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Observations on uncivility – Points of reference to blind spots in third sector research.

- a comment to the keynote address of Victor Pérez-Díaz at the ISTR / EMES World-Congress at Barcelona July, 8 – 11, 2008 -

In his opening speech, Victor Perez Diaz has reminded us that the world of associations contains a structural multiplicity and diversity of voices up to the point where one needs to make a difference between civil and uncivil ones. Furthermore he has argued with a background concept that had an immediate appeal to me: it is the concept of modern liberal societies as systems that have to cope with a constant interplay between markets, democratic politics and the worlds of associations, or, as some of us call it, the Third Sector. There is a fourth element Perez Diaz has not explicitly referred to but perhaps included in the ways he took up the various forms of associations – the presence of community.

In my comment I will carry on with the subject of risks and challenges for associations as they spring off from their interrelations with the worlds of markets, state politics and communities. I will sketch three different types of attitudes in the third sector that are a threat to the civil society, each of them pointing at challenges for third sector research. Altogether this will lead me to a fourth and final point which has been implicit in Perez Diaz reflections, a point, I want to make more explicit. It is about the the world of associations (the third sector) and civil society as two different subjects. By all this I want to show as well, that coping with forms of uncivility is not only a moral or political challenge but something that should make us to think over the appropriateness of some of the concepts used in third sector research.

1. What is threatening when looking at public life in our home countries and what is not at all in line with the various ideal-types of third sector organisations is the fact that there are so many forms of uncivil behaviour that can be found in the sector: groups that show no respect to other groups, that use all kinds of tricks when they struggle for more influence and acknowledgement. The often not very civil forms of their engagement make them appear as just another egocentric pressure group or service supplier.

What might be the reasons for the fact that these various kinds of rude behaviour so noticeable in public debates play little or no role in third sector research? My hypothesis is,

that the whole conceptual and theoretical infrastructure for TS analyses has a kind of bias; it is basically centred around two issues: overcoming passivity by engagement like volunteering or voicing concerns and getting together in various forms of associations. I think however that the notion of civility can remind us that civil society is about more than a vital associational life and active members.

First of all it points as well at what members of associations should not do, to various forms of self-restraint and towards developing attitudes that are characterised by a sense for limits besides the limits of the law. There is a number of contributions on what civility and civicness may mean (I will take part in a panel on this at this congress) but most of this has stayed so far marginal in third sector research.

Let me add here a second hypothesis: the conspicuous absence of research on where civility and civicness might come from has as well to do with the reduction of the notion of civil society. It is not – as often assumed – synonymous with to the multitude of associations in society. And there are doubts that- as it can e.g. found in Putnam’s concept of social capital – the secret of creating activism and a sense of civicness can be found in the development and life of these groups. Such a notion of civic society - as one of the most famous theoretician of civil society, Jean L. Cohen, has rightly remarked - is seriously impoverished since it leaves out the constitutive role of the public space with its impact on manners and opinion building across the partial scenes and spaces of associational life. The thesis is, that associations learn about civility and respect for it by the fact that they operate and exchange in such a space; it is a forum wherein they have to legitimate their action. The public space of societies and the democratic institutions guaranteeing it is something not caught by the concept of a third sector and at the same time it is an important premise for civility. I call this interplay of institutional arrangements and ways of behaviour “civicness”.

Summing up my first point, I argue that the issue of civicness reminds us that civil society is about more than active citizens; and moreover it points to the fact that beyond associations of the third sector the public space is central for any unrestricted notion of civil society. Analyzing the problem of uncivility and of creating civicness means then to open third sector research to issues of interplay with other sectors and to appropriate notions of context.

2. In contrast to the first point, the lack of civility, my second one is about something often debated in the research forums of ISTR. It is about the special kind of uncivil behaviour brought about by the invasion of market logics into the third sector and by institutional arrangements supporting this: pure instrumental orientations, that judge the values of volunteering and democratic participation just to the degree social and economic concerns can profit from it; managerial advices that make third sector organisations ready to cut off their larger benefits for the sake of a core business with measurable indicators of success; strategies for success that simply copy marketing techniques. Such experiences on the destructive side of market logics are however to be confronted with a counter-stream in politics and research. This one points at the positive contributions markets and their incentives can make for a vital associational life and a success of associations – e. g. by giving the taste of autonomy and choice and by nourishing an entrepreneurial spirit. Confronted with these two controversial perspectives it is advisable to intensify the debates about the meaning and role of markets for the third sector and civil society at large. Even if one shares the basic position of Amartya Sen, claiming that the freedoms and goods that flow from markets are an undeniable part for every “development as freedom”, one has to be aware of their destructive and constructive potential when it comes to creating freedoms and civiness. A broad stream of positions supposes that in societal development, there is a kind of natural chain reaction, arguing that the freedoms and desires that take shape with markets will naturally lead to a desire for more substantial freedoms – freedoms of speaking and associating freely, of a public space, a more civil society and finally institutional elements of democracy. Not by accident I would like to point here at a remarkable contribution of a Chinese colleague, Xiaroron Li with the subtitle: “A critique of civil society determinism”. She argues quite convincingly that markets and their dynamics, while being perhaps indispensable for every civic and democratic society are far from having one-sided positive effects of nourishing it.

Summing up my second remark one can say that the widespread experience of market logics invading society all over and threatening civility but likewise the optimism that markets are the natural starting point for bringing more freedoms especially to traditional and authoritative societies call for a deeper digging debate in third sector and civil society research. It should be on what markets can give to make up for a more civic society and what institutional devices and policies can be found to strengthen their positive potential while limiting the negative one.

3. My third point concerning challenges for debates and research on uncivility is about the presence of community in our plural societies as it takes shape by the phenomenons of multiculturalism and of cultural/political movements with global, all encompassing goals that have a strong grip on their members; a part of faith based groups too testifies the lively presence of dense forms of community within our societies. These days across societies and nation states there are conflicts over the rights and limits of ethnic communities, regional movements, fundamentalist religious movements and their faith based associations. This debate has sharpened considerably in the world wide conflict with militant versions of Islamic groups. With an eye on these phenomena i regret the near absence of contributions from third sector research on these topics. What could be the reasons? I think that one reason for this is the demarcation line for what third sector organisations are as it has been used by some of the US led research. It counts only those associations into the third sector, that are democratically structured within and allow for unrestricted exit. Using such an a priori criterion however diverts our research from those manifold groups that have by their strong inner ties much more the character of a community than that of an association or a voluntary organisation and that presently do not or only in parts fulfil liberal democratic criteria. Obviously it is difficult to count communities as part of a civil society and a democratic republic that are characterized by the four points Michael Walzer has stated: denying often the full extent of the liberal right to exit; not providing their children with the educational and economic skills they would need to make it in the world; often not teaching and practicing the values that underlay democratic politics and civil behaviour; showing little or no commitment to a general good that includes people outside their community.

However there is considerable space between a closed fundamentalist community on the one and a liberal democratic association to be easily joined and left on the other hand. The real struggles of today are about the place of groups in between: about ethnic and faith based communities and their associations in intercultural civil societies and the conditions for acknowledging them as a part of the highly diverse third sector. Obviously being prepared to make such issues part of a third sector research agenda, means to say good bye to a western liberal utopia of yesterday – the assumption that sooner or later all societies will by secularization, individualization and liberal democracy get increasingly free from the bonds of community, so that a future oriented perspective and research should view community and most of the faith based associations only in the perspective of their creeping disappearance by

assimilation. I think there is a new agenda for politics and research to be built and it is about the conditions of co-existence of strong communities with a democratic and civil society.

Summing up I argue that the challenges to civiness as they come from strong and sometimes “greedy” communities, that take a lot from their members, cannot be brushed off by the simple assumption of their fading away in a liberal order and a likewise narrow concept of what groups are allowed to belong to the civil society. Its time for research on coping strategies with thick communities as part of the associational life of inter-cultural civil societies, presupposing a balance of both, group rights and rights of each and every individual citizen.

4. In the course of the points made about turning challenges to civiness and civility into challenges for research agendas, I come now to a last point. In some ways it sums up the arguments made before, pushing them a bit further.

- the fact that the state-guaranteed public space is so important for any notion of a civil society;
 - the fact that the institution of the market and its dynamic is not only a threat but as well a foundation and potential resource for a civil society;
 - the fact that community based associations are not a vanishing pre-civil tradition, but something to be incorporated somehow into future civil societies;
 - the fact that therefore, and likewise for the public space state politics and laws are foundational for civiness
- all this all urges to give up the widespread equation of civil society and the third sector. Anyway already now two different definitions can be found. I quote Victor Perez Diaz: “The concept of civil society contains two different ways to understand it. In a restricted version it is a network of associations and social networks that, according to some authors, entails as well family networks. Within an enlarged understanding, which I will use here, the concept of civil society stands for a type of society which is defined by all these associational networks and their interplay with markets and the political system of a liberal democracy – three institutional systems that are intertwined and respond to the unifying principle of an order of freedom”.

I would fully subscribe to Perez Diaz’ description of the two different definitions of civil society and share the position he takes when it comes to choose among the two. I am however

a bit more outspoken about the first “restrictive” notion as he calls it. I think that every attempt to narrow down civil society to the third sector is seriously impoverishing the very concept of civil society. This is especially true with an eye to the state and the role of politics. Both are foundational for the public space and the third sector, by establishing rules, guarantees and moreover by developing politics for a good balance in associational life e. g. between those groups that represent the strong and those that stand in for the weak. Therefore I have at several occasions pointed out, that the famous dictum of Robert Putnam, saying that it takes social capital to make democracy work, should be read as well the other way around. When it comes to the interplay of building democratic state institutions and strengthening the third sector, it is likewise true that it takes democracy to make social capital work,

Obviously for some in ISTR it will be not easy to befriend with a fuller concept of civil society that sees civicness as a quality of society at large. Because this questions the all too comfortable notion of a third sector and its associations having a kind of natural and privileged access to civil society building – as it is suggested by notions like “civil society organisation (CSO)” or “civil society sector”. However in the development of many countries it can be studied that it is misleading to construct notions of development where the third sector comes first and the democratic state building is supposed to follow. The fact that more vital third sectors and democratic state building are dependent on each other can be witnessed i think especially by the colleagues from the third world and from post-communist countries in Middle- and Eastern Europe.

Let me close by referring to the grand old man in constitutional law in my home country, Germany, Ernst-Wolfgang Böckenförde. He has made the famous dictum that the state builds on premises it can not create and sustain by its own force. I would suggest to apply Böckenförde’s sentence likewise to the third sector. Its abilities to contribute to a civil society depend on premises it can not create by itself alone.

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