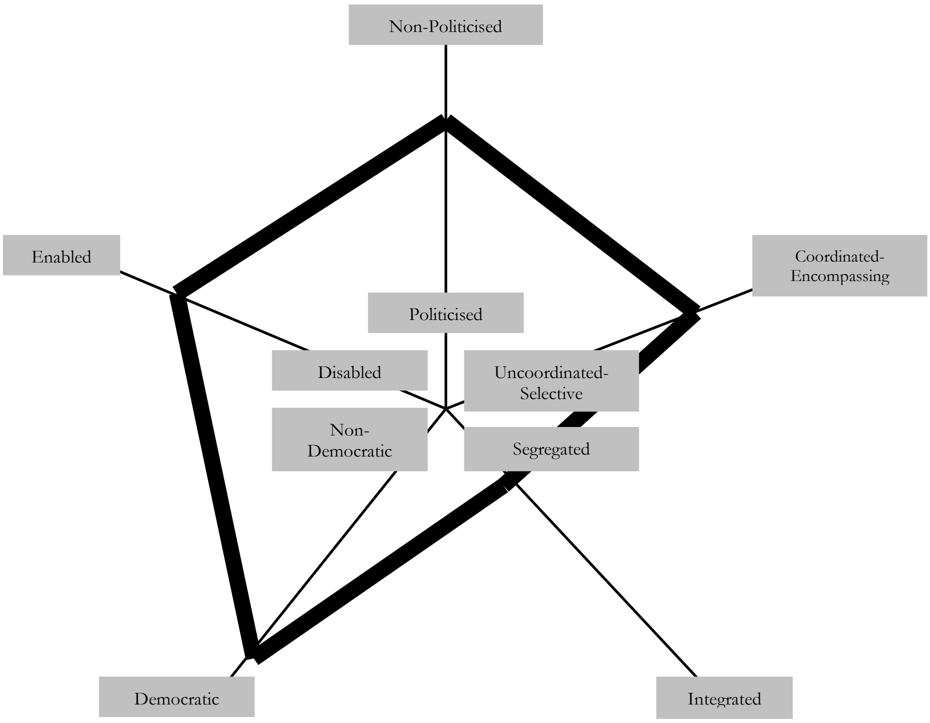


"Democrat's nightmare," on the other hand, sketches out a civil society that comes close to dysfunctional ideal-types for all five dimensions. As all its structural properties are essentially absent, this civil society is not only fully prevented from performing any of the democratic functions but exhibits all the dysfunctional aspects it can possibly have. Overall, this civil society is then 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 28 and 29 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, the following Figures 30 and 31 sketch out two empirically more likely (yet equally fictitious) patterns of civil society.

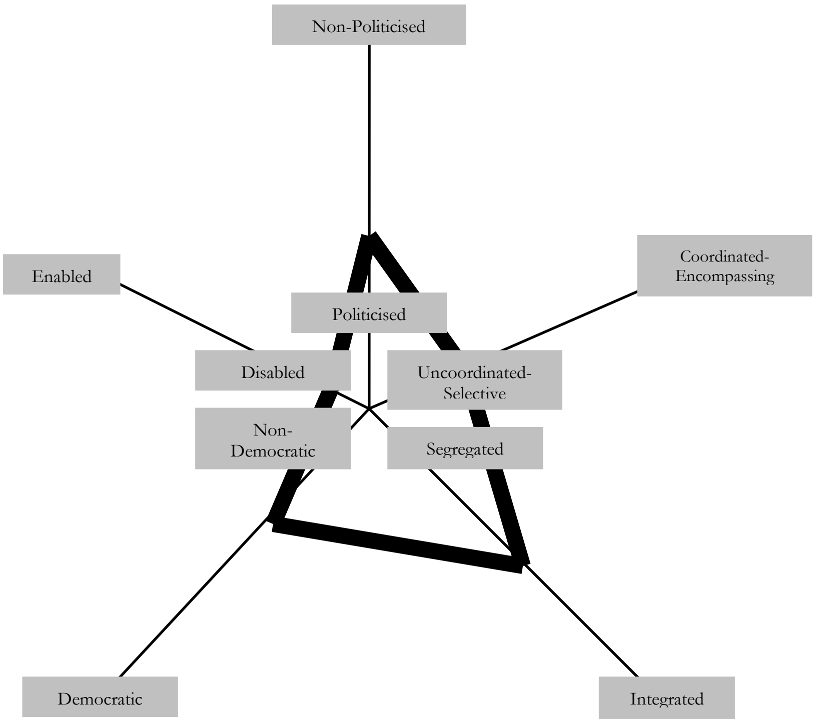
Figure 30 – Patterns of Civil Society: A Could-Be Mature Democracy



Without entering into too detailed an interpretation of this, after all, fictitious case, it should be noticeable that this pattern exhibits traits one would expect to find in the setting of a more established democracy. The pattern suggests a civil society that has developed over sufficient a period of time, and probably in advantageous political, economic and social conditions, in order for it to form most of the structural properties favourable to 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 blessings. An exception is the highly segregated nature of this 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 exhibits a pattern that encompasses a relatively large property space. Its considerable size, in turn, indicates the strongly positive impact this civil society can have on democracy.

Figure 31 – Patterns of Civil Society: A Could-Be Fledgling Democracy



In contrast to the rosy picture of the previous case, Figure 31 demonstrates a pattern that 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 democraticness 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 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 its provision of quasi-public goods and services; interest representation through this realm 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 inefficiency 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 to 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 the realm. Through the property space encompassed by the pattern of a specific civil society, this realm is again related directly to democracy, thereby fulfilling the third theoretical requirement facing approaches to civil society.

From the examples cited, it is evident that the presentation of this approach has so far remained largely static. It is, however, particularly in the light of the earlier discussion of democratic consolidation that such a static view of civil society is insufficient and needs to be amended by a more dynamic element. It has been mentioned earlier that theorists have often attempted at establishing a precise cut-off point, defined by the existence of a specific number of formal and informal characteristics, whose existence renders any democratic regime consolidated. Translated into the terms of the present approach to civil society, after all a component part of any democratic regime, such a watershed could be defined either through specific locations along with each of the five dimensions, or through a particular property space reached by this realm. Both definitions of democratic consolidation as applied to civil society, however, are rendered meaningless by the ambivalent nature of this realm and the likelihood that any given civil society is most likely to be characterised by a specific combination of blessings and curses.

Any meaningful definition along with a fixed set of locations along with all five dimensions of this realm would, as a result, be extremely hard to meet for any empirical civil society. It is most likely that, under such a definition, even civil societies in many established democracies would not qualify. Where this definition is obviously flawed, then, is the fact that, as mentioned earlier, established democracies have often developed institutional mechanisms to offset the dysfunctional aspects of civil society. Consequently, it would be necessary to integrate the possibility of such compensatory arrangements into the perspective of consolidation.

Any definition via a minimum property space faces, although indirectly, the same problem. The very same property space can, mathematically, be formed by an infinite number of combinations of civil society's locations along with its five dimensions. The combinations, which would qualify a given civil society for consolidation, include a vast array of mixed constellations of both virtues and vices. In the extreme case, a civil society could then pass as consolidated on an overall account, although it exhibits significant dysfunctionalities. Whether or not these are tamed through institutional arrangements external to civil society would again be the decisive question in order to assess the overall impact of the civil society in question on democracy.

These problems arising in the light of the present approach to civil society, in turn, lend even further strength to the above-mentioned argument that it is not the achievement *of* consolidation qua crossing a specified threshold, which should be under scrutiny, but the progress made *towards* consolidation in the sense of a further approximation of the democratic ideal. This process character of democratic consolidation, then, needs to be incorporated into the

Forbrig, Joerg (2004), Civil Society: Theory and practice in East-Central Europe
European University Institute DOI: 10.2870/42402

present approach to civil society. This can be easily achieved through adding a time factor to the view presented.

Rather than analysing civil society in the presented way for one point in time, a comparison of two or more of such moments needs to be undertaken. This dynamic perspective facilitates an evaluation of the changes occurring along with each of the five dimensions of civil society as well as with regard to the pattern of civil society and the property space encompassed. On both levels, consolidation of democracy would be expected to be evident.

Along with specific dimensions, civil society would be expected to make gradual progress towards the various functional ideal-types. In other words, the structural properties of civil society would be expected to be in place and become increasingly solid, thus facilitating the performance of civil society's democratic functions. In turn, this also means that its several dysfunctional aspects would diminish over time. However, an important caveat should be mentioned here. Democratic consolidation should not be expected to yield such favourable outcomes along with all dimensions of civil society and at equal paces.[612] Instead, civil society is likely to develop favourably along with some of the dimensions while stagnating on others.

Given the differential developments along with each of the five dimensions and the resulting diverse effects on specific facets of the democratic regime in question, an evaluation of the overall consolidation of that regime again necessitates a shift to an aggregate perspective of civil society. Here, consolidation of democracy would translate into an increase of the property space encompassed by the pattern of the civil society in question, thus indicating that the improving condition of the realm along with some dimensions outdoes stagnation or regress on others. A shrinking property space, in turn, is a strong sign of overall de-consolidation, as a majority of civil society's structural properties deteriorates, which makes the performance of its democratic functions less and the prevalence of its dysfunctional aspects more likely.[613]

This view on consolidation of democracy through the lens of civil society and the changes required in this realm in order for newly democratic regimes to further consolidate can be depicted as in the following Figure 32.[614]

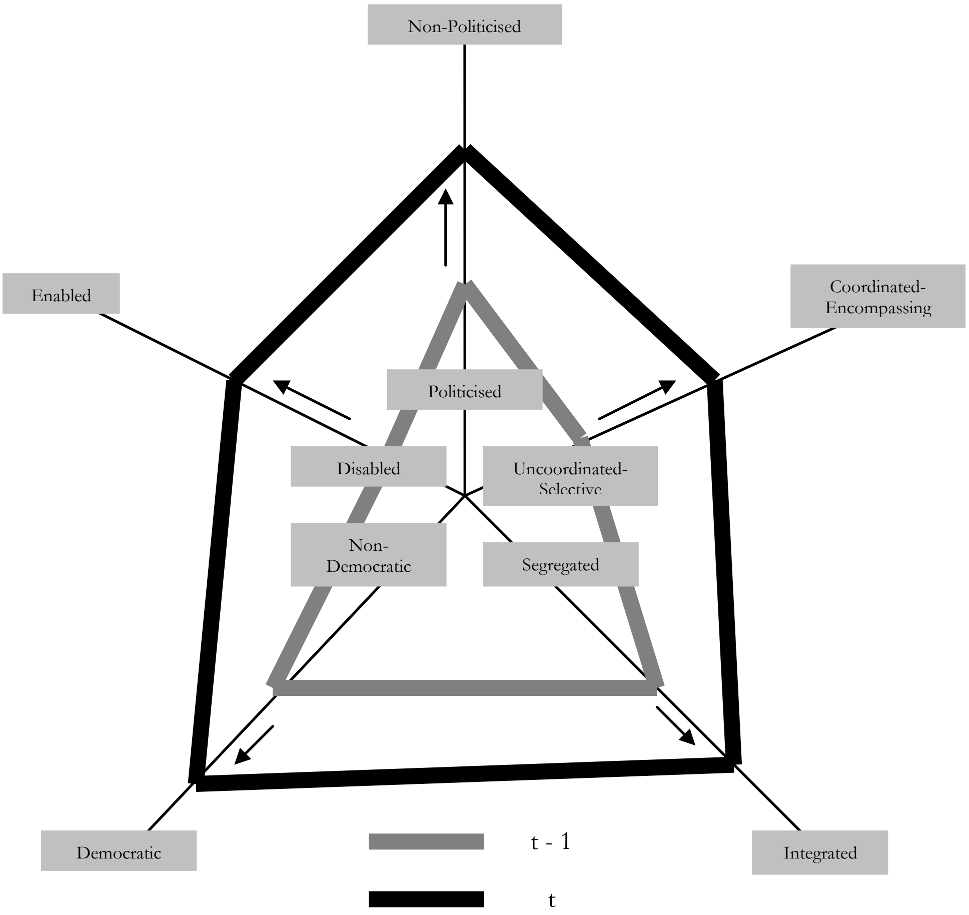
---

[612] Essentially, this replicates the observation drawn earlier for the various formal institutional domains of a democratic regime, whose development and consolidation does similarly not occur at equal paces and with equal scopes.

[613] Obviously, there is a theoretical possibility that, at the aggregate level, the property space of civil society remains constant as a result of trade-offs between developments along with different dimensions. An improvement on one structural property may concur with the deterioration of another. However, such a scenario would still be indicated by a changing pattern of civil society. In order to determine the consequences of such a case for democratic consolidation, a more in depth inquiry of the properties in question would have to be undertaken.

[614] In a similar way, de-consolidation of democracy as viewed through changing patterns of civil society could be sketched out. Such a scenario would be illustrated through a precise inversion of Figure 32.

Figure 32 – Consolidation of Democracy: Changing Patterns of Civil Society


Non-Politicised
Enabled
Coordinated-Encompassing
Politicised
Disabled
Uncoordinated-Selective
Non-Democratic
Segregated
Democratic
Integrated
t - 1
t

Clearly, this illustration is a stark simplification and idealisation of the processes of change civil society is undergoing during consolidation of democracy. In reality, as was mentioned above, the changes shaping patterns and property space of civil society proceed in a much more complex and much less unidirectional manner than depicted in this figure. More likely than a steady expansion of the pattern are fluctuations along with individual dimensions of civil society and, as a result, oscillations of its overall pattern and property space. Over time, however, pattern and property space of civil society should not only gradually stabilise but expand further if the democratic ideal, the point of reference for democratic consolidation, is to be approximated. This reference to ideal democracy, then, also justifies the maximum postulate contained by Figure 32: ideally, the pattern of civil society would expand along with all five dimensions, thus increasingly contributing to a thriving democratic regime through all five of its democratic functions.

To sum up, this chapter aimed to demonstrate that the link between civil society and democracy is far more intricate than is commonly assumed by both scholars concerned with and practitioners involved in the building of civic life and democratic societies. It did so by first outlining a range of areas, which need to transform, develop and strengthen in order for democracy to become firmly established. Following on from that, it was then shown, how civil society can positively impact on those varied elements of democratic consolidation or, which potential blessings civil society holds in store for democracy. These were then contrasted with a number of more negative effects this realm can have on democracy. These curses have rarely been acknowledged, yet they form an integral part of the relationship between civil society and democracy. This ambivalence of civil society, its equally virtuous and vicious potential for democracy, is of central importance in both scholarly and practical terms. Not only does it affect the accuracy and validity of empirical research on democratic regimes but it also determines the success of efforts to develop civil society and, thereby, to strengthen democracy.

For this reason, the observed ambivalence of civil society vis-à-vis democracy was then elaborated into a systematic and critical approach. This approach is based on the observation that the way, in which civil society impacts on democracy, hinges crucially upon five structural characteristics of this realm. Their presence renders civil society a contributor to democracy, while their absence reveals its problematic sides. These structural properties can be transformed into five dimensions of civil society, which are delineated by ideal-typical poles. Functional ideal-types feature the full presence of a given property, dysfunctional ones describe their full absence. Through an empirical inquiry into these structural properties, it is possible to position a given civil society along with each of the five dimensions. These locations reflect the extent to which civil society performs its various democracy-strengthening influences and to which it has a dysfunctional impact on specific facets of the democratic regime.

In order to characterise a given civil society more generally in its relation to democracy, this differentiated view can be aggregated in the form of a pattern, which is based upon the locations of civil society along with its five dimensions. The property space encompassed by this pattern allows for an assessment of the overall impact of civil society on democracy. In introducing a dynamic element, it was shown that patterns of civil society can also serve as an indicator for the development of democracy, be it the consolidation of newly democratic regimes, or be it the further democratisation of older, more established democracies.

Patterns of civil society, thus, describe the qualitative development of this realm that is, given its fundamental democratic ambivalence, no less important then its quantitative scope, its numerical strength or weakness. Herein, lies a veritable challenge for democracy: to shape and further civil society in such a way that renders it an unambiguous and net contributor to democracy.

DOI: 10.2870/42402

Shifting Perspectives on Civil Society

This study was driven by the motivation to contribute to the contemporary debate on civil society. Underlying the preceding considerations was the assumption that civil society represents a concept of much usefulness to political and social theory and, beyond scholarly interest, to the public debate on and day-to-day practice of modern-day democracy. However, in order for this potential of civil society to come to full fruition, a number of shortcomings need to be addressed that have characterised hitherto debate, both scholarly and public. As mentioned in the introduction, these particularly pertain to the extreme conceptual and terminological fuzziness that is characteristic of current discourse on civil society, to the surprisingly underdeveloped empirical knowledge available on the subject, and to a widespread uncritical attitude when it comes to the relationship of this realm to democracy more broadly. In taking its departure from this threefold observation, this study examined in detail the conceptual history of civil society, its empirical reality in East-Central Europe since 1989, and the nexus between civil society and democracy. Along with each of these dimensions, the present study aimed to demonstrate the considerable potential of civil society both as a concept and as a reality. In order for this potential to be tapped to its fullest, however, current discourse cannot but shift perspectives in several respects.

On the conceptual side, the primary postulate is that discourse on civil society needs to be based on a more encompassing view of this category. This flows from the argument, presented above, that the notion of civil society has effectively accompanied the entire history of recorded social and political thought. Generations of thinkers have considered the notion of civil society to be of analytical and normative relevance to the core questions involved in the social and political life of their day, and they have continuously striven (and frequently succeeded) to accommodate historical change by gradually adjusting the concept. The resulting conceptual evolution is thus also a reflection of the historical development of contemporary societies and polities. Over time, this process has related civil society to a wide range of other concepts that have, at one point or another, figured prominently in social and political thought. Indeed, there is hardly any social science concept – from culture and religion to community and society, from the economy and the market to democracy and the nation-state – that has not come to be intertwined with civil society at some stage. This has endowed the notion of civil society with considerable theoretical and practical potential for contemporary societies.

By contrast, it appears that recent and current discourse on civil society has only insufficiently drawn from this rich conceptual heritage. Hardly any contribution to the ongoing debate fully appreciates this conceptual wealth, and the fact that within a vast literature on this

Forbrig, Joerg (2004), Civil Society: Theory and practice in East-Central Europe
European University Institute DOI: 10.2870/42402

civil society, comprehensive overviews of the historical evolution of this concept have remained scarce, is a further indication of this neglect.[615] Instead, authors typically reduce the conceptual history to a few prominent figureheads and to some select aspects of civil society emphasised by these contributors. This is most pronounced with the liberal train of thought that frequently views the Scottish Enlightenment as the founding moment of civil society, with the contributions by Madison and his American peers, and somewhat later by Tocqueville, completing the picture. In light of the conceptual history of civil society outlined here, this is very obviously a gross simplification that overstates some issues implied by the notion, in this case state-society relationships and the economic and associational bases of society, while fading out a good many others. This liberal example of reducing a historical concept for ideological purposes finds many equivalents in the current scholarly and public debate, with other ideological, disciplinary and professional positions subjecting civil society to a comparable selectivity. As a consequence of widespread selectivity and reductionism, discourse on civil society has become a potpourri of widely differing, and at times contradictory, meanings.

One may attribute this lack of conceptual clarity to the winding and complex evolution of the concept itself. However, and as was argued and demonstrated here, it is possible to systematically trace the development of thinking about civil society, to identify a number of broad currents within this conceptual history, and to establish a definition for civil society that accommodates the general historical and conceptual trends. The concept of civil society has evolved in three clearly identifiable stages, from classical through modern to contemporary views of civil society. Although considerable conceptual pluralism can be found at each of them, the three stages are distinct along with specific analytical and normative parameters.

Thus, classical authors analytically equated civil society with the entire social and political community they observed in their day. This community was typically seen as coming closest to the normative ideal prescribed by a substantial and uncontested principle for human life – civil society served as a justification for the historical status quo. With modernity, a shift occurred on both analytical and normative accounts. Analytically, civil society came to describe society in distinction from the state as the political realm. Normatively, several different ideologies entered the scene, each of which assigned different positions to civil society and which called for its further improvement, fundamental reform or total abolition. In the most recent, contemporary perspective, thinking on civil society has been further refined. This realm is now seen as distinct not only from the state but equally from the economy and the intimate sphere of the family. At the same time, a shift has occurred from substantial to procedural normative underpinnings. Civil society is the realm where different life-views, ideologies, interests and identities enter into exchange and competition, guided by rules of communication and interaction.

---

[615] A notable exception to this lack of comprehensive historical overviews is Ehrenberg 1999.

A systematic overview of the conceptual evolution, such as the one provided here, is thus not only possible but it can contribute much to improve the clarity of the discourse on civil society. In the first place, it makes it possible to locate the different contributions offered by numerous authors within the larger picture invoked by this notion. In addition, this comprehensive perspective positions civil society within social and political theory more broadly and sheds light on links with numerous related concepts. Most importantly, however, such an encompassing view on civil society's conceptual development is also conducive to establishing a clearer definitional basis. There can be no doubt that, in order for discourse on this subject to advance, a more clear-cut and widely acceptable definition is needed, and the broad trends observed as being characteristic of civil society's conceptual development indicate directions for dealing with definitional questions. The working definition adopted here, as was shown, accommodates the long-range conceptual development of civil society as well as the various criticisms launched against this project satisfactorily, and it can serve as a solid definitional basis for further considerations on the subject. In sum, the discussion contained in the first part of this study suggests strongly that the current debate on civil society stands to gain much from a more accurate and comprehensive conceptual perspective on this notion, from a fuller socio-theoretical grasp to much-needed definitional soundness and clarity.

Against this conceptual and definitional background, the present study proceeded with tracing the reality of civil society in the post-socialist countries of East-Central Europe. In the first place, this second part of the study aimed to draw a detailed empirical account of civil society in the Czech Republic, Hungary, Poland and Slovakia. Although, thus, focusing on the very specific context of recently democratised regimes, this empirical analysis indicates several further areas, in which analysis of and discourse on civil society would be well-advised to consider a number of assumptions and approaches that have been characteristic of empirical research on civil society to date. On the one hand, these particularly pertain to the time-frame applied to the development of civil society, and on the other hand, to the advantages offered by a comparative angle on civil society across countries.

The temporal dimension applied to civil society by most studies so far, as well as public debate more broadly, appears to have been unjustifiably narrow. At the origin of this limited perspective is the commonly held and largely uncontested view that a free and unconstrained development of civic life and structures can occur only once fundamental civic liberties, most importantly the rights of free expression, assembly and association, are in place and enforced by an institutionalised rule of law. Since this set of rights and institutions is among the essentials of democratic regimes, many observers consequently associate successful transition to democracy with the moment that civil society can develop freely on the basis of those rights.

While this perspective may be theoretically sound, it fades out a rich heritage of civic and organisational life that developed in and despite the absence of the formal and institutional safeguards of civil society. As was demonstrated for the context of East-Central Europe, manifold expressions of civil society preceded the advent of democracy in the region. They span all periods of social and political development, and even the hostile condition of state-socialism in the region witnessed civic initiative, both within and outside officially permitted structures. This legacy, and particularly forms of civic life that occurred under the previous state-socialist regimes, has left its trace on civil society as it has evolved in the four countries since 1989, and this heritage is likely to continue to inform and influence further developments. This historical factor, however, remains unrecognised or hidden, if the emergence of civil society is equated with the establishment of democratic regimes. The empirical study undertaken here demonstrates that debate, analysis and practice of civil society stand to benefit considerably from accounting for such past developments, in the region scrutinised here and beyond.

A similar necessity to extend the time frame for comprehending developments of civil society concerns the present and the future. Generally, it seems that the present discourse on civil society grossly underestimates the long haul required for the emergence of vibrant civic life and structures. As was indicated for East-Central Europe, expectations in 1989 were that, once the legal and institutional basis for free civic activity had been established, civil society activity would soar and, within a few years, become a vibrant part of the newly democratic regimes in the region. Without understating the remarkable development of this realm during the first decade since 1989, the present analysis has demonstrated that civil society in the four countries has so far remained far from vibrant. This suggests that, beyond the fundamental institutional corollaries, a broad range of political and economic, social and cultural factors condition the evolution and vitality of civil society. While these could merely be touched upon within the confines of the present study and certainly merit further analysis, it should be beyond doubt that these non-institutional causalities take their toll on the time-frame necessary for the emergence of strong and vibrant civil societies. This view is further reinforced by the observation drawn here that many an older democracy similarly exhibits significant deficiencies in civil society development, despite the fact that this realm emerged over an incomparably longer period of time than the new democracies of East-Central Europe. From these empirical observations, one cannot but conclude that a more realistic, in other words significantly expanded, time-frame needs to be adopted for viewing the evolution of civil society. Only then will it be possible to avoid that hopes and expectations placed in this realm become even further frustrated.

The empirical analysis undertaken here suggests another area, in which a profound re-orientation of research and discourse on civil society is needed, and is suggested by the comparative perspective employed in this study. There is certainly little need to elaborate on the benefits of a comparative approach more generally. In the context of civil society and for East-Central Europe, this potential for generating new insights should have become apparent in the course of the present analysis. Along with the range of indicators employed here, a complex empirical picture of civil society in the region was drawn that points to both persistent commonalities and emerging differences across the four countries.

Among the similarities observable across countries, the generally impressive resurgence of civic structures and initiative since 1989 is certainly the most pronounced. Once the basic institutional conditions for the free development of civil society had been introduced at the outset of the reform process, civil society embarked upon a rapid revival that, although with differing growth dynamics and resulting in differing sizes, has established this realm as an important component of democratic regimes in the region. This growth was accompanied by a process of organisational pluralisation that introduced the broad range of different types of civic organisations now observable in civil societies in East-Central Europe and that made civil society commensurate with the spectrum of democratic functions commonly with which it is commonly associated.

A further structural characteristic that is common to all four countries is the fact that civil society developed through both the establishment of new civic initiatives and the transformation of structures that had been part of social organisations under the previous regime. Still reflecting the greater tolerance of state-socialist regimes towards some forms of citizen activity, culture and recreation have continued to be dominant in the countries treated, while fields characteristic for civic initiative in many older democracies, such as education, health and social welfare, have remained underdeveloped to date. Growth dynamics across the four countries, however, indicate that the latter, new fields of civic activity are gradually gaining in strength.

Besides these structural characteristics, social and economic features of civil society provide for further commonalities across East-Central Europe. In all four countries analysed here, civic organisations have so far taken only fledgling root in society at large. Only a fraction of the population is involved in civic organisations of one or another kind through membership and volunteering. The figures provided here indicate that, so far, civil society across the four countries has penetrated its social environment only to a very limited extent. What is more, this social anchorage is characterised by significant disparities in geography and demographics. Capital cities and larger urban centres, educated and religious strata, and selected age groups of the population represent comparable strongholds of civic activity. These contrast with regions in all countries and sections of all societies where involvement in civil society is either weak or non-existent. Thus, it is not only that civil society in the region is only weakly embedded socially, but that the social foundations it has developed resemble islands within a broader social environment, whose potential for civic activity is as yet to be tapped.

On economic accounts, an overall characterisation of the condition of civil society is no less critical and applies generally to all four countries of the region. Viewed in the present analysis through employment and operating expenditures, civil society in all four countries reveals itself as a marginal organisational realm. Although a gradual strengthening of its economic capacity is indicated, the shared challenge facing all four countries lies with the described problematic constellation of sources, from which civic organisations can generate revenues for their activities.

Along with several structural, social and economic parameters, civil society development in East-Central Europe thus exhibits various commonalities across countries. Not surprisingly, these are largely a function of the shared past of state-socialist regimes, and of the common challenge of ongoing political, economic and social reform. Increasingly, however, it appears that civil societies in East-Central Europe are diverging in their overall development and are coming to be markedly differentiated across countries, as the present analysis indicates.

A first distinction emerged between the Czech Republic and Hungary, on the one hand, and Poland and Slovakia, on the other. Higher organisational densities and the growth dynamics underlying them, a larger share of inherited and well-entrenched civic organisations, significantly higher levels of membership, and a stronger economic capacity set civil society in the former two countries apart from that in the latter two. This separation within the region is further reinforced by the greater importance of religion and religious-based organisations in Poland and Slovakia. However, it is as yet unclear as to whether this distinction will further deepen or, as growth dynamics seem to indicate, become weaker.

Obvious as it may seem, this simple divide does not hold on a number of further accounts. In terms of density and pluralism of civic organisations, Slovakia has clearly left Poland behind. Hungarian volunteerism is dramatically weaker than in the any of the other three countries. Employment in the Czech Republic is significantly higher than among its neighbours, and the operating expenditures of civic organisations in Hungary reach a volume unmatched by any of the other countries in the region. In all these respects, more country-specific courses of civil society formation are indicated.

No less importantly, the dynamics of development suggest that, along with various indicators, East-Central European countries face very different prospects for the further advancement of their civil societies. From the evidence available, it appears that organisational development in the Czech Republic and Hungary has entered a phase of consolidation, while the other two countries witness continued growth, more rapid in Poland and more gradual in Slovakia. Membership figures suggest a recovery in the Czech Republic, Hungary and Slovakia, while Poles have so far remained more reluctant to join civic organisations. Volunteering is on a gradual increase only in Slovakia, with largely stable levels in Poland and a deterioration in both the Czech Republic and Hungary. Less evident and differentiated are economic growth dynamics, but the few sources available signal very piecemeal progress towards a greater economic capacity of civil society across the region.

Underlying this differentiated picture is the fact that the first phase of rapid resurgence and development of civil society in East-Central Europe is now largely over. While the first decade since 1989 has undoubtedly re-established civil society as an important factor in the democratic political and social life of the region, a comparison with the older democracies of Western Europe also demonstrates that civil society across East-Central Europe has so far remained far from vibrant. The four countries in the region have clearly only reached – or are still approaching – levels of civil society development that compare to the bottom end of a Western European scale, and the observed dynamics do not suggest that, in the foreseeable future, any of the countries of East-Central Europe can hope to resemble those more vibrant civil societies that one finds in some Western parts of the continent.

Neither this protracted weakness nor any of the continuing similarities or emerging differences in civil society development across East-Central Europe would have entered the picture if not for the comparative perspective adopted in the present analysis. Given this demonstrated potential for informing research and debate, it is surprising to note that comparative formats have to date remained largely absent from studies of civil society. To be sure, numerous contributions have gathered information on several countries in the region and beyond. However, these have usually taken the form of individual country cases rather than examining several countries along with a range of strictly defined indicators.[616] The few studies that have been undertaken using a sound comparative format have typically focused on individual aspects of civil society across countries, such as membership, volunteering or economic capacity.[617] The analysis undertaken here clearly shows that the lack of encompassing and comparative studies of civil society across countries has deprived the current debate of much valuable insight.

This comparative perspective points to a fruitful avenue for further research on civil society. Within the confines of the present study, only a very limited range of countries and a small number of indicators could be scrutinised, and further research would certainly have to broaden and develop the analysis on both accounts, and it should consider introducing a more dynamic analysis to trace the development of civil society over time. Such a comparison across contexts and time would open perspectives on various factors conditioning civil society. What is more, such comparisons are of considerable importance for the public discourse on civil society. More often than not, the debate is somewhat inward-looking. It takes place in a national context and reflects on developments within a given country. This angle forecloses any appreciation not only of challenges to civil society that are, in many cases, similar across borders, but also of achievements individual countries show in respect of advancing civic life. With regard to both scholarly research and practice-oriented debate, hence, a comparative angle should more frequently guide perspectives on civil society.

---

[616] The most recent example is the “Future of Civil Society” project that brought together country case studies from East-Central Europe, Austria and Germany. For contributions on individual countries, see Frič 2002, Heitzmann & Simsa 2002, Juros et al. 2002, and Kuti & Sebestény 2002.

The last area, in which the considerations of the present study suggest a necessary shift in perspective on civil society, concerns the relationship of this realm to democracy. Having traced the conceptual evolution of civil society and its reality in East-Central Europe, the last part of this study turned to the more general link between civil society and democracy. This link, or the question of what civil society can potentially contribute to democracy, is indeed at the origin of the recent renaissance of civil society in scholarly and public debate. Although no less applicable to established democracies, this relationship becomes particularly important in those contexts, where democracy has arrived only more recently, as in the four post-socialist countries analysed in this study. Here, the challenge is with the consolidation of newly democratic regimes, and civil society holds much analytical and practical meaning for facing this challenge, as the more theoretically oriented considerations of the last part of this study aimed to demonstrate.

In order to provide the necessary background, the discussion started by outlining the theoretical framework of democracy and regime change to democracy, and of the advanced stage of democratic consolidation, in particular. It was shown that the consolidation of newly democratic regimes is a comprehensive process that entails both formal and informal institutionalisation. On the formal side, a hierarchy of rules ranging from fundamental principles to broad institutional formats to permanent legislation needs to be anchored. Further formal institutional realms to be established and solidified are a functioning public administration, institutions of governance and horizontal accountability, an economic sphere and civil society. On the informal side, legitimacy deriving from both procedures and substance of the political process, addressing different levels of the democratic regime, encompassing both elite and mass levels of the populace, and finding its expression in adjusted behavioural patterns as well as

---

[617] Examples include Howard 2000 on membership, Gaskin & Smith 1997 on volunteering, and Salamon et al. 1999 on the economic outlook of civil society in a range of countries.

gradually changing attitudinal dispositions needs to emerge if a given democratic regime is to be embedded in a favourable political culture. While transition to democracy introduces a few and fundamental elements of this broad set of formal and informal components of democracy, consolidation can be understood as the never-ending process of developing and further refining all these aspects of a democratic polity in a continuous strive to approach the ideal of democracy. In this sense, the challenge of (consolidating) democracy is faced by newer and older democratic regimes alike.

Civil society has much to contribute to the consolidation of democracy, as was shown next. On several accounts, the sphere of civic organisations and activity can positively impact on democracy. These blessings include the control of state and political power, the representation and mediation of a wide spectrum of particular interests, the social integration of a democratic polity, the political socialisation of its citizens, and the provision of various quasi-public goods. In performing these democratic functions, civil society can address specific formal and informal aspects of democracy, and it can thus exert a positive influence on the functioning of democratic regimes. It is this positive influence of civil society that has been frequently highlighted by scholarly and public discourse on civil society and that has substantiated demands and efforts to develop civil society so as to strengthen democracy.

However, what has frequently escaped the attention of scholars and practitioners is the fact that civil society does not inevitably fulfil these democratic expectations. Instead, this realm can also turn into a curse for democratic regimes by exhibiting dysfunctions of various kinds, which can weaken and undermine democracy and, in the worst case, result in its very breakdown. Possible curses identified here included the political co-optation of civic actors, obscured decision-making, biased interest representation, social segregation, and non-democratic organisational goals, procedures and strategies. As was argued here, the potential downsides of civil society in its relationship with democracy must not be underestimated and need to be duly integrated into the evolution of scholarly and public debate on the subject.

The present discussion therefore attempted to develop a more critical perspective on civil society that integrates the ambivalent nature of this realm vis-à-vis democracy. It was demonstrated that the democratic blessings and curses of civil society depend upon five structural properties: the organisational autonomy of civic organisations from state and political actors, the transparency and efficiency of interest mediation, the constellation of organisational structures to social cleavages, the organisational behaviour of civil society actors, and an environment that legally, materially and socially enables civil society to provide goods and services of a quasi-public nature. The extent, to which a given civil society will figure as a blessing or curse for the democratic regime in question is determined by whether or not, and to which extent, the described structural characteristics are in place.

The suggested focus on a number of qualitative characteristics of civil society, and the implications of these characteristics for democracy more broadly, sets this study apart from most of the research and debate on civil society that has appeared to date. More or less outspokenly, scholars and practitioners have so far maintained the assumption that civil society is an unmitigated blessing for democracy. Accordingly, what mattered most was the sheer quantitative size of civil society. In scholarly analysis, this resulted in portraying existing civil societies in terms of strength or weakness, while practitioners geared much of their effort at the simple growth of civic structures. In short, the conventional view maintains that the more civil society, the better for democracy.

By contrast, the perspective proposed here is to account similarly and additionally for the qualitative nature of civil society. Most apparently, the link between civil society and democracy goes beyond the simple equation between the size of the former and benefit for the latter. Instead, only through an equal consideration for the qualitative nature of civil society can it be clarified whether the size of this realm actually translates into an advantage, or a disadvantage, for democracy. Accordingly, scholarly as well as practical concerns with civil society would be well-advised to adopt a perspective, which conceptualises the complex link between civil society and democracy more accurately.

In moving beyond this observation, the present study further elaborated this critical observation into a more comprehensive theoretical approach that can guide further scholarly research. Central to this approach are the noted structural characteristics, their presence or absence, and the resulting impact of civil society on democratic regimes. Along with each of the five properties, a specific dimension of civil society emerges that relates to one of the democratic blessings (or curses) observed. These dimensions are delineated by ideal-typical outer limits corresponding to the full presence or absence of a given property, and thus of an exclusively positive or negative influence of civil society on democracy. Each existing civil society can be located along with these five dimensions, which illuminates the qualitative extent, to which the civil society in question has acquired the central structural properties and influences democracy. The closer civil society to the positive ideal end on each of these dimensions, the better it can perform its democratic functions and contribute to democracy. Taken together, the specific locations on these dimensions form a pattern that describes a given civil society in relation to the democratic regime it is part of. The larger the property space encompassed by the pattern of civil society established, the more positive its overall impact on democracy. The theoretical approach developed here entails a two-fold critical perspective on civil society: in a differentiated manner focusing on individual blessings and curses exerted by this realm, and in a more holistic way, establishing the overall influence of civil society on democracy.

This theoretical approach suggests two major avenues for future empirical research. Firstly, there is need to scrutinise the relationship between civil society and democracy, with the former figuring as the independent variable and the latter representing the dependent one. Civil society would have to be disaggregated into its five structural properties and it would have to be traced to which extent these properties are in place. From the relative presence or absence, expressed through the positioning of civil society along with each of the five dimensions, it would be possible to infer the extent, to which civil society performs a respective democratic function and to which it has dysfunctional effects for democracy. As these positive and/or negative influences relate to specific aspects of the democratic regime, the qualitative characteristics of precisely these facets would have to be explored in the next step in order to establish causality. Following this differentiated inquiry, a re-aggregation of the various findings would establish the specific pattern of civil society and, through the property space encompassed, relate this realm to the democratic regime as a whole. Provided that such empirical research is carried out dynamically over time, the core insight generated by such research would be an assessment of the progress a given new democracy has made towards consolidation.

Secondly, empirical analyses should focus on the causalities affecting civil society and thus, indirectly, democracy. The wide range of political and economic, cultural and social, national and international factors generally asserted to be affecting democracy represents a vast pool of independent variables. Their impact on civil society as the dependent variable needs to be traced through a differentiated analysis of the structural properties of this realm, subsequent to which specific causalities would have to be established between these properties and particular, positively and/or negatively influential, factors. In re-aggregating this differentiated analysis, the factors which are advantageous to the development of civil society's pattern and an expansion of its property space, and which ones exert a disadvantageous influence that results in a shrinking property space, could be evaluated. Needless to say that such an analysis would equally benefit from a dynamic application of the approach developed here. The core insight of this latter research strategy would relate to the conditions that determine civil society's capacity to contribute to a thriving democratic regime. This, in turn, addresses nothing less than the ancient question of which circumstances make for strong and stable democracies.

Hence, the approach developed here promises to yield substantial analytical insight for emerging civil societies and consolidating democratic regimes, in addition to offering a greater theoretical soundness than has been characteristic of much of the research on civil society so far.

Yet the challenge posed by the described nexus between civil society and democracy extends beyond scholarly research, and it reaches farther than recently democratised polities.

Empirical analysis along the lines suggested here also has a considerable strategic importance. It facilitates the monitoring of democratic consolidation through the lens of civil society, and it makes it possible to trace the causalities leading from specific factors through civil society's properties to positive or negative effects for democracy. On this basis, more effective strategies for strengthening newly democratic regimes, and their civil societies, can be devised that go beyond the very establishment of institutional and organisational structures, and that include more fine-tuning of their qualitative profile and performance. Such well-founded and practical strategies at the disposal of democratisers, however, are crucial if the many still-fledgling democracies of the "third wave", as well as those of possible future waves of democratisation are to have a prospect of consolidation.

No less importantly, the approach developed here advocates a more critical attitude to civil society that is not as of yet very widespread among those practically involved in the building of civil society and democracy. Commonly, practitioners automatically associate their own good intentions and their efforts at developing civic initiative with beneficial effects for democracy. Little awareness exists as to the limitations and undersides of civil society, however unintended. The considerations in this study induce a more critical perspective that may, if entering the self-reflection of civic actors, help to channel their efforts into directions that avoid the potential pitfalls that come with civil society.

Finally, one wonders how more established democracies would fare if scrutinised along the lines of the approach developed in the last part of this study. If the empirical analysis indicated that many quantitative deficiencies persist in Western Europe, it is not unlikely that the qualitative patterns of civil society in those older democracies also deserve further attention and development. Individual mixtures of blessings and curses may well be more advantageous than those found in contexts of more recent democratisation. Yet if one accepts the postulate adopted here that democracy is an ideal that calls for the permanent refinement of existing democratic regimes, those older democracies equally merit detailed analysis and eventually efforts at strengthening civil society.

In both scholarly and practical terms, hence, such a re-orientation in the direction of a more critical attitude towards civil society in its relationship to democracy promises similarly fruitful potential for scholarly and public discourse on this theme as the conceptual and empirical adjustments suggested before. Through the shifts in perspective that are suggested by the considerations of this study, it will become possible to take fresh looks at civil society. Such impulses appear to be much needed, since discourse on civil society is lately losing some of its momentum, after almost two decades of heightening debate. Any further weakening of attention, however, would be a regrettable development. After all, and as this study hopes to have shown, the scholarly potential of this concept has not yet been exhausted, nor have contemporary civil societies and democracies made such leaps of progress recently that would justify less significant efforts.

DOI: 10.2870/42402

DOI: 10.2870/42402

Statistical Annex

Table 1 – Organisational Development of Civil Society in East-Central Europe, 1989-2000

Year	Czech Republic	Hungary	Poland	Slovakia
1989	693	8,796	3,582	93
1990	4,552	15,945	6,069	2,040
1991	9,980	24,051	n.a.	3,198
1992	18,379	31,231	n.a.	5,007
1993	22,052	34,810	n.a.	6,409
1994	27,754	40,323	21,229	7,546
1995	31,335	42,840	23,637	8,688
1996	34,520	45,316	34,223	9,689
1997	39,219	47,365	42,338	10,850
1998	42,865	47,384	48,834	11,874
1999	45,850	48,171	59,215	13,043
2000	46,142	47,144	74,136	14,355

Sources: For the Czech Republic, from ČSÚ 2002. For Hungary, data for 1989-1994, from KSH 1996: 7; for 1995, from KSH 1997: 20; for 1996-2000, from KSH 2002: 51. Polish data, from GUS 2002. For Slovakia, from Albertina Firemní Monitor March 2001; own calculations.

Note: Figures refer to associations and foundations as the main types of civil society organisations, as well as to nonprofit institutes and public-benefit companies. They do not, however, include organisational units of associations and organisations primarily devoted to religious worship. In addition, the original data for Hungary in 1995 included public health insurances, which were subsequently excluded from the figures.

Table 2 – Density of Civil Society in East-Central Europe, 1990 – 2000

	Organisations per 1,000 Inhabitants		
Country	**1990**	**1995**	**2000**
Czech Republic	0.4	3.0	4.5
Hungary	1.5	4.2	4.7
Poland	0.2	0.6	1.9
Slovakia	0.4	1.6	2.7

Sources: For the Czech Republic, from ČSÚ 2002. For Hungary, data for 1989-1994, from KSH 1996: 7; for 1995, from KSH 1997: 20; for 1996-2000, from KSH 2002: 51. Polish data, from GUS 2002. For Slovakia, from Albertina Firemní Monitor March 2001. Population figures for all countries, from respective statistical yearbooks; own calculations.

Note: Figures refer to associations and foundations as the main types of civil society organisations, as well as to nonprofit institutes and public-benefit companies. They do not, however, include organisational units of associations and organisations primarily devoted to religious worship.

DOI: 10.2870/42402

Table 3 – Density of Civil Society in Selected Western European Countries

Country	Civil Society Organisations	Population in Million	Organisations per 1,000 Inhabitants
Austria	107,203 (2000)	8,131,000	13.2
Finland	107,150 (1995)	5,069,000	21.1
Germany	554,503 (2001)	83,030,000	6.7
Italy	221,412 (1999)	56,735,000	3.9
Netherlands	192,000 (1995)	15,453,000	12.4
Spain	253,309 (2000)	39,997,000	6.3
Sweden	190,000 (1995)	8,778,000	21.6
United Kingdom	290,000 (1990)	56,467,000	5.1

Sources: Austria - Heitzmann & Simsa 2002; Finland - Helander & Sundback 1998; Germany - Bundesverband deutscher Stiftungen 2003, V & M Service 2002; Italy - Patané 2001: 7; Netherlands - Burger & Dekker 1997: 12; Spain - Olabuénaga 2000; Sweden - Lundström & Wijkström 1995; United Kingdom - Kendall & Knapp 1993: 6ff. Population figures from respective statistical yearbooks; own calculations.

Note: Figures primarily refer to associations and foundations as the main types of civil society organisations. They do not, however, include organisational units of associations and organisations primarily devoted to religious worship. British figures are based on the legal concept of charities, thus excluding a range of organisations comprised by the figures for the other countries.

Table 4 – Civil Society in East-Central Europe by Main Types of Organisation, 2000

Country	Foundations	Associations	Trade Unions	Professional Organisations	Religious Organisations	Nonprofit Organisations	Total
Czech Republic	1,003	44,745	1,052	636	4,791	649	52,876
Hungary	18,574	22,782	1,283	2,322	1,295	888	47,144
Poland	4,683	52,364	13,979	3,110	16,198	0	90,334
Slovakia	527	10,164	1,661	815	3,305	109	16,581

Country	Foundations	Associations	Trade Unions	Professional Organisations	Religious Organisations	Nonprofit Organisations	Total
Czech Republic	1.9	84.6	2.0	1.2	9.1	1.2	100.0
Hungary	39.4	48.3	2.7	4.9	2.7	1.9	99.9
Poland	5.2	58.0	15.5	3.4	17.9	0	100.0
Slovakia	3.2	61.3	10.0	4.9	19.9	0.7	100.0

Sources: Data for Hungary, from KSH 2002: 26f.; for Poland, from REGON 2001, for the Czech Republic and Slovakia, from Albertina March 2001 and, for the purpose of adjusting foundation figures, from Czech Donors' Forum and Hanzelová 1998.

Note: Figures refer to 2000. A range of Hungarian religious associations is included in the general category for associations. In addition, data for foundations in the Czech Republic and Slovakia was adjusted in order to accommodate the shrinkage brought about by amended foundation laws.

Table 5 – Extinct Organisations in the Czech Republic and Hungary, 1990 – 2000

Year	Czech Republic		Hungary	
	Unregistered Organisations	In Percent of Registered Organisations	Extinct Organisations	In Percent of Registered Organisations
1990	38	0.9	n.a.	n.a.
1991	65	0.7	n.a.	n.a.
1992	229	1.3	553	1.8
1993	458	1.8	1,715	4.6
1994	714	2.3	951	2.2
1995	961	2.8	844	1.8
1996	235	0.6	1,222	2.4
1997	145	0.3	3,121	5.6
1998	1,439	3.1	3,011	5.1
1999	1,202	2.4	2,358	3.8
2000	577	1.1	3,700	5.7

Source: For the Czech Republic, from Czech Statistical Office (ČSÚ); for Hungary, from Central Statistical Office (KSH); and own computations.

Note: Figures do not include organisational units. Data refer to year end.

Table 6 – Civil Society Organisations by Period of Establishment, 1996

Civil Society Organisations Established	Czech Republic (1997)	Hungary (1996)	Poland (1995)	Slovakia (1996)
Before 1990	26.1	20.9	13.3	4.2
Since 1990	73.9	79.1	86.7	70.6
Not specified	-	-	-	25.1
Total	100.0	100.0	100.0	99.9

Source: For the Czech Republic, Frič 1998: 68; for Hungary, KSH 1998: 20; for Poland, BORDO 1998: 26f.; and for Slovakia, Bútora et al. 1997: 214.

Forbrig, Joerg (2004), Civil Society: Theory and practice in East-Central Europe
European University Institute DOI: 10.2870/42402

Table 7 – Civil Society by Main Fields of Activity

	Civil Society Organisations in Percent			
Field of Activity	**Czech Republic**	**Hungary**	**Poland**	**Slovakia**
Culture and Recreation	51.9	44.9	28.4	37.4
Education and Research	9.6	13.2	8.2	3.0
Health	3.1	4.2	4.4	1.1
Social Services	3.4	10.1	20.5	1.4
Environment	5.9	2.1	0.9	17.8
Development and Housing	11.1	5.1	3.4	3.5
Law and Advocacy	3.2	3.8	1.3	3.5
Philanthropic Intermediaries	0.6	1.5	0.3	13.7
International Activities	0.6	1.4	1.0	1.1
Professional, Business Associations	2.8	11.7	29.3	15.5
Others	7.9	2.0	2.3	2.1
Total	100.1	100.0	100.0	100.1

Sources: Data for the Czech Republic, from Goulli et al. 2001: 143f.; for Hungary, from KSH 1998: 18; for Poland, from Central Stat. Office, REGON June 2002; for Slovakia, from Petrášová 2000: 65; and own calculations.

Note: Figures refer to 1995 for the Czech Republic, to 1996 for Hungary and Slovakia, and to 2002 for Poland. Original data included denominational organisations primarily devoted to religious worship, which were subsequently excluded from the present figures.

Table 8 – Membership in Civil Society in East-Central Europe, 1995/1998

	Membership as reported in opinion surveys	**Membership as reported by organisations**	
Country	in percent of population	absolute	in percent of population
Czech Republic (1995)	37.3	6,659,725	64.5
Hungary (1997)	33.0	4,860,541	47.8
Poland (1998)	26.0	n.a.	n.a.
Slovakia (1996)	25.0	2,728,986	51.0

Sources: Data for the Czech Republic, from Kroupa & Mansfeldová: 1997: 178, and from Frič 2001: 144; for Hungary, from Angelusz & Tardos 1999: 260, and KSH 1999: 143; for Poland, from Nałęcz 2001: 24; for Slovakia, from Bútora et al. 1997: 227, and Petrášová 2000: 65; own computations.

Note: Data for the Czech Republic refers to 1995, for Hungary to 1997, for Poland to 1998, and for Slovakia to 1996. Although additional data was available for individual countries for further years, preference was given to have population and organisational data for the same year per country.

Table 9 – Membership in Civil Society Organisations in Western Europe, 1990

Country	Membership in Civil Society Organisations as Reported by Population in percent of population
Belgium	20
Denmark	81
France	39
Germany	67
Ireland	45
Italy	39
Netherlands	85
Norway	81
Spain	23
Sweden	85
United Kingdom	53

Sources: World Values Survey

Table 10 – Membership in Civil Society Organisations by Fields of Activity, 1996/1997

	Civil Society Organisations in Percent		
Field of Activity	Czech Republic	Hungary	Slovakia
Culture and Recreation	28.7	44.2	26.2
Education and Research	0.6	5.2	1.2
Health	0.5	0	6.8
Social Services	0.5	8.6	3.9
Environment	1.5	1.3	10.9
Development and Housing	19.5	2.7	0.0
Law and Advocacy	5.2	2.7	8.6
Philanthropic Intermediaries	0.0	0.2	0.0
International Activities	0.0	1.2	0.4
Professional, Business Associations	37.5	32.4	42.0
Other	5.9	0.5	0.0
Total	100.0	99.0	100.0

Sources: Data for the Czech Republic, from Goulli et al. 2001: 143f.; for Hungary, from KSH 1998: 18; for Slovakia, from Petrášová 2000: 65; and own calculations.

Note: Data for the Czech Republic refers to 1995, for Hungary and Slovakia to 1996.

Table 11 – Volunteerism in Civil Society in East-Central Europe, 1998

Country	Non-Religious Volunteering in percent of the population	Religious Volunteering in percent of the population	Total Volunteering
Czech Republic	15.9	4.6	20.5
Hungary	9.7	4.0	13.7
Poland	12.8	5.7	18.5
Slovakia	16.6	9.6	26.1

Sources: International Social Survey Project 1998.
Note: Volunteering refers to time contributed to civic organisations on three or more occasions in the course of the preceding twelve months. Religious volunteering refers to help lent to churches and religious groups.

Table 12 – Volunteerism in Civil Society in Selected Western European Countries, 1998

Country	Non-Religious Volunteering in percent of the population	Religious Volunteering in percent of the population	Total Volunteering
Austria	12.3	5.2	17.5
Denmark	17.0	4.7	21.7
France	23.3	7.5	30.8
Germany	11.3	6.3	17.6
Great Britain	12.4	7.5	19.9
Ireland	13.8	6.3	20.1
Italy	9.6	8.4	18.0
Netherlands	28.2	9.6	37.8
Norway	29.9	8.0	37.9
Portugal	7.2	6.7	13.9
Spain	6.7	6.4	13.1
Sweden	25.3	7.3	32.6
Average	16.4	7.0	23.4

Sources: International Social Survey Project 1998.
Note: Volunteering refers to time contributed to civic organisations on three or more occasions in the course of the preceding twelve months. Religious volunteering refers to help lent to churches and religious groups.

DOI: 10.2870/42402

Table 13 – Volunteerism in Civil Society Organisations by Fields of Activity, 1995/1996

	Volunteers					
	Czech Republic		**Hungary**		**Slovakia**	
Field of Activity	absolute	percent	absolute	percent	absolute	Percent
Culture and Recreation	18,160	44.4	148,457	38.9	44,487	19.1
Education and Research	1,362	3.3	36,129	9.5	3,560	1.5
Health	3,622	8.9	9,871	2.6	1,751	0.8
Social Services	6,810	16.7	57,605	15.1	62,885	26.9
Environment	4,260	10.4	18,206	4.8	62,410	26.7
Development and Housing	2,280	5.6	12,597	3.3	987	0.4
Law and Advocacy	1,816	4.4	24,445	6.4	33,396	14.3
Philanthropic Intermediaries	1,020	2.5	29,643	7.8	10,237	4.4
International Activities	816	2.0	10,808	2.8	1,926	0.8
Professional, Business Associations	714	1.7	33,821	8.9	11,259	4.8
Others	0	0	0	0	544	0.2
Total	40,860	99.9	381,581	100.1	233,442	99.9

Sources: Data for the Czech Republic, from Goulli et al. 2001: 165f.; for Hungary, from KSH 1998: 100; for Slovakia, from Petrášová 2000: 64; and own computations.
Note: Data for the Czech Republic refers to 1995, for Hungary and Slovakia to 1996.

Table 14 – Geographical Distribution of Civil Society in East-Central Europe

	Czech Republic	
Region	**Organisations**	**per 1,000 inhabitants**
Prague	8,326	7.0
Central Bohemia	6,213	5.6
Budejovice Region	2,795	4.5
Plzen Region	2,229	4.0
Karlovy Vary Region	1,219	4.0
Usti nad Labem Region	3,712	4.5
Liberec Region	1,834	4.3
Hradec Kralove Region	2,670	4.8
Pardubice Region	2,265	4.5
Jihlava Region	2,605	5.0
Brno Region	4,717	4.1
Olomouc Region	2,644	4.1
Zlin Region	2,295	3.8
Ostrava Region	3,969	3.1
Total	47,493	4.6

Source: Albertina Firemní Monitor March 2001; Statistical Yearbook; own calculations.
Note: Figures for organisations refer to 1999. The regions underlying these figures have come into existence in 2000. The population figures therefore all refer to the year 2000.

	Hungary	
Region	**Organisations**	**per 1,000 inhabitants**
Central Hungary	16.484	5.8
(of which Budapest)	(12,976)	(7.1)
Central Transdanubia	4,966	4.5
Western Transdanubia	5,020	5.1
Southern Transdanubia	5,100	5.2
Northern Hungary	5,181	4.1
Northern Great Plain	5,689	3.7
Southern Great Plain	5,731	4.2
Total	48,171	4.8

Sources: KSH 2001: 60, and own calculations.

	Poland	
Region (Voivodship)	**Organisations**	**per 1,000 inhabitants**
Dolnośląskie	5,630	1.9
Kujawsko-Pomorskie	4,269	2.0
Lubelskie	4,928	2.2
Lubuskie	2,122	2.1
Łódzkie	5,756	2.2
Małopolskie	7,037	2.2
Mazowieckie	11,920	
Of which:		
Warsaw	6,381	4.0
Remaining Mazow.	5,539	1.6
Opolskie	2,016	1.9
Podkarpackie	4,022	1.9
Podlaskie	3,341	2.7
Pomorskie	5,053	2.3
Śląskie	8,462	1.7
Świętokrzyskie	2,808	2.1
Warmińsko-Mazurskie	3,340	2.3
Wielkopolskie	7,114	2.1
Zachodniopomorskie	3,324	1.9
Total	81,142	2.1

Source: Central Statistical Office (GUS) - REGON and Statistical Yearbook; own calculations.
Note: Figures refer to 2002.

Forbrig, Joerg (2004), Civil Society: Theory and practice in East-Central Europe
European University Institute DOI: 10.2870/42402

Region	Slovakia Organisations	per 1,000 inhabitants
Bratislava	3,569	5.8
Trnava	968	1.8
Trencin	1,192	2.0
Nitra	1,316	1.8
Zilina	1,519	2.2
Banska Bystrica	1,574	2.4
Presov	1,355	1.7
Kosice	1,542	2.0
Total	13,043 (13,035)	2.4

Source: Albertina Firemní Monitor March 2001; Statistical Yearbook; own calculations.
Note: With these figures, the data base used produces an untraceable deviation from itself (figures in parentheses). This deviation is, however, statistically insignificant. Figures for organisations refer to 1999, population figures used to 1997.

Table 15 – Active Participation in Civil Society in East-Central Europe by Age, 1998

Country	Percentage Share of Population Declaring Activity by Age Groups					Average
	18 - 30	31 - 40	41 - 50	51 - 60	61 - 70	
Czech Republic	17.3	21.4	20.6	23.9	20.6	
Hungary	8.9	15.6	14.0	11.5	10.5	
Poland	17.2	22.6	24.4	27.1	22.3	
Slovakia	28.0	27.7	31.0	32.8	34.3	

Source: International Social Survey Programme 1998

Table 16 – Share of Civil Society in Total Employment, 1995

Country	Percentage Share of Civil Society in Total Employment
Czech Republic	1.8
Hungary	1.3
Poland	1.2
Slovakia	1.0

Source: Salamon et al. 1999 and Leś & Nałęcz 2001.
Notes: Data refer to 1995 for the Czech Republic and Hungary, to 1996 for Slovakia, and to 1997 for Poland. Total employment refers to total non-agricultural employment.

Forbrig, Joerg (2004), Civil Society: Theory and practice in East-Central Europe
European University Institute DOI: 10.2870/42402

Table 17 – Share of Civil Society in Total Employment in Western Europe, 1995

Country	Percentage Share of Civil Society in Total Employment
Austria	4.5
Belgium	10.5
Finland	3.0
France	4.9
Germany	4.9
Ireland	11.5
Italy	1.9
Netherlands	12.6
Norway	3.5
Spain	4.5
Sweden	2.6
United Kingdom	6.2
Western European Average	6.0

Source: Salamon et al. 1999.
Notes: Total employment refers to total non-agricultural employment. Figures generally refer to 1995, with the exception of Sweden (1992), Finland (1996) and Sweden (1997). Figures are exclusive of religious-based organisations.

Table 18 – Operating Expenditures of Civil Society, East-Central Europe, 1995/1997

	Operating Expenditures of Civil Society	
Country	in million US $	in percent of GDP
Czech Republic	800	1.7
Hungary	1,200	2.8
Poland	1,916	1.3
Slovakia	247	1.4

Source: Salamon et al. 1999, and Leś & Nałęcz 2001: 12.
Note: Data refer to 1995 for the Czech Republic and Hungary, to 1996 for Slovakia, and to 1997 for Poland.

Forbrig, Joerg (2004), Civil Society: Theory and practice in East-Central Europe
European University Institute DOI: 10.2870/42402

Table 19 – Operating Expenditures of Civil Society, Western Europe, 1995

Country	Operating Expenditures of Civil Society in percent of GDP
Austria	3.0
Belgium	8.4
Finland	3.9
France	3.8
Germany	4.0
Ireland	8.4
Italy	2.0
Netherlands	15.5
Spain	4.0
Sweden	4.1
United Kingdom	6.8
Western European Average	5.8

Source: Salamon et al. 1999.

Table 20 – Cash Revenues to Civil Society by Sources, East-Central Europe, 1995/1997

	Cash Revenues of Civil Society by Source		
Country	Public Sector Support in percent	Private Philanthropy in percent	Charges, Fees, Sales, Interest in percent
Czech Republic	39.4	14.0	46.6
Hungary	27.1	18.4	54.6
Poland	24.0	15.5	60.4
Slovakia	21.9	23.3	54.9
Average	28.1	17.8	54.1

Source: Salamon et al. 1999 and Leś 2001: 123f.
Note: Data refer to 1995 for the Czech Republic and Hungary, to 1996 for Slovakia, and to 1997 for Poland.

Forbrig, Joerg (2004), Civil Society: Theory and practice in East-Central Europe
European University Institute DOI: 10.2870/42402

Table 21 – Cash Revenues to Civil Society by Sources, Western Europe, 1995

	Cash Revenues of Civil Society by Source		
	Public Sector Support	Private Philanthropy	Charges, Fees, Sales, Interest
Country	in percent	in percent	in percent
Austria	50.4	6.1	43.5
Belgium	77	5	19
Finland	36	6	58
France	58	8	35
Germany	64	3	32
Ireland	77	7	16
Netherlands	59	3	38
Spain	32	19	49
United Kingdom	47	9	45
Average	56	7	37

Source: Salamon et al. 1999.

Bibliography

Abelson, Donald E., *Do Think Tanks Matter? Assessing the Impact of Public Policy Institutes* (McGill Queen's University Press: Montreal and Kingston, 2002).

Adorno, Theodor W., Else Frenkel-Brunswick, Daniel J. Levinson, and R. Nevitt Sanford (eds.), *The Authoritarian Personality. Studies in Prejudice* (New York: Norton, 1969).

Albertina data s.r.o., *Albertina Firemní Monitor June 2001* (Prague: Albertina, 2001).

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), 1-19.

Almond, Gabriel A., and Sydney Verba, *The Civic Culture: Political Attitudes and Democracy in Five Nations* (Princeton: Princeton Unversity Press, 1963).

Angelusz, Róbert, and Róbert Tardos, "Changing Patterns of Social Network Resources in the Nineties," in: Kolosi, Tamás, István, György Tóth, and György Vukovich (eds.), *Social Report 1998* (Budapest: TÁRKI, 1999), 215-269.

Anheier, Helmut K., and Wolfgang Seibel (eds.), *The Third Sector. Comparative Studies of Nonprofit Organizations* (Berlin: de Gruyter, 1990).

Anheier, Helmut K., *The CIVICUS Civil Society Diamond. Profiling Civil Society* unpublished project summary (London: London School of Economics, Centre for Civil Society, 18 April 2000).

Arato, Andrew, "Civil Society Against the State: Poland 1980-81," *Telos* no. 47 (Spring 1981), 23-47.

Arato, Andrew, "Empire vs. Civil Society: Poland 1981-82," *Telos* no. 50 (Winter 1981/82), 19-48.

Aristotle, *Politics*, edited by Stephen Emerson, translation by Jonathan Barnes (Cambridge: Cambridge University Press, 1988).

Aro, Pekka O., and Paula Repo, *Trade Union Experiences in Collective Bargaining in Central Europe. A Report of an ILO Survey in Bulgaria, Czech Republic, Hungary, Poland and Slovakia* (Budapest: International Labour Office, Central and Eastern European Team, 1997).

Baker, Gideon, "Civil Society and Democracy: The Gap Between Theory and Possibility," *Politics* vol. 18 no. 2 (1998), 81-87.

Banfield, Edward C., *The Moral Basis of a Backward Society* (Glencoe, Ill.: Free Press, 1958).

Barber, Benjamin R., *A Place for Us. How to Make Society Civil and Democracy Strong* (New York: Hill and Wang, 1998).

Barnes, Jonathan (ed.), *The Cambridge Companion to Aristotle* (Cambridge: Cambridge University Press, 1995).

Bartkowski, Jerzy, *Społeczne determinanty geograficznego rozmieszczenia organizacji pozarządowych w Polsce*, referat na konwersatorium IFiS PAN "Samoorganizacja społeczna: Trzeci sector," Warsaw, 11 April 2000.

Baynes, Kenneth, "Liberale Neutralität, Pluralismus und deliberative Politik," in: van den Brink, Bert, and Willem van Reijen (eds.), *Bürgergesellschaft, Recht und Demokratie* (Frankfurt: Suhrkamp, 1995), 432-465.

Beck, Ulrich, "Mehr Zivilcourage bitte," *Die Zeit* vol. 55 no. 22 (25 May 2000), 11.

Beiser, Frederick (ed.), *The Cambridge Companion to Hegel* (Cambridge: Cambridge University Press, 1993).

Benda, Václav, "Czech Responses," in: Skilling, H. Gordon, and Paul Wilson (ed.), *Civic Freedom in Central Europe. Voices from Czechoslovakia* (London: MacMillan, 1991), 48-56.

Benda, Václav, "The Parallel 'Polis'," in: Skilling, H. Gordon, and Paul Wilson (ed.), *Civic Freedom in Central Europe. Voices from Czechoslovakia* (London: MacMillan, 1991), 35-41.

Benešova, Stanislava, *Slovakia's "Active" Civil Society: A Paradox of Democratic Consolidation* unpublished M.A. thesis (Budapest: Central European University, Department of Political Science, 1997).

Berényi, Zoltán, *Constitutional Democracy and Civil Society in Poast-Communist Hungary* Multi Language Papers no. 3 (Budapest: Hungarian Academy of Sciences, Institute for Political Science, 1999).

Berman, Sheri, "Civil Society and the Collapse of the Weimar Republic," *World Politics* vol. 49 no. 3 (April 1997), 401-430.

Bernhard, Michael, "Civil Society after the First Transition. Dilemmas of Post-communist Democratization in Poland and Beyond," *Communist and Post-Communist Studies* vol. 29 no. 3 (1996), 309-330.

Bibič, Adolf, "Democracy and Civil Society," in: Bibič, Adolf, and Gigi Graziano (eds.), *Civil Society, Political Society, Democracy* (Ljubljana: Slovenian Political Science Association, 1994), 43-71.

Bibó, István, *Die Misere der osteuropäischen Kleinstaaterei* (Frankfurt am Main: Verlag Neue Kritik, 1992).

Bobbio, Norberto, *Democracy and Dictatorship* (Cambridge: Polity Press, 1997).

Bobbio, Norberto, *Thomas Hobbes and the Natual Law Tradition* (Chicago: The University of Chicago Press, 1993).

Boella, Laura, "Eastern European Societies," *Telos* no. 41 (Fall 1979), 59-75.

BORDO Information Centre for NGOs, *Non Governmental Sector in Poland* (Warsaw: Civic Dialogue Programme Phare, Cooperation Fund, 1998).

Bozóki, András (ed.), *Intellectuals and Politics in Central Europe* (Budapest: CEU Press, 1999).

Broadie, Alexander (ed.), *The Scottish Enlightenment. An Anthology* (Edinburgh: Canongate, 1997).

Brown, Archie, and Jack Gray (eds.), *Political Culture and Political Change in Communist States* (London: Macmillan, 1977).

Brysk, Alison, "Democratizing Civil Society in Latin America," *Journal of Democracy* vol. 11, no. 3 (July 2000), pp. 151-165.

Buchowski, Michał, "The shifting meanings of civil and civic society in Poland," in: Hann, Chris, and Elizabeth Dunn (eds.), *Civil Society: Challenging Western Models* (London: Routledge, 1996), 79-98.

Bunce, Valerie, "Paper Curtains and Paper Tigers," *Slavic Studies* vol. 54, no. 4 (Winter 1995), 979-987.

Bunce, Valerie, "Should Transitologists Be Grounded?" *Slavic Review* vol. 54, no. 1 (Spring 1995), 111-127.

Bundesverband deutscher Stiftungen, *Stiftungen in Zahlen 2003* (Berlin: Bundesverband deutscher Stiftungen, 2003).

Burger, Ary, and Paul Dekker, *The nonprofit sector in the Netherlands* working document no. 70 (Den Haag: Sociaal en Cultureel Planbureau, 2001).

Burton Michael, Richard Gunther, and John Higley, "Elites and democratic consolidation in Latin America and Southern Europe: an overview," in: Higley, John, and Richard Gunther (eds.), *Elites and Democratic Consolidation in Latin America and Southern Europe* (Cambridge: Cambridge University Press, 1992), 323-348.

Burton Michael, Richard Gunther, and John Higley, "Introduction: Elite Transformations and Democratic Regimes," in: Higley, John, and Richard Gunther (eds.), *Elites and Democratic Consolidation in Latin America and Southern Europe* (Cambridge: Cambridge University Press, 1992), 1-37.

Bútora, Martin, and Pavol Demeš, "Civil Society Organizations in the 1998 Elections," in Bútora, Martin, Grigorij Mesežnikov, Zora Bútorová, and Sharon Fisher (eds.), *The 1998 Parliamentary Elections and Democratic Rebirth in Slovakia* (Bratislava: IVO, 1999), 155-168.

Bútora, Martin, and Zuzana Fialová, *Nonprofit Sector and Volunteering in Slovakia* (Bratislava: SAIA-SCTS/FOCUS, 1995).

Bútora, Martin, Katarína Košťálová, Pavol Demeš, and Zora Bútorová, "Nonprofit Sector and Volunteering in Slovakia," in: Bútora, Martin, and Péter Hunčík (eds.), *Global Report on Slovakia. Comprehensive Analyses from 1995 and Trends from 1996* (Bratislava: Sándor Márai Foundation, 1997), 207-244.

Bútora, Martin, Vladimír Krivý, and Sona Szolományi, "Positive Deviation: The Career of a Concept and the Epidemiology of a Phenomenon in Czecho-Slovakia in the late 1980s," unpublished manuscript, 1990.

Calhoun, Craig (ed.), *Habermas and the Public Sphere* (Cambridge, MA: MIT Press, 1992).

Cambaliková, Monika, "The Emergence of Tripartism in Slovakia," in: Ágh, Attila, and Gabriella Ilonszki (eds.), *Parliaments and Organised Interests: The Second Steps* (Budapest: Hungarian Centre for Democracy Studies, 1996), 190-211.

Carr, Craig L. (ed.), *The Political Writings of Samuel Pufendorf* (Oxford: Oxford University Press, 1994).

Casale, Giuseppe, "Tripartism and Industrial Relations in Central and Eastern European Countries," in: Casale, Giuseppe (ed.), *Social Dialogue in Central and Eastern Europe* (Budapest: International Labour Office, Central and Eastern European Team, 1999), 1-36.

CBOS Centrum Badania Opinii Społecznej, *Aktywność charytatywna Polaków* (Warsaw: CBOS, 1997).

CBOS Centrum Badania Opinii Społecznej, *Kondycja polskiego społeczeństwa obywatelskiego* (Warsaw: CBOS, 2002).

CBOS Centrum Badania Opinii Społecznej, *Ocena polityki rządu wobec rolnictwa i stosunek do protestów rolników* (Warsaw: CBOS, 2002).

CBOS Centrum Badania Opinii Społecznej, *Postrzeganie konfliktów społecznych* (Warsaw: CBOS, 2000).

CBOS Centrum Badania Opinii Społecznej, *Przemiany zbiorowej aktywności społecznej Polaków w latach 1998-2002* (Warsaw: CBOS, 2002).

CBOS Centrum Badania Opinii Społecznej, *Społeczeństwo obywatelskie? Między aktywnością a biernością* (Warsaw: CBOS, 2000).

Černy, Václav, "On the Question of Chartism," in: Havel, Václav et al., *The Power of the Powerless: Citizens Against the State in Central Europe* (New York: M. E. Sharpe, 1985), 125-133.

CIPE Center for International Private Enterprise (ed.), *Invigorating Democracy: Think Tanks in Central Europe* (Washington, D.C.: CIPE, 1996).

Cohen, Jean L., and Andrew Arato, *Civil Society and Political Theory* (Cambridge: MIT Press, 1992).

Colletti, Lucio, "Introduction," in: Marx, Karl, *Early Writings* (London: Penguin, 1992), 7-56.

Collier, David, and Steven Levitsky, "Democracy with Adjectives: Conceptual Innovation in Comparative Research," *World Politics* vol. 49 no. 3 (April 1997), 430-451.

Cox, Terry M., and Bob Mason, "Interest Groups and the Development of Tripartism in East Central Europe," *European Journal of Industrial Relations* vol. 6 no. 3 (2000), 325-347.

Crozier, Michel J., Samuel P. Huntington, and Joji Watanuki, *The Crisis of Democracy. Report on the Governability of Democracies to the Trilateral Commission* (New York: New York University Press, 1975).

ČSÚ Czech Statistical Office, *Registry of Business Entities* (Prague: ČSÚ, 2002).

ČSÚ Czech Statistical Office, *Statistical Yearbook of the Czech Republic 1999* (Prague: ČSÚ, 2000).

CVVM Centrum pro výzkum veřejného mínění, *Aktivity lidí ve společenském životí* (Prague: CVVM, 1998).

Czech Donors Forum, *Foundations in the Czech Republic (Current Information)* (Prague: Czech Donors Forum, 2000).

Dąbrowska, Justyna, and Kuba Wygnański, *Basic Facts on Poland's Non-Governmental Organisations* (Warsaw: KLON/JAWOR, 2001).

Dąbrowska, Justyna, and Kuba Wygnański, *Wolontariat i filantropia Polaków w liczbach* (Warsaw: KLON/JAWOR, 2001).

Dąbrowska, Justyna, Marta Gumkowska, and Jakub Wygnański, *Podstawowe fakty o organizacjach pozarządowych – Raport z badania 2002* (Warszawa: KLON/JAWOR, 2002).

Dahl, Robert A., *Dilemmas of Pluralist Democracy* (New Haven: Yael University Press, 1982).

Dahl, Robert A., *On Democracy* (New Haven: Yale University Press, 1998).

Dahrendorf, Ralf, *After 1989. Morals, Revolution and Civil Society* (Houndmills: MacMillan, 1997).

Dahrendorf, Ralf, *Reflections on the Revolutions in Europe* (London: Chatto & Winds, 1990).

Dahrendorf, Ralf, *The Modern Social Conflict. An Essay on the Politcs of Liberty* (London: Weidenfeld and Nicholson, 1988).

Dalos, György, *Archipel Gulasch. Die Entstehung der demokratischen Opposition in Ungarn* (Bremen: Donat und Temmen, 1986).

de Tocqueville, Alexis, *Democracy in America* (London: David Campbell Publishers, 1994).

Demeš, Pavol, "Mimovládne organizácie a dobrovoľníctvo," in: Kollár, Miroslav, and Grigorij Mesežnikov (eds.) *Slovensko 2002. Súhrnná správa o stave spoločnosti II* (Bratislava: Inštitút pre verejné otázky, 2002), 313-332.

Demeš, Pavol, and Joerg Forbrig, "In Trusts we Trust?," *Alliance* vol. 8, no. 2 (June 2003), 11-12.

Demeš, Pavol, and Joerg Forbrig, "Passing the Eurotest," *Alliance* vol. 8, no. 4 (December 2003), 11.

Demeš, Pavol, and Martin Bútora, "Tretí sektor a dobrovoľníctvo," in: Bútora, Martin, and Michal Ivantyšyn (eds.), *Slovensko 1997. Súhrnná správa o stave spoločnosti a trendoch na rok 1998* (Bratislava: Inštitút pre verejné otázky, 1998), 637-656.

Deverová, Lenka, and Petr Pajas, "Právní základy fungování neziskového sektoru v ČR," in: Frič, Pavol, Rochdi Goulli a kol., *Neziskový sektor v ČR* (Prague: Eurolex Bohemia, 2001), 59-72.

Diamond Larry, "Introduction: In Search of Consolidation," in: Diamond, Larry, Marc F. Plattner, Yun-han Chu, and Hung-mao Tien (eds.), *Consolidating the Third Wave Democracies. Themes and Perspectives* (Baltimore: The Johns Hopkins University Press, 1997), xiii-xlvii.

Diamond, Larry, "Causes and Effects," in: Diamond, Larry (ed.), *Political Culture and Democracy in Developing Democracies* (Boulder: Lynne Rienner, 1993), 411-435.

Diamond, Larry, "Introduction: Political Culture and Democracy," in: Diamond, Larry (ed.), *Political Culture and Democracy in Developing Democracies* (Boulder: Lynne Rienner, 1993), 1-33.

Diamond, Larry, "Toward Democratic Consolidation," in: Diamond, Larry, and Marc F. Plattner (eds.), *The Global Resurgence of Democracy* (Baltimore: Johns Hopkins University Press, 1996), 227-240.

Diamond, Larry. *Developing Democracy. Toward Consolidation* (Baltimore: The Johns Hopkins University Press, 1999).

Douglas, James, "Political Theories of Nonprofit Organization," in Powell, Walter W. (ed.), *The Nonprofit Sector. A Research Handbook* (New Haven: Yael University Press, 1987), 397-415.

Dudeková, Gabriela, *Dobrovoľné združovanie na Slovensku v minulosti* Tretí sektor a dobrovoľníctvo 4/1998 (Bratislava: SPACE-Centrum pre analýzu sociálnej politiky, 1998).

Dunning, William Archibald, *A History of Political Theories. Ancient and Medieval* (New York: Johnson Reprint, 1972).

Dunning, William Archibald, *A History of Political Theories. From Luther to Montesquieu* (New York: Johnson Reprint, 1972).

Dziubka, Kazimierz, "Społeczeństwo obywatelskie: wybrane aspekty ewolucji pojęcia," Jabłoński, Andrzej W., and Leszek Sobkowiak, *Studia z teorii polityki* Acta Universitatis Wratislaviensis no. 2003 (Wrocław: Wydawnictwo Uniwersytetu Wrocławskiego, 1998), 31-52.

Easton, David, *A Sytems Analysis of Political Life* (Chicago: The University of Chicago Press, 1979).

Easton, David, *The Analysis of Political Structure* (New York: Routledge, 1990).

Edel, Abraham, *Aristotle and His Philosophy* (Croom Helm: The University of North Carolina Press, 1982).

Edwards, Bob, and Michael W. Foley, "Civil Society and Social Capital beyond Putnam," *American Behavioural Scientist* vol. 42 no. 1 (September 1998), 124-139.

Ehrenberg, John, *Civil Society. The Critical History of an Idea* (New York: New York University Press, 1999).

Ekiert, Grzegorz, and Jan Kubik, *Rebellious Civil Society. Popular Protest and Democratic Consolidation in Poland, 1989-1993* (Ann Arbor: The University of Michigan Press, 1999).

Ekiert, Grzegorz, *The State Against Society. Political Crises and Their Aftermath in East Central Europe* (Princeton, NJ: Princeton University Press, 1996).

Elster, Jon, Claus Offe, and Ulrich K. Preuss, *Institutional Design in Post-communist Societies. Rebuilding the Ship at Sea* (Cambridge: Cambridge University Press, 1998).

Eyal, Gil, Iván Szelényi, and Eleanor Townsley, *Making Capitalism without Capitalists. Class Formation and Elite Struggle in Post-Communist Central Europe* (London: Verso, 1998).

Fairfield, Roy P., "Introduction," in: Fairfield, Roy P. (ed.), *The Federalist Papers* (Baltimore: Johns Hopkins University Press, 1981), vii-xxviii.

Fehér, Ferenc, "Kadarism as the Model State of Krushchevism," *Telos* no. 40 (Summer 1979), 19-31.

Fehr, Helmut, "Das Konzept der Zivilgesellschaft als ost-mitteleuropäische Alternative," in: Franzke, Jochen (ed.), *Polen. Staat und Gesellschaft im Wandel. Beiträge zur Debatte* (Berlin: Berliner Debatte/Wissenschaftsverlag, 1998), 36-55.

Fein, Elke, and Sven Matzke, *Zivilgesellschaft. Konzept und Bedeutung für die Transformationen in Osteuropa* Arbeitspapiere des Osteuropa-Instituts no. 7/1997 (Berlin: Freie Universität Berlin, Osteuropa-Institut, 1997).

Ferguson, Adam, *An Essay on the History of Civil Society* (Cambridge: Cambridge University Press, 1995).

Finnis, John, *Aquinas. Moral, Political, and Legal Theory* (Oxford: Oxford University Press, 1998).

Foley, Michael W., and Bob Edwards, "The Paradox of Civil Society," *Journal of Democracy* vol. 7 no. 3 (July 1996), 38-52.

Forbrig, Joerg (ed.), *Revisiting Youth Political Participation. Challenges for Research and Democratic Practice in Europe* (Strasbourg: Council of Europe Publishers, 2004).

Forbrig, Joerg, "Civil Society and Political Culture. A Suggestion for a Theoretical Framework," *The Masaryk Journal* vol. 3, no. 1 (January 2000), 132-146.

Fox, Jonathan, "The Difficult Transition from Clientelism to Citizenship. Lessons from Mexico," *World Politics* vol. 46 (January 1994), 157-184.

Frankenberg, Günter, *Die Verfassung der Republik. Autorität und Solidarität in der Zivilgesellschaft* (Baden-Baden: Nomos 1996).

Freedom House (ed.), *Think Tanks in Central and Eastern Europe. A Comprehensive Directory* (Washington, D.C.: Freedom House, 1999).

Frič, Pavol a kol., *Dárcovství a dobrovolnictví v České republice. Výsledky výskumu NROS a AGNES* (Prague: NROS/AGNES, 2001).

Frič, Pavol a kol., *Strategy for Development of the Non-Profit Sector* (Prague: Czech Donors Forum, 2000).

Frič, Pavol, "Společensko politický kontext aktuálního vývoje neziskového sektoru v ČR," in: Frič, Pavol, Rochdi Goulli a kol., *Neziskový sektor v ČR* (Prague: Eurolex Bohemia, 2001), 73-126.

Frič, Pavol, *Activities and Needs of Non-Profit Organisations in the Czech Republic. The Results of Quantitative Sociological Research* (Prague: AGNES/ICN, 1998).

Frič, Pavol, *Czech country chapter*, paper presented at the conference of the Future of Civil Society Project, Prague, 9-12 May 2002.

Friedheim, Daniel V., "Bringing Society Back into Democratic Transition Theory after 1989: Pact Making and Regime Collapse," *East European Politics and Societies* vol. 7, no. 3 (Fall 1993), 482-512.

Fromm, Erich, *Fear of Freedom* (London: Routledge and Keegan Paul, 1984).

Fukuyama, Francis, *Trust. The Social Virtues and the Creation of Prosperity* (London: Penguin, 1996).

Garlicki, Andrzej, Zbigniew Landau, Wojciech Roszkowski, Piotr Stawecki, and Jerzy Tomaszewski, *Encyklopedia historii Drugiej Rzeczypospolitej* (Warsaw: Wydawnictwo Wiedza Powszechna, 1999).

Gaschke, Susanne, "Ideologiekritik – Teil 2: Die Zivilgesellschaft wird die sozialen Aufgaben des Staates nicht übernehmen können," *Die Zeit* vol. 54 no. 30 (22 July 1999), 8.

Gaskin, Katherine, and Justin Davis Smith, *A New Civic Europe? A Study of the Extent and Role of Volunteering* (London: The National Centre for Volunteering, 1997).

Gebethner, Stanisław, "Proportional Representation Versus Majoritarian Systems: Free Elections and Political Parties in Poland, 1989-1991," in: Lijphart, Arend, and Carlos H. Waisman (eds.), *Institutional Design in New Democracies. Eastern Europe and Latin America* (Boulder: Westview Press, 1996), 59-75.

Gellner, Ernest, *Conditions of Liberty. Civil Society and its Rivals* (London: Hamish Hamilton, 1994).

Geremek, Bronisław, "Civil Society Then and Now," in: Diamond, Larry, and Marc F. Plattner (eds.), *The Global Resurgence of Democracy* (Baltimore: The Johns Hopkins University Press, 1996), 241-250.

Gliński, Piotr, "O pewnych aspektach obywatelskości. Aktywność społeczna a integracja wspólnot obywatelskich," in: Domański, Henryk, Antonina Ostrowska, and Andrzej Rychard (eds.), *Jak żyją Polacy* (Warsaw : IFiS PAN, 2000), 363-393.

Gliński, Piotr, and Hanna Palska, "Cztery wymiary społecznej aktywności obywatelskiej," in: Domański, Henryk, and Andrzej Rychard (eds.), *Elementy nowego ładu* (Warsaw : IFiS PAN, 1996), 365-392.

Gorlach, Krzysztof, "Nowe oblicze chłopstwa: protesty rolników polskich w latach 90," in: Domański, Henryk, Antonina Ostrowska, and Andrzej Rychard (eds.), *Jak żyją Polacy* (Warsaw: IfiS PAN, 2000), 281-312.

Goulli, Rochdi, Olga Vyskočilová, and Leila Goulliová, "Ekonomická analýza nestátního neziskového sektoru v ČR," in: Frič, Pavol, Rochdi Goulli a kol., *Neziskový sektor v ČR* (Prague: Eurolex Bohemia, 2001), 127-198.

Gunther, Richard, Hans-Jürgen Puhle, P. Nikiforos Diamandouros, "Introduction," in: Gunther, Richard, P. Nikiforos Diamandouros, and Hans-Jürgen Puhle (eds.), *The Politics of Democratic Consolidation. Southern Europe in Comparative Perspective* (Baltimore: The Johns Hopkins University Press, 1995), 1-32.

GUS Główny Urząd Statystyczny, *REGON 2001* (Warszawa: GUS, 2001).

GUS Główny Urząd Statystyczny, *REGON June 2002* (Warszawa: GUS, 2002).

GUS Główny Urząd Statystyczny, *Roczniki statystyczne 1995 - 1998* (Warsaw: GUS, 1996 - 1999).

Györffy, Gábor, "Hungary. Country Report," In: International Center for Not-for-Profit Law (ed.), *Select Legislative Texts and Commentaries on Central and East European Not-for-Profit Law* (Sofia: Union of Bulgarian Foundations, 1995), 1-33.Hanzelová 1998: 4f.

Haakonssen, Knud, "The structure of Hume's political theory," in: Norton, David F. (ed.), *The Cambridge Companion to Hume* (Cambridge: Cambridge University Press, 1993).

Habermas, Jürgen, "Discourse Ethics: Notes on a Program of Philosophical Justification," in: Habermas, Jürgen, *Moral Consciousness and Communicative Action* (Cambridge: Polity Press, 1990), 43-115.

Habermas, Jürgen, *Strukturwandel der Öffentlichkeit. Untersuchungen zu einer Kategorie der bürgerlichen Gesellschaft* (Darmstadt: Luchterhand, 1986) – in English: Habermas, Jürgen, *The Structural Transformation of the Public Sphere* (Cambridge: Polity Press, 1989).

Hall, John A., "In Search of Civil Society," in: Hall, John A. (ed.), *Civil Society. Theory, History, Comparison* (Cambridge: Polity Press, 1995), 1-31.

Hamilton, Alexander, James Madison and John Jay, *The Federalist Papers* (Cambridge: Harvard University Press).

Hann, Chris, "Introduction: Political society and civil anthropology," in: Hann, Chris, and Elizabeth Dunn (eds.), *Civil Society. Challenging Western Models* (London: Routledge, 1996), 1-26.

Hansmann, Henry, "The Role of Nonprofit Enterprise," in: Rose-Ackerman, Susan (ed.), *The Economics of Nonprofit Institutions. Studies in Structure and Policy* (Oxford: Oxford University Press, 1986), 57-84.

Hanson, Stephen E., and Jeffrey S. Kopstein, "The Weimar/Russia Comparison," *Post-Soviet Affairs* vol. 13 no. 3 (September 1997), 252-283.

Hanzelová, Stella, *Foundations in Slovakia. Introduction to the Independent Funding Community* (Bratislava: Donor's Forum Slovakia, 1998).

Hausner, Jerzy, "Models of the System of Interest Representation in Post-Socialist Societies: The Case of Poland," in: Ágh, Attila, and Gabriella Ilonszki (eds.), *Parliaments and Organised Interests: The Second Steps* (Budapest: Hungarian Centre for Democracy Studies, 1996), 102-120.

Forbrig, Joerg (2004), Civil Society: Theory and practice in East-Central Europe
European University Institute DOI: 10.2870/42402

Havel, Václav, "Anti-Political Politics," in: Keane, John (ed.), *Civil Society and the State: New European Perspectives* (London: Verso, 1988), 381-398.

Havel, Václav, "The Power of the Powerless," in: Václav Havel et al., *The Power of the Powerless: Citizens Against the State in Central Europe* (New York: M. E. Sharpe, 1985), 23-96.

Hegedüs, András, "Interview with András Hegedüs," *Telos* no. 47 (Spring 1981), 132-137.

Hegel, Gottfried W. F., *Elements of the Philosophy of Right*, edited by Allen W. Wood (Cambridge: Cambridge University Press, 1991).

Heins, Volker, "Ambivalenzen der Zivilgesellschaft," *Politische Vierteljahresschrift* vol. 33 no. 2 (1992), 235-242.

Heitzmann, Karin, and Ruth Simsa, "The Nonprofit Sector in Austria," paper presented at the conference of the Future of Civil Society Project, Prague, 9-12 May 2002.

Hejdánek, Ladislav, "Prospects for Democracy and Socialism in Eastern Europe," in: Václav Havel et al., *The Power of the Powerless: Citizens Against the State in Central Europe* (New York: M. E. Sharpe, 1985), 141-151.

Helander, Voitto, and Susan Sundback, *Defining the Nonprofit Sector: Finland* working papers of the Johns Hopkins Comparative Nonprofit Sector Project no. 34 (Baltimore: The Johns Hopkins Institute for Policy Studies, 1998).

Held, David, *Political Theory and the Modern State* (Cambridge: Polity Press, 1989).

Held, Joseph (ed.), *Democracy and Right-Wing Politics in Eastern Europe in the 1990s* (Boulder: East European Monographs, 1993).

Heller, Agnes, *Can Modernity Survive?* (Cambridge: Polity Press, 1990).

Héthy, Lajos, "Negotiated Social Peace? An Attempt to Reach a Social and Economic Agreement in Hungary," in: Ágh, Attila, and Gabriella Ilonszki (eds.), *Parliaments and Organised Interests: The Second Steps* (Budapest: Hungarian Centre for Democracy Studies, 1996), 147-157.

Héthy, Lajos, "Tripartism and Industrial Relations in Hungary," in: Casale, Giuseppe (ed.), *Social Dialogue in Central and Eastern Europe* (Budapest: International Labour Office, Central and Eastern European Team, 1999), 180-201.

Hobbes, Thomas, *De Corpore Politico, or the Elements of Law* (Aalen: Scientia, 1966a).

Hobbes, Thomas, *Leviathan* (Aalen: Scientia, 1966b).

Howard, Marc Morjé, "Free Not to Participate: The Weakness of Civil Society in Post-Communist Europe," *Studies in Public Policy* No. 325 (Glasgow: Centre for the Study of Public Policy, University of Strathclyde, 2000).

Hrubala, Ján, Peter Haňdiak, and Viera Machalová, *Právo a neziskový sektor na Slovensku* Edícia Tretí sektor a dobrovoĺníctvo 5/1999 (Bratislava: SPACE-Centrum pre analýzu sociálnej politiky, 1999).

Hume, David, *Political Essays* edited by Knud Haakonssen (Cambridge: Cambridge University Press, 1994).

Huntington, Samuel P., "The Modest Meaning of Democracy," in: Pastor, Robert A. (ed.), *Democracy in the Americas: Stopping the Pendulum* (London: Holmes & Meier, 1989), 11-28.

Huntington, Samuel P., *The Third Wave. Democratization in the Late Twentieth Century* (Norman and London: University of Oklahoma Press, 1991).

Hyatt, Jenny, Libby Cooper, and Barry Knight, *From transition to development: the non-profit sectors of Central and Eastern Europe* (New York: Charles Stuart Mott Foundation, 1998).

ISSP International Social Survey Programme, *Religion II 1998* (Cologne: Central Archive for Empirical Social Research, 1998).

Izdebski, Hubert, *Fundacje i Stowarzyszenia* (Warszawa: Transit, 1998).

James, Estelle, "The Nonprofit Sector in Comparative Perspective," in Powell, Walter W. (ed.), *The Nonprofit Sector. A Research Handbook* (New Haven: Yael University Press, 1987), 397-415.

Janoski, Thomas, *Citizenship and Civil Society* (Cambridge: Cambridge University Press, 1998).

Johann, Wiesław, *Prawo o stowarzyszeniach w praktyce* (Warszawa: Fundusz Współpracy/Program PHARE Dialog Społeczny, 1995).

Juros, Andrzej, Ewa Leś, Slawomir Nałęcz, Izabela Rybka, Marek Rymsza, and Kuba Wygnański, *The Development of the Non-Profit Sector in Poland after 1989. A Summary of the Case–Study*, paper presented at the conference of the Future of Civil Society Project, Prague, 9-12 May 2002.

Karatnycky, Adrian, Alexander Motyl, and Aili Piano (eds.), *Nations in Transit 1999-2000. Civil Society, Democracy and Markets in East Central Europe and the Newly Independent States* forthcoming.

Karatnycky, Adrian, Alexander Motyl, and Amanda Schnetzer (eds.), *Nations in Transit 2002. Civil Society, Democracy and Markets in East Central Europe and the Newly Independent States* (New Brunswick: Transaction Publishers, 2002).

Karl, Terry Lynn, and Philippe C. Schmitter, "From an Iron Curtain to a Paper Curtain: Grounding Transitologists or Students of Post-Communism?" *Slavic Studies* vol. 54, no. 4 (Winter 1995), 965-978.

Karl, Terry Lynn, and Philippe C. Schmitter, "Modes of Transition in Latin America, Southern and Eastern Europe," *International Social Science Journal* vol. 43, no. 128 (May 1991), 269-284.

Keane, John, "Introduction," in: Keane, John (ed.), *Civil Society and the State. New European Perspectives* (London: Verso, 1988), 1-31.

Keane, John, *Civil Society: Old Images, New Visions* (Cambridge: Polity Press, 1998).

Keane, John, *Democracy and Civil Society: On the Predicaments of European Socialism, the Prospects for Democracy, and the Problem of Controlling Social and Political Power* (London: Verso, 1988a).

Keck, Margaret E., "Social Equity and Environmental Politics in Brazil. Lessons from the Rubber Tappers of Acre," *Comparative Politics* vol. 27, no. 4 (July 1995), 409-424.

Kendall, Jeremy, and Martin Knapp, *Defining the Nonprofit Sector: The United Kingdom* 1995 working papers of the Johns Hopkins Comparative Nonprofit Sector Project no. 5 (Baltimore: The Johns Hopkins Institute for Policy Studies, 1993).

Kennedy, Michael D., *Professionals, Power and Solidarity in Poland: A Critical Sociology of Soviet-Type Society* (Cambridge: Cambridge University Press, 1991).

Keyt, David, and Fred D. Miller (eds.), *A Companion to Aristotle's* Politics (Oxford: Blackwell, 1991).

Kirwan, Christopher, *Augustine* (London: Routledge, 1991).

Kis, János, "Gedanken über die nächste Zukunft," in: Dalos, György, *Archipel Gulasch. Die Entstehung der demokratischen Opposition in Ungarn* (Bremen: Donat und Temmen, 1986), 150-173.

Kis, János, *Politics in Hungary: For a Democratic Alternative* (Boulder, Colorado: Social Science Monographs, 1989).

Klingelhofer, Stephan E., and Jay Kendall Frye, *Global Perspectives on Not-for-Profit Law* (Washington: ICNL, 1997).

Knox, T. M., *Hegel's Philosophy of Right* (Oxford: Oxford University Press, 1975).

Kołakowski, Leszek, *Main Currents of Marxism. Its Origins, Growth, and Dissolution.* vol. III (Oxford: Clarendon, 1978).

Kołakowski, Leszek, *Marxismus – Utopie und Anti-Untopie* (Stuttgart: Verlag W. Kohlhammer, 1974).

Konrád, George, *Antipolitics. An Essay* (London: Quartet Books, 1984).

Kovanda, Karel, "Czechoslovakia in Transition," *Telos* no. 31 (Spring 1977), 143-147.

Krastev, Ivan, "The Liberal Estate: Reflections on the Politics of Think Tanks in Central and Eastern Europe," in: McGann, James G., and R. Kent Weaver (eds.), *Think Tanks and Civil Societies. Catalysts for Ideas and Action* (New Brunswick and London: Transaction Publishers, 2000), 273-291.

Krivý, Vladimír, "Výsledky parlamentných volieb 2002," in: Kollár, Miroslav, and Grigorij Mesežnikov (eds.) *Slovensko 2002. Súhrnná správa o stave spoločnosti I* (Bratislava: Inštitút pre verejné otázky, 2002), 127-153.

Kroupa, Aleš, and Zdenka Mansfeldová, "Občanská sdružení a profesní komory," in: Brokl, Lubomír & kol., *Reprezentace zájmů v politickém systému České republiky* (Praha: Slon, 1997), 151-186.

KSH Central Statistical Office, *Individual Giving and Volunteering in Hungary* (Budapest: KSH, 1995).

KSH Central Statistical Office, *Statistical Yearbook of Hungary 1992* (Budapest: KSH, 1993).

KSH Központi Statisztikai Hivatal, *Nonprofit Szervezetek Magyarországon 1992-1999.* (Budapest: KSH, 1994-2001).

KSH Központi Statisztikai Hivatal, *Nonprofit Szervezetek Magyarországon 2000* (Budapest: KSH, 2002).

Kubinková, Marcela, "Tripartism and Industrial Relations in the Czech Republic," in: Casale, Giuseppe (ed.), *Social Dialogue in Central and Eastern Europe* (Budapest: International Labour Office, Central and Eastern European Team, 1999), 118-145.

Kullmann, Wolfgang, "Man as a Political Animal in Aristotle," in: Keyt, David, and Fred D. Miller (eds.), *A Companion to Aristotle's* Politics (Oxford: Blackwell, 1991), 94-117.

Kumar, Krishan, "Civil society: an inquiry into the usefulness of an historical term," *British Journal of Sociology* vol. 44 no. 3 (September 1993), 375-395.

Kusy, Miroslav, "Chartism and 'Real Socialism,' in: Václav Havel et al., *The Power of the Powerless: Citizens Against the State in Central Europe* (New York: M. E. Sharpe, 1985), 152-177.

Kusy, Miroslav, "On Civic Courage," *International Journal of Politics* vol. 9 no. 1 (Spring 1981), 39-51.

Kuti, Éva, and István Sebestény, "The Nonprofit Sector in Hungary," paper presented at the conference of the Future of Civil Society Project, Prague, 9-12 May 2002.

DOI: 10.2870/42402

Kuti, Éva, *The nonprofit sector in Hungary* Johns Hopkins Nonprofit Sector Series No. 2 (Manchester: Manchester University Press, 1996).

Ladó, Mária, "Continuity and Changes in Tripartism in Hungary," in: Ágh, Attila, and Gabriella Ilonszki (eds.), *Parliaments and Organised Interests: The Second Steps* (Budapest: Hungarian Centre for Democracy Studies, 1996), 158-172.

Langton, Kenneth P., *Political Socialization* (New York: Oxford University Press, 1969).

Latawski, Paul (ed.), *Contemporary Nationalism in East Central Europe. Unfinished Business* (New York: St. Martin's Press, 1995).

Lee, Kyu-Young, *Zivilgesellschaft als Ansatzpunkt für den Umbruch der sozialistischen Systeme in Osteuropa* Beiträge zur Politikwissenschaft 55 (Frankfurt: Peter Lang, 1994).

Lehmbruch, Gerhard, "Liberal Corporatism and Party Government," in: Schmitter, Philippe C., and Gerhard Lehmbruch (eds.), *Trends toward Corporatist Intermediation* (London: Sage, 1979), 147-184.

Leś, Ewa, and Sławomir Nałęcz, *The Nonprofit Sector in Poland: Country Chapter* manuscript (Warsaw: Polish Academy of Sciences, 2001).

Leś, Ewa, *Od filantropii do pomocniczności. Studium porównawcze rozwoju i dzialalności organizacji spolecznych* (Warszawa: Elipsa, 2000).

Leś, Ewa, *The voluntary sector in post-communist East Central Europe: from small circles of freedom to civil society* (Washington: World Alliance for Citizen Participation, 1994).

Leś, Ewa, *Zarys historii dobroczynnoości i filantropii w Polsce* (Warszawa: Prószyński i S-ka, 2001).

Liehm, Antonin J., "The Intellectuals on the New Social Contract," *Telos* no. 23 (Spring 1975), 156-164.

Lijphart, Arend, and Carlos H. Waisman (eds.), *Institutional Design in New Democracies. Eastern Europe and Latin America* (Boulder: Westview Press, 1996).

Lijphart, Arend, *The Politics of Accommodation. Pluralism and Democracy in the Netherlands* (Berkeley: University of California Press, 1968).

Linz, Juan J., "The Perils of Presidentialism," in: Diamond, Larry, and Marc F. Plattner (eds.), *The Global Resurgence of Democracy* (Baltimore: The Johns Hopkins University Press, 1996), 124-142.

Linz, Juan J., "Transitions to Democracy," *Washington Quarterly* vol. 13, no. 3 (Summer 1990), 143-164.

Linz, Juan J., Alfred Stepan, and Richard Gunther, "Democratic Transition and Consolidation in Southern Europe, with Reflections on Latin America and Eastern Europe," in: Gunther, Richard, P. Nikiforos Diamandouros, and Hans-Jürgen Puhle (eds.), *The Politics of Democratic Consolidation. Southern Europe in Comparative Perspective* (Baltimore: The Johns Hopkins University Press, 1995), 77-123.

Linz, Juan J., and Alfred Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe* (Baltimore: The Johns Hopkins University Press, 1996).

Linz, Juan J., *The Breakdown of Democratic Regimes. Crisis, Breakdown and Reequilibration* (Baltimore: The Johns Hopkins University Press, 1978).

Lipset, Seymour Martin, and Stein Rokkan, "Cleavage Structures, Party Systems, and Voter Alignments: Introduction," in: Lipset, Seymour Martin, and Stein Rokkan (eds.), *Party Systems and Voter Alignments: Cross-National Perspectives* (New York: The Free Press, 1967), 1-64.

Lipset, Seymour Martin, *Political Man* (London: Heinemann, 1969).

Lipski, Jan Józef, *KOR: Workers' Defense Committee in Poland 1976-1981* (Berkeley, CA: University of California Press, 1985).

Locke, John, *Two Treatises of Government* edited by Peter Laslett (Cambridge: Cambridge University Press, 1970).

Lomax, Bill, "The Strange Death of 'Civil Society' in Post-Communist Hungary," *Journal of Communist Studies and Transition Politics* 13, no. 1(March 1997), 41-63.

Lukes, Steven, "Introduction," in: Václav Havel et al., *The Power of the Powerless: Citizens Against the State in Central Europe* (New York: M. E. Sharpe, 1985), 11-22.

Lundström, Tommy, and Filip Wijkström, *Defining the Nonprofit Sector: Sweden* 1995 working papers of the Johns Hopkins Comparative Nonprofit Sector Project no. 16 (Baltimore: The Johns Hopkins Institute for Policy Studies, 1995).

Machaliková, Anna, "Tripartism in the Slovak Republic," in: Casale, Giuseppe (ed.), *Social Dialogue in Central and Eastern Europe* (Budapest: International Labour Office, Central and Eastern European Team, 1999), 288-304.

Macpherson, C. B., *The Political Theory of Possessive Individualism. Hobbes to Locke* (Oxford: Oxford University Press, 1962).

Madison, James, Alexander Hamilton, and John Jay, *The Federalist Papers* edited by Benjamin Fletcher Wright (Cambridge, MA: Belknap Press, 1974).

Mainwaring, Scott, "Transitions to Democracy and Democratic Consolidation: Theoretical and Comparative Issues," in: Mainwaring, Scott, Guillermo O'Donnell, and J. Samuel Valenzuela (eds.), *Issues in Democratic Consolidation. The New South American Democracies in Comparative Perspective* (Notre Dame: University of Notre Dame Press, 1992), 294-341.

Mansfeldová, Zdenka, "Zivilgesellschaft in der Tschechischen und Slovakischen Republik," *Aus Politik und Zeitgeschichte* no. B 6-7/98 (30 January 1998), 13-19.

Marada, Radim, "Civil Society: Adventures of the Concept before and after 1989," *Czech Sociological Review* vol. 5 no. 1 (Spring 1997), 3-22.

Marshall, Thomas H., "Citizenship and Social Class," in: Marshall, Thomas H., and Tom Bottomore, *Citizenship and Social Class* (London: Pluto Press, 1992), 3-51.

Marx, Karl, "Critique of Hegel's Doctrine of the State," in: Marx, Karl, *Early Writings* (London: Penguin, 1992), 57-198.

Marx, Karl, and Friedrich Engels, *The Communist Manifesto. A Modern Edition*, edited by Eric Hobsbawm (London: Verso, 1998).

Marx, Karl, *Early Political Writings*, edited by Joseph O'Malley (Cambridge: Cambridge Universiyty Press, 1994).

McGann, James G., and R. Kent Weaver (eds.), *Think Tanks and Civil Societies. Catalysts for Ideas and Action* (New Brunswick and London: Transaction Publishers, 2000).

Merkel, Wolfgang, "Civil Society and Democratic Consolidation in Eastern Europe," *Budapest Papers on Democratic Transition* no. 255 (Budapest: Hungarian Center for Democracy Foundation, 1999).

Merkel, Wolfgang, "Defective Democracies," *Center for Advanced Studies in the Social Sciences Working Papers* no. 132 (Madrid: Juan March Institute, 1999).

Merkel, Wolfgang, "Theorien der Transformation: Die demokratische Konsolidierung postautoritärer Gesellschaften," *Politische Vierteljahresschrift* vol. 36, no. 26 (1995), 30-58.

Micheletti, Michele, *Civil Society and State Relations in Sweden* (Aldershot: Avebury, 1995).

Michels, Robert, *Political Parties. A Sociological Study of the Oligarchical Tendencies of Modern Democracy* (New York: The Free Press, 1962).

Michnik, Adam (ed.), *Letters from Prison and Other Essays* (Berkeley, CA: University of California Press, 1985).

Michnik, Adam, "What We Can Do and What We Want to Do," *Telos* no. 47 (Spring 1981), 66-77.

Miszlivetz, Ferenc, "Participation and Transition: Can the Civil Society Project Survive in Hungary?" In: *Journal of Communist Studies and Transition Politics* 13, no. 1(March 1997), 27-40.

Miszlivetz, Ferenc, and Katalin Ertsey, "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), 71-103.

Mlynar, Zdenek, "From Prague to Moscow: August 1968," *Telos* no. 42 (Winter 1979/80), 21-55.

Moller Okin, Susan, "Justice and Gender," *Philosophy and Public Affairs* vol. 16 no. 1 (1987), 42-72.

Montesquieu, *The Spirit of the Laws* (Cambridge: Cambridge University Press, 1989).

Morlino, Leonardo, and José R. Montero, "Legitimacy and Democracy in Southern Europe," in: Gunther, Richard, P. Nikiforos Diamandouros, and Hans-Jürgen Puhle (eds.), *The Politics of Democratic Consolidation. Southern Europe in Comparative Perspective* (Baltimore: The Johns Hopkins University Press, 1995), 231-260.

Mračko, Miroslav, *Verejnoprospešné organizácie* (Bratislava: Mračko, 1997).

Myant, Martin, "Employers' Interest Representation in the Czech Republic," *Journal of Communist Studies and Transition Politics* vol. 16, no. 4 (December 2000), 1-20.

Niejahr, Elisabeth, "Sozialklimbim im Ausverkauf," *Die Zeit* vol. 55 no. 12 (16 März 2000), 21f.

Nielsen, Kai, "Reconceptualising Civil Society for Now: Some Somewhat Gramscian Turnings," in: Walzer, Michael (ed.), *Toward a Global Civil Scoiety* (Providence, RI: Berghahn Books, 1995), 41-68;

Nohlen, Dieter, "Electoral Systems and Electoral Reform in Latin America," in: Lijphart, Arend, and Carlos H. Waisman (eds.), *Institutional Design in New Democracies. Eastern Europe and Latin America* (Boulder: Westview Press, 1996), 43-57.

O'Donnell, Guillermo, "Illusions about Consolidation," *Journal of Democracy* vol. 7, no. 2 (April 1996), 34-51.

O'Donnell, Guillermo, "Transitions, Continuities, and Paradoxes," in: Mainwaring, Scott, Guillermo O'Donnell, and J. Samuel Valenzuela (eds.), *Issues in Democratic Consolidation. The New South*

DOI: 10.2870/42402

American Democracies in Comparative Perspective (Notre Dame: University of Notre Dame Press, 1992), 17-56.

O'Donnell, Guillermo, and Philippe C. Schmitter, *Transitions from Authoritarian Rule: Tentative Conclusions about Uncertain Democracies* (Baltimore: The Johns Hopkins University Press, 1986).

Offe, Claus, "Capitalism by Democratic Design? Democratic Theory Facing the Triple Transition in East Central Europe," *Social Research* vol. 58, no. 4 (Winter 1991), 865-892.

Ogrodziński, Piotr, *Pięć tekstów o społeczeństwie obywatelskim* (Warszawa: Instytut studiów politycznych Polskiej Akademii Nauk, 1991).

OKI National Institute of Public Education, *Education in Hungary 2000* (Budapest: OKI, 2001).

Orenstein, Mitchell, and Raj M. Desai, "State Power and Interest Group Formation. The Business Lobby in the Czech Republic," *Problems of Post-Communism* vol. 44, no. 6 (November/December 1997), 43-52.

OSI Open Society Institute (ed.), *Open Society Institute and Related Public Policy Centers. Activity Report* (Budapest: OSI, 2002).

OSI Open Society Institute (ed.), *OSI Related Centers in the EU Accession Countries. Evaluation Report* (Budapest: OSI, 2003).

Ost, David, "The Weakness of Strong Social Movements: Models of Unionism in the East European Context," *European Journal of Industrial Relations* vol. 8 no. 1 (March 2002), 33-51

Ost, David, and Marc Weinstein, "Unionists against Unions: Toward Hierarchical Management in Post-Communist Poland," *East European Politics and Societies* vol. 13, no. 1 (Winter 1999), 1-33.

Ost, David, *Solidarity and the Politics of Anti-Politics: Opposition and Reform in Poland since 1968* (Philadelphia: Temple University Press, 1990).

Paczkowski, Andrzej, *Pół wieku dziejów Polski. 1939-1989* (Warsaw: Wydawnictwo Naukowe PWN, 1996).

Paine, Thomas, "Common Sense," in: Paine, Thomas, *Collected Writings* (New York: Literary Classics, 1995), 6-59.

Pajas, Petr, "Czech Republic. Country Report," In: International Center for Not-for-Profit Law, *Select Legislative Texts and Commentaries on Central and East European Not-for-Profit Law* (Sofia: Union of Bulgarian Foundations, 1995), 1-16.

Patané, Simonetta, *The Third Sector in Italy* (Rome: LUMSA, Faculty of Education, 2001).

Pearce, David W., *The MacMillan Dictionary of Modern Economics* (London: MacMillan, 1981).

Pelczynski, Zbigniew A. (ed.), *The State and Civil Society. Studies in Hegel's Political Philosophy* (Cambridge: Cambridge University Press, 1984).

Pełczynski, Zbigniew, "Solidarity and 'The Rebirth of Civil Society' in Poland, 1976-81," in: Keane, John (ed.), *Civil Society and the State* (London: Verso, 1988), 361-380.

Pelikán, Jiří, *Sozialistische Opposition in der CSSR. Analyse und Dokumente des Widerstandes seit dem Prager Frühling* (Frankfurt: Europäische Verlagsanstalt, 1973).

Penelhum, Terence, "Hume's moral psychology," in: Norton, David F. (ed.), *The Cambridge Companion to Hume* (Cambridge: Cambridge University Press, 1993), 117-147.

Péréz-Díaz, Víctor M., *The Return of Civil Society. The Emergence of Democratic Spain* (Cambridge, MA: Harvard University Press, 1993).

Pérez-Díaz, Víctor, "The Public Sphere and a European Civil Society," in: Alexander, Jeffrey C. (ed.), *Real Civil Societies* (Thousand Oaks: Sage, 1998), 211-238.

Pišút, Ján, Gabriela Gregušová, and Martin Plesch, "Education," in: Mesežnikov, Grigorij, Miroslav Kollár, and Tom Nicholson (eds.), *Slovakia 2002. A Global Report on the State of Society* (Bratislava: IVO Institute for Public Affairs, 2003), 573-590.

Plasser, Fritz, Peter A. Ulram, and Harald Weinrauch, *Democratic Consolidation in East-Central Europe* (Houndmills: MacMillan, 1998).

Potůček, Martin, *Not only the Market. The Role of the Market, Government and Civic Sector in the Development of Postcommunist Societies* (Budapest: Central European University Press, 1999).

Powell, Walter W. (ed.), *The Nonprofit Sector. A Research Handbook* (New Haven: Yael University Press, 1987).

Powell, Walter W., and Elisabeth S. Clemens (eds.), *Private Action and the Public Good* (New Haven: Yale University Press, 1998).

Pridham, Geoffrey, "Southern European democracies on the road to consolidation: a comparative assessment of the role of political parties," in: Pridham, Geoffrey (ed.), *Securing Democracy. Political Parties and Democratic Consolidation in Southern Europe* (London: Routledge, 1993), 1-41.

Forbrig, Joerg (2004), Civil Society: Theory and practice in East-Central Europe
European University Institute DOI: 10.2870/42402

Pridham, Geoffrey, "The International Context of Democratic Consolidation: Southern Europe in Comparative Perspective," in: Gunther, Richard, P. Nikiforos Diamandouros, and Hans-Jürgen Puhle (eds.), *The Politics of Democratic Consolidation: Southern Europe in Comparative Perspective* (Baltimore: The Johns Hopkins University Press, 1995), 166-203.

Przeworski, Adam, *Democracy and the Market. Political and Economic Reforms in Eastern Europe and Latin America* (Cambridge: Cambridge University Press, 1991).

Przeworski, Adam, Michael Alvarez, José Antonio Cheibub, and Fernando Limongi, "What Makes Democracies Endure?" *Journal of Democracy* vol. 7, no. 1 (January 1996), 39-55.

Puhle, Hans-Jürgen, P. Nikiforos Diamandouros, and Richard Gunther, "Conclusion," in: Gunther, Richard, P. Nikiforos Diamandouros and Hans-Jürgen Puhle (eds.), *The Politics of Democratic Consolidation. Southern Europe in Comparative Perspective* (Baltimore: The Johns Hopkins University Press, 1995), 324-342.

Putnam, Robert D., *Bowling Alone. The Collapse and Revival of American Community* (New York: Simon and Schuster, 2000).

Putnam, Robert D., *Making Democracy Work. Civic Traditions in Modern Italy* (Princeton: Princeton University Press, 1993).

Rau, Zbigniew, "Human Nature, Social Engineering, and the Reemergence of Civil Society," *Social Philosophy and Policy* vol. 8 no. 1 (Autumn 1990), 159-179.

Rektořík, Jaroslav, "Neziskové organizace v ČR," in: Rektořík, Jaroslav (ed.), *Neziskové organizace v ČR, SR a Rakousku* (Brno: Masarykova Univerzita, Ekonomicko-Správní Fakulta, 2000), 8-29.

Retallack, James, *Germany in the Age of Kaiser Wilhelm II* (Houndmills: MacMillan, 1996).

Richter, Melvin, *The political theory of Montesquieu* (Cambridge: Cambridge University Press, 1977).

Riedel, Manfred, "Gesellschaft, bürgerliche," in: Brunner, Otto, Werner Conze, and Reinhart Kosselleck, *Geschichtliche Grundbegriffe. Historisches Lexikon zur politisch-sozialen Sprache in Deutschland* vol. 1 (Stuttgart: Klett, 1972), 719-800.

Rose, Richard, and Associates, *New Democracies Barometer I-V* (Glasgow: University of Strathclyde, Centre for the Study of Public Policy, 1991-1998).

Rose, Richard, William Mishler, and Christian Haerpfer, *Democracy and its Alternatives. Understanding Post-Communist Societies* (Baltimore: The Johns Hopkins University Press, 1998).

Rose-Ackerman, Susan (ed.), *The Economics of Nonprofit Institutions. Studies in Structure and Policy* (Oxford: Oxford University Press, 1986).

Rousseau, Jean Jacques, *The Discourse and other early political writings*, edited by Victor Gourevitch (Cambridge: Cambridge University Press, 1997).

RSS Research Support Scheme, *Research Support Scheme Network Chronicle* no. 7 (August 1999).

Rueschemeyer, Dietrich, "The Self-Organization of Society and Democratic Rule. Specifying the Relationship," in: Rueschemeyer, Dietrich, Marylin Rueschemeyer, and Björn Wittrock (eds.), *Participation and Democracy. East and West. Comparisons and Interpretations* (Armonk: M. E. Sharpe, 1998), 9-25.

Rupnik, Jacques, "Dissent in Poland, 1968-78: The End of Revisionism and the Rebirth of Civil Society in Poland," in: Tökés, Rudolf (ed.), *Opposition in Eastern Europe* (London: Allen & Unwin, 1979), chapter 6.

Rustow, Dankwart A., "Transitions to Democracy. Toward a Dynamic Model," *Comparative Politics* vol. 2, no. 3 (April 1970), 337-363.

SAIA-SCTS Slovenská akademická informačná agentúra – Servisné centrum pre tretí sektor, *Fakty o treťom sektore na Slovensku* (Bratislava: SAIA-SCTS, 1998).

Salamon, Lester M., "The Rise of the Nonprofit Sector," *Foreign Affairs* vol. 73 no. 4 (July/August 1994), 109-122.

Salamon, Lester M., Helmut K. Anheier, Regina List, Stefan Toepler, S. Wojciech Sokolowski and Associates, *Global Civil Society. Dimensions of the Nonprofit Sector* (Baltimore: The Johns Hopkins Center for Civil Society Studies, 1999).

Sarnecki, Paweł, *Prawo o stowarzyszeniach. Komentarz* (Kraków: Zakamycze, 2000).

Sartori, Giovanni, "Guidelines for Concept Analysis," in: Sartori, Giovanni (ed.), *Social Science Concepts. A Systematic Analysis* (Beverly Hills: Sage, 1984), 15-85.

Schapiro, Leonard, "Introduction," in: Schapiro, Leonard (ed.), *Political Opposition in One-Party States* (London: MacMillan, 1972), 1-14.

Schattschneider, Elmer Eric, *The Semisovereign People. A Realist's View of Democracy in America* (Hinsdale, Ill.: The Dryden Press, 1975).

DOI: 10.2870/42402

Schedler, Andreas, "What Is Democratic Consolidation?" *Journal of Democracy* vol. 9, no. 2 (April 1998), 91-107.

Schmitter, Philippe C., "Civil Society East and West," in: Diamond, Larry, Marc F. Plattner, Yun-han Chu, and Hung-mao Tien (eds.), *Consolidating the Third Wave Democracies. Themes and Perspectives* (Baltimore: The Johns Hopkins University Press, 1997), 239-262.

Schmitter, Philippe C., "Organized Interests and Democratic Consolidation in Southern Europe," in: Gunther, Richard, P. Nikiforos Diamandouros, and Hans-Jürgen Puhle (eds.), *The Politics of Democratic Consolidation: Southern Europe in Comparative Perspective* (Baltimore: The Johns Hopkins University Press, 1995), 284-314.

Schmitter, Philippe C., "The Consolidation of Democracy and Representation of Social Groups," *American Behavioural Scientist* vol. 35, no. 4/5 (March/June 1992), 422-449.

Schmitter, Philippe C., "The Influence of the International Context upon the Choice of National Institutions and Policies in Neo-Democracies," in: Whitehead, Laurence (ed.), *The International Dimensions of Democratization. Europe and the Americas* (Oxford: Oxford University Press, 1996), 26-54.

Schmitter, Philippe C., and Terry Lynn Karl, "The Conceptual Travels of Transitologists and Consolidologists: How Far to the East Should They Attempt to Go?" *Slavic Review* vol. 53, no. 1 (Spring 1994), 173-185.

Schmitter, Philippe C., and Terry Lynn Karl, "What Democracy Is ... And Is Not," *Journal of Democracy* vol. 2, no. 3 (Summer 1991), 75-88.

Schumpeter, Joseph A., *Capitalism, Socialism and Democracy* (New York: Harper and Row, 1950).

Seligman, Adam, *The Idea of Civil Society* (New York: Free Press, 1992).

Sharman, J. C., "Agrarian Politics in Eastern Europe in the Shadow of EU Accession," paper presented at the 13th International Council of Europeanists, Chicago, Ill., 14 – 16 March 2002.

Shell, Susan, "Conceptions of Civil Society," *Journal of Democracy* vol. 5 no. 3 (June 1994), 124-128.

Showstack Sassoon, Anne, *Gramsci's Politics* (Minneapolis: University of Minnesota Press, 1987).

Šilhánová, Hana, Helena Vostradovská, Alena Huptychová et al., *Basic Information about the Non-Profit Sector in the Czech Republic* (Prague: NROS Civil Society Development Foundation, 1996).

Šimečka, Milan, "Community of Fear," in: Skilling, H. Gordon, and Vilém Prečan (eds.), *Parallel Politics: Essays from Czech and Slovak Samizdat, International Journal of Politics* vol. xl, no. 1 (Spring 1981), 16-38.

Šimečka, Milan, *The Restoration of Order. The Normalization of Czechoslovakia, 1969-1976* (London: Verso 1984).

Simon, Karla, *Regulating Not-for-Profit Organizations* (Washington: ICNL, 1997).

Skilling, H. Gordon, "Introductory Essay," in: Skilling, H. Gordon, and Paul Wilson (ed.), *Civic Freedom in Central Europe. Voices from Czechoslovakia* (London: MacMillan, 1991), 3-32.

Skilling, H. Gordon, *Charter 77 and Human Rights in Czechoslovakia* (London: Allen & Unwin, 1981).

Skilling, H. Gordon, Samizdat *and an Independent Society in Central and Eastern Europe* (Houndmills, Basingstoke: MacMillan, 1989).

Skinner, Andrew S., "Adam Smith and his Scottish predecessors," in: Jones, Peter, and Andrew S. Skinner (eds.), *Adam Smith Reviewed* (Edinburgh: Edinburgh University Press, 1992), 217-243.

Skinner, Andrew S., "David Hume: Principles of political economy," in: Norton, David F. (ed.), *The Cambridge Companion to Hume* (Cambridge: Cambridge University Press, 1993), 222-254.

Smith, Adam, *An Inquiry into the Nature and Causes of the Wealth of Nations* (Oxford: Oxford University Press, 1993).

Smith, Adam, *Lectures on Jurisprudence* (Oxford: Clarendon Press, 1978).

Smith, James A., *The Idea Brokers. Think Tanks and the Rise of the New Policy Elite* (New York: The Free Press, 1991).

Smolar, Aleksander, "From Opposition to Atomization," *Journal of Democracy* vol. 7 no. 1 (January 1996), 24-38.

Sobótka, Elżbieta, "The Role and Functioning of Tripartite Institutions in Social Dialogue at the National Level in Poland," in: Casale, Giuseppe (ed.), *Social Dialogue in Central and Eastern Europe* (Budapest: International Labour Office, Central and Eastern European Team, 1999), 264-269.

Somers, Margaret R., "Citizenship zwischen Staat und Markt. Das Konzept der Zivilgesellschaft und das Problem der dritten Sphäre," *Berliner Journal für Soziologie* vol. 8 no. 4 (1998), 489-506.

Stepan, Alfred, "Paths toward Redemocratization: Theoretical and Comparative Considerations," in: O'Donnell, Guillermo, Philippe C. Schmitter, and Laurence Whitehead (eds.), *Transitions from*

Authoritarian Rule: Comparative Perspectives (Baltimore: The Johns Hopkins University Press, 1986), 64-84.

Strečanský, Boris, *Some aspects of nonprofit sector status in Slovakia and ambivalent attitudes of key stakeholders towards it* Background information for the Donors Forum Working Group (Bratislava: Ekopolis Foundation/Center for Philanthropy, 2003).

Struyk, Raymond J., "Think Tanks in the Former Soviet Union," in: McGann, James G., and R. Kent Weaver (eds.), *Think Tanks and Civil Societies. Catalysts for Ideas and Action* (New Brunswick and London: Transaction Publishers, 2000), 293-317.

Struyk, Raymond J., *Reconstructive Critics. Think Tanks in Post-Soviet Bloc Democracies* (Washington, D.C.: The Urban Institute Press, 1999).

SÚSR Statistical Office of the Slovak Republic, *Statistical Yearbook of the Slovak Republic 1999* (Bratislava: SÚSR 2000).

Szabó, Maté, "Repertoires of Contention in Post-Communist Protest Cultures: An East Central European Comparative Survey," *Social Research* 63, no. 4 (Winter 1996), 1155-1182.

Szacki, Jerzy, *Liberalism after Communism* (Budapest: Central European University Press, 1995).

Szawiel, Tadeusz, "Społeczeństwo obywatelskie," in: Grabowska, Mirosława, and Tadeusz Szawiel, *Budowanie demokracji. Podziały społeczne, partie polityczne i społeczeństwo obywatelskie w postkomunistycznej Polsce* (Warszawa: Wydawnictwo Naukowe PWN, 2001), 128-163.

Szczerbiak, Aleks, "The new Polish parties as membership organizations," *Contemporary Politics* vol. 7 no. 1 (March 2001), 57-69.

Sztompka, Piotr, "Civilizational Incompetence: The Trap of Post-Communist Societies," *Zeitschrift für Soziologie* no. 2/1993, 85-95.

Sztompka, Piotr, "Mistrusting Civility: Predicament of a Post-Communist Society," in: Alexander, Jeffrey C. (ed.), *Real Civil Societies* (Thousand Oaks: Sage, 1998), 191-210.

Taylor, C. C. W., "Politics," in: Barnes, Jonathan (ed.), *The Cambridge Companion to Aristotle* (Cambridge: Cambridge University Press, 1995), 233-258.

Taylor, Charles, "Die Beschwörung der Civil Society," in: Michalski, Krzysztof (ed.), *Europa und die Civil Society* (Stuttgart: Klett-Cotta, 1991), 52-81.

Taylor, Charles, "Modes of Civil Society," *Public Culture* 3, no. 1 (1990), pp. 95-118.

Těšar, Jan, "Totalitarian Dictatorships as a Phenomenon of the Twentieth Century and the Possibilities of Overcoming Them," in: Skilling, H. Gordon, and Vilém Prečan (eds.), *Parallel Politics: Essays from Czech and Slovak Samizdat, International Journal of Politics* vol. xl, no. 1 (Spring 1981), 85-100.

Tester, Keith, *Civil Society* (London: Routledge, 1992).

Thomas, Paul, "Critical reception: Marx then and now," in: Carver, Terrell (ed.), *The Cambridge Companion to Marx* (Cambridge: Cambridge University Press, 1991), 23-54.

Tismaneanu, Vladimir, *Reinventing Politics. Eastern Europe from Stalin to Havel* (New York: The Free Press, 1992).

Tóka, Gábor, "Political Parties in East Central Europe," in: Diamond, Larry, Marc F. Plattner, Yun-han Chu, and Hung-mao Tien (eds.), *Consolidating the Third Wave Democracies. Themes and Perspectives* (Baltimore: The Johns Hopkins University Press, 1997), 93-134.

Tőkés, Rudolf L., *Hungary's Negotiated Revolution. Economic Reform, Social Change and Political Succession, 1957-1990* (Cambridge: Cambridge University Press, 1996).

Tönnies, Ferdinand, *Gemeinschaft und Gesellschaft* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1991).

Trojan, Jakub S., "In Defence of Politics," in: Skilling, H. Gordon, and Vilém Prečan (eds.), *Parallel Politics: Essays from Czech and Slovak Samizdat*, *International Journal of Politics* vol. xl, no. 1 (Spring 1981), 52-74.

Truman, David B., *The governmental Process Political Interests and Public Opinion* (New York: Knopf, 1958).

Tucker, Aviezer, *The Philosophy and Politics of Czech Dissidence from Patočka to Havel* (Pittsburgh, PA: University of Pittsburgh Press, 2000).

Tůma, Oldřich, Miroslav Vaněk, and Pavel Dostál, "Historie neziskového sektoru v českých zemích," in: Frič, Pavol, Rochdi Goulli a kol., *Neziskový sektor v ČR* (Prague: Eurolex Bohemia, 2001), 33-58.

Ullman, Claire F., *The Welfare State's Other Crisis. Explaining the New Partnership Between Nonprofit Organizations and the State in France* (Bloomington: Indiana University Press, 1998).

UNDP United Nations Development Programme (ed.), *Thinking the Unthinkable: From Thought to Policy* (Bratislava: UNDP, 2003).

Uphoff, Norman, "Grassroots Organizations and NGOs in Rural Development: Opportunities with Diminishing States and Expanding Markets," *World Development* vol. 21 no. 4 (1993), 607-622.

USAID United States Agency for International Development, *The 1999 NGO Sustainability Index* (Washington, D.C.: USAID, 2000).

V & M Service GmbH, *Über 544.000 eingetragene Vereine in Deutschland* (Konstanz: V & M Service GmbH, 2001).

Vajda, Mihály, "East-Central European Perspectives," in: Keane, John (ed.), *Civil Society and the State* (London: Verso, 1988), 333-360.

Vajda, Mihály, *Russischer Sozialismus in Mitteleuropa* (Wien: Passagen Verlag, 1991).

Valenzuela, J. Samuel, "Democratic Consolidation in Post-Transitional Settings: Notion, Process, and Facilitating Conditions," in: Mainwaring, Scott, Guillermo O'Donnell, and J. Samuel Valenzuela (eds.), *Issues in Democratic Consolidation. The New South American Democracies in Comparative Perspective* (Notre Dame: University of Notre Dame Press, 1992), 57-104.

van den Brink, Bert, "Die politisch-philosophische Debatte über die demokratische Bürgergesellschaft," in: van den Brink, Bert, and Willem van Reijen (eds.), *Bürgergesellschaft, Recht und Demokratie* (Frankfurt: Suhrkamp, 1995), 7-28.

van Gunsteren, Herman R., *A Theory of Citizenship. Organizing Plurality in Contemporary Democracies* (Boulder: Westview Press, 1998).

Varga, József, *Schuldige Nation oder Vasall wider Willen* Beiträge zur Zeitgeschichte Ungarns und des Donauraums, Part I: 1918-1939 (Vienna: Deak, 1987).

von Beyme, Klaus, *Systemwechsel in Osteuropa* (Frankfurt: Suhrkamp, 1994) – in English: von Beyme, Klaus, *Transition to Democracy in Eastern Europe* (Houndmills: MacMillan, 1996).

Waldrauch, Harald, *Was heißt demokratische Konsolidierung? Über einige theoretische Konsequenzen der osteuropäischen Regimewechsel* (Vienna: Institute for Advanced Studies, 1996).

Walzer, Michael, "The Concept of Civil Society," in: Walzer, Michael (ed.), *Toward a Global Civil Society* (Providence, RI: Berghahn Books, 1995), 7-27.

Warner, Stuart D., and Donald W. Livingston (eds.), *David Hume. Political Writings* (Indianapolis: Hackett, 1994), vii-xxviii.

Weber, Max, *The Theory of Social and Economic Organization* edited by Talcott Parsons (New York: The Free Press, 1947), 88-112.

Weisbrod, Burton A., *The Nonprofit Economy* (Cambridge, MA: Harvard University Press, 1988).

Wenzel, Michał, "Solidarity and Akcja Wyborcza 'Solidarność'. An Attempt at Reviving the Legend," *Communist and Post-Communist Studies* vol. 31 no. 2 (June 1998), 139-156.

Werhane, Patricia H., *Adam Smith and His Legacy for Modern Capitalism* (Oxford: Oxford University Press, 1991).

Weßels, Bernhard, "Von staatlicher Überorganisation zu freiwilliger Organisierung? Gewerkschaften und assoziatives Verhalten in postkommunistischen Gesellschaften," *Politische Vierteljahresschrift* vol. 35, no. 25 (1994), 337-369.

Westphal, Kenneth, "The basic context and structure of Hegel's *Philosophy of Right*," in: Beiser, Frederick C. (ed.), *The Cambridge Companion to Hegel* (Cambridge: Cambridge University Press, 1993), 234-269.

White, Stephen, *Political Culture and Soviet Politics* (New York: St. Martin's Press, 1979).

Whitehead, Laurence, "Three International Dimensions of Democratization," in: Whitehead, Laurence (ed.), *The International Dimensions of Democratization. Europe and the Americas* (Oxford: Oxford University Press, 1996), 3-25.

Wiesenthal, Helmut, and Petra Stykow, "Unternehmerverbände im Systemwechsel: Entwicklung und Status organisierter Wirtschaftsinteressen in den Transformationsprozessen Ostmitteleuropas und Rußlands," *Politische Vierteljahresschrift* vol. 35, no. 25 (1994), 293-336.

Williams, Howard, *Kant's Political Philosophy* (Oxford: Basil Blackwell, 1983).

Wojcicki, Kazimierz, "The Reconstruction of Society," *Telos* no. 47 (Spring 1981), 98-104.

Woleková, Helena, Alexandra Petrášová, Stephan Toepler, and Lester M. Salamon, *Neziskový sektor na Slovensku – ekonomická analýza* Tretí sektor a dobrovoĺníctvo 6/2000 (Bratislava: SPACE-Centrum pre analýzu sociálnej politiky, 2000).

Wolfe, Alan, "Is Civil Society Obsolete?" *The Brookings Review* vol. 15 no. 4 (Fall 1997), 9-12.

Wood, Allen W., "Editor's Introduction," in: Hegel, Gottfried W. F., *Elements of the Philosophy of Right*, edited by Allen W. Wood (Cambridge: Cambridge University Press, 1991), vii-xxxii.

Wood, Allen W., "Hegel's ethics," in: Beiser, Frederick (ed.), *The Cambridge Companion to Hegel* (Cambridge: Cambridge University Press, 1993), 211-233.

World Values Study Group, *World Values Survey* (Ann Arbor, MI: Institute for Social Research, 1990).

Wygnański, Jan Jakub, "Mocne i słabe strony III sektora w Polsce," manuscript (Warsaw: KLON/JAWOR, 2000).

Wygnański, Jan Jakub, "Wehikuł trzeciej drogi," *Trybuna* 16 March 2001.

Young, Edgar P., *Czechoslovakia: Keystone of Peace and Democracy* (London: Victor Gollancz, 1938).

Young, Iris Marion, "Impartiality and the Civic Public," in: Benhabib, Seyla, and Drucilla Cornell (eds.), *Feminism as Critique. On the Politics of Gender* (Minneapolis: University of Minnesota Press, 1994), 56-76.

Zielonka, Jan (ed.), *Democratic Consolidation in Eastern Europe: Institutional Engineering* (Oxford: Oxford University Press, 2001).

Zielonka, Jan, and Alex Pravda (eds.), *Democratic Consolidation in Eastern Europe: International and Transnational Factors* (Oxford: Oxford University Press, 2001).

Ziemer, Klaus, "Opposition," in: Ziemer, Klaus (ed.), *Pipers Wörterbuch zur Politik. Sozialistische Systeme. Politik – Wirtschaft – Gesellschaft* (Munich: Piper, 1986), 305-315.

Forbrig, Joerg (2004), Civil Society: Theory and practice in East-Central Europe
European University Institute
DOI: 10.2870/42402