



European Civil Society Network (CiSoNet)

PROJECT DOSSIER

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1. INTRODUCTION*

The European Civil Society Network (CiSoNet) deals with a highly important aspect of European integration and enlargement, namely, the emergence, dynamics, and perspectives of a European-wide civil society. CiSoNet is embedded in the EC's 5th Framework Programme's Key Action on "Improving the socio-economic knowledge base"; its aim is to stimulate cross-disciplinary research concentrating on transnational dimensions of civil society, and thereby to contribute to the establishment of a European research area within the social sciences and the humanities.

CiSoNet links fifteen partners from ten countries (Germany, Great Britain, France, Sweden, Spain, Netherlands, Italy, Poland, Hungary, Serbia-Montenegro), representing various disciplines—sociology, political science, history, anthropology, law and economics—and different types of research institutions. The initial period of work spans two years: 2003 and 2004.

CiSoNet carries out a variety of activities, so called "workpackages", consisting of the holding of major conferences, smaller workshops, and additional meetings, as well as writing/drafting/producing research reports and case studies. CiSoNet's activities focus on four core areas: Languages of European Civil Society; Resources and Dynamics of European Civil Society; Civil Society, Governance and the European Polity; Civil Society and the Economy.

The Civil Society Network (CiSoNet) is funded by the 5th Framework of the European Union. The project commenced on 1 February 2003. Its coordinator is Prof. Jürgen Kocka (Wissenschaftszentrum Berlin für Sozialforschung). The leading partners are Prof. John Keane (Center for the Study of Democracy, University of Westminster, London), Prof. Victor Pérez-Díaz (Analistas Socio-Políticos Research Center, Madrid), Prof. Pal Tamás (Institute of Sociology of the Hungarian Academy of Sciences, Budapest) and Prof. Peter Wagner (European University Institute (EUI), Florence).

* By Agnes Arndt, Berlin 2004.

2. PROJECT DESCRIPTION*

2.1 Towards a European Civil Society: Long-Term Research Agenda

In a broad sense, "civil society" stands for an ambitious project of restructuring society, polity and culture in a way which allows equal chances, democratic participation, individual freedom and societal self-organization, under conditions of peace, limited government, social welfare, and basic civility. The project emerged from 18th-century Enlightenment thought. During the 19th and 20th centuries it faced fundamental challenges and crises, and also went through redefinitions. At the beginning of the 21st century, it continues to be one of the most fundamental principles for future developments, in Europe and elsewhere: only partially fulfilled, partly still a promise, a vision, at least a perspective. In a narrower sense, "civil society" means an ensemble of non-governmental institutions and relations that tend to be non-violent, self-organizing, self-reflexive and dynamic. Studying the emergence and dynamics, the perspectives and problems of civil society in Europe will produce insights into the historical process of European integration, which is well underway, but not yet complete. Results from studies of this kind will contribute to the clarification and solution of practical problems which we face in Europe now and in the near future.

From the 18th to the 20th century civil society circles, associations, networks and institutions largely evolved in local, regional, and national frameworks. Trans-national variants also emerged (and need to be studied), but remained secondary. It is in the second half of the 20th century that the quality of the process changed. In Europe, the development of civil society assumed transnational dimensions, increasingly (KAELBLE 1997; CROUCH 1999; LEITNER/LESSENICH 2000; PRIDDAT/JANSEN 2002). This basic hypothesis underlying our research needs further empirical verification. CiSoNet will concentrate on transnational dimensions of civil society in Europe, by comparing and reconstructing interrelations.

Different disciplines have different approaches to and perspectives on to civil society: sociology, political science, law, history, economics, cultural studies, anthropology. CiSoNet brings scholars from different disciplines together in order to arrive at a comprehensive understanding of civil society. It is particularly committed to the combination of historical and systematic approaches. Present problems should be seen against the background of their historical precedents and in the light of future possibilities: as changing constellations which are influenced, but not determined by their past, as situations shaped by decisions and agency. We are interested in the presently pressing problems and the perceivable futures of civil society in Europe, but also in its *longue durée* and its paths from the past. While usually short-term questions, current problems and practical aspects dominate the discussions about the situation and the perspectives of the EU, we want to stress a long-term view, including a reflection on the value basis, the 'finalité' and the specificity of 'Europe', relative to other parts of the world.

* This description was part of the project application (Proposal description, Part B 3, pp. 3-5).

CiSoNet will integrate the study of Western and Eastern European societies. For a long time social research, including historical research, has reflected differences and divergences between the West and the East in Europe. After the end of the Cold War and the fall of communist dictatorships in Eastern Europe, a more comprehensive perspective became necessary and possible. The need for perspectives which compare and interrelate developments in different regions of Europe becomes even more pressing now when the European Union, originally a West European creation, is in the process of extension to East Central, South East and Eastern Europe. CiSoNet will focus on the similarities, differences, the interrelations and tensions between the different regions of Europe in different fields: trade, cross-national social and cultural relations, expanding networks of non-governmental organizations, transfer and the exchange of goods, values and ideas as well as mutual perceptions and interventions. Thus, a main aspect will relate to the complex process of "Europeanization". CiSoNet is formed by researchers and research institutions from different parts of Europe.

2.2 Key Problems and Short-Term Research Goals

In the initial phase of two years (2003 and 2004), CiSoNet will concentrate on network enlargement and intensification, on exploratory studies, on arriving at common conceptual vocabulary common definition, on the clarification of research problems and on agenda setting. Within the first two years, we shall concentrate on four fields:

- language of civil society
- civil society, governance and European polity
- civil society and the economy
- resources and dynamics in European Civil Society.

In each of these fields we shall produce reports on the current state of research, proceed with exploratory studies and identify problems and opportunities of further research – by different means and procedures, including a broadly conceived conference for each of these four fields. In addition, we plan three smaller workshops exploring additional, yet underdeveloped avenues of future research: on the relationship between civil society and law, on relations between civil society and the private sphere (including family), on the values of civil society and the problem of civility. On the basis of this research it will be possible to formulate the structure and agenda of a "Network of Excellence", to be proposed for the Sixth Framework now under preparation.

2.3 Network of Institutions and Scholars

The proposed European Civil Society Network aims, for the first time, to link important institutions which deal with specific aspects of the emergence and development of civil societies in Europe beyond and across national borders. Each of the institutions participating in the project is particularly competent to conduct research in a specific field and on a particular set of problems and questions. These topics are directly related to the third theme ("Citizenship, governance and the dynamics of European integration and enlargement") of the Third Call of proposals for the Key Action "Improving the Socio-Economic Knowledge Base". The Accompanying Measures proposed in this application foster a wide range of academic activities apt to co-ordinate work in crucial

fields of research in the transformation of civil society in Europe. Workshops and conferences will be prepared and organized in order to specify the set of questions and clarify the scope of topics to be dealt with in a future "Network of Excellence". The conferences are dedicated to strengthening academic exchange, integrating the different analytical approaches of the participants and inspiring new research on selected topics. The workshops are to pave the way to more detailed research in the adjacent spheres of civil society and to prepare innovative investigations into the development of civil society in Europe. All in all, CiSoNet will be an important step towards the emergence of a European Research Area on problems of civil society and governance.

3. WORKING DEFINITIONS OF CIVIL SOCIETY

3.1 A Preliminary Definition of 2002*

The clarification of the concept 'civil society' is one of the aims to pursue by the network. Still, we need a preliminary circumscription of what we mean by 'civil society'. Firstly, European civil society means an unfulfilled project, a vision, a model of peaceful human existence, a project which originated during the Enlightenment, and has been continuously redesigned ever since. It implies a high degree of social self-organization on the basis of specific resources like communication, education, criticism and trust. The recognition of plurality, co-operation and the non-violent resolution of conflicts are central elements. Civil society implies a culture of civility which emphasizes individual autonomy and the freedom to associate, as well as a commitment in favour of general purposes beyond one's particular interests. 'Civil society' remains an unfulfilled promise (KOCKA 2000). Secondly, the concept signifies and envisages the emergence, expansion and stabilization of a dynamic ensemble of legally protected and non-governmental institutions that tend to be non-violent, self-organizing, self-reflexive, and permanently in tension with each other and with government institutions that 'frame', construct and enable their activities (KEANE 1998). With respect to the evolution of a European civil society, a third dimension should be added. The ideas and practices of civil society have evolved in a very uneven way, emerging mainly in Western Europe, where it was initially restricted to a few proponents and to specific circles. In the course of its development, civil society spread to other parts of Europe (and into other parts of the world) and gained support within broader social spheres. As they expanded into widening social and spatial environments, the ideas and realities of civil society changed. The network explores the potential of an approach which takes civil society as a geographically and socially mobile phenomenon with a good deal of travelling potential and with the propensity to become a European-wide concept.

3.2 A Definition Proposal of 2003**

Against this background the definition of "civil society" can be expressed in three ways: first, as a type of social action; second, as an area or sphere connected to but separate from economy, state, and the private sphere; and third, as the core of a draft or project that still has some utopian features.

First, "civil society" refers to a specific type of social action¹ in contrast to others, that is, in contrast to struggle and war, to exchange and market, to rule and obedience, and in contrast to the peculiarities of private life.

* The preliminary definition was part of the project application (Part B 5.1.1, pp. 11-12).

** This definition of Civil Society by Jürgen Kocka summarizes the argument how it has been dealt with in the CiSoNet activities so far. It is part of *Jürgen Kocka, Civil Society from a historical perspective, European Review, Vol. 12 No. 1 (2004), pp. 65-79*. The contribution will be also included in: *John Keane (ed.), Civil Society. Berlin Perspectives*, (forthcoming).

¹ For a substantively similar analysis, though using different terms, see Hans-Joachim Lauth 1999 and Dieter Rucht 2002.

As a specific type of social action, “civil society” is characterised by the fact that it (1) is oriented toward conflict, discourse, compromise, and understanding in public; civil society is realized in the public sphere; (2) stresses individual independence and collective self-organisation; (3) recognises plurality, difference and tension as legitimate; (4) proceeds non-violently; and (5) is oriented toward general goals, that is, it works actively for the common good, even if different actors in civil society usually have very different conceptions of what constitutes the common good.

The civil society type of social action defined in this way is not totally absent from government administration and politics. It is also not totally absent in commercial businesses and their interaction; and it is not totally absent in family and kinship relations, either. As far as state organs and their officials, businesses and their personnel, and families and kinship relations take advantage of this type of social action, they should be seen as civil society actors. But other types of social action predominate in these areas, namely, that of political rule, market logic, and private life, respectively. The civil society type of social action is truly dominant in a social area or space that can be distinguished in modern, differentiated societies from government, business, and the private sphere—that is, the public space occupied by clubs, associations, social movements, networks and initiatives. This is why “civil society” also refers to a social sphere which encompasses “a complex and dynamic ensemble of legally protected non-governmental institutions that tend to be non-violent, self-organizing, self-reflexive, and permanently in tension with each other”, a social space related to but distinguished from government, business, and the private sphere.²

Finally it is important to keep in mind that historical experience has shown that civil society as a type of social action as well as a sphere of social self-organisation can be asserted and established lastingly only if it is embedded within a circle of changing economic, social, political and cultural conditions that are in turn reinforced by civil society. This is apparent by the fact that civil society can often only be asserted and safeguarded in criticism of existing or impending conditions: in criticism, as I have previously mentioned, of being spoon-fed and oppressed by the authorities; in criticism of traditional forms of inequality; in resistance to being overwhelmed by the success of capitalism and in reaction to the fragmentation of and lack of solidarity in society. This shows that civil society is part of a comprehensive project with features that have not been fully implemented from the Enlightenment to today. To that extent, civil society

² The quote is from Keane, *Civil Society* (as in note 1 above), p. 6. Sometimes the term “civil society” is closely related to terms such as the “third sector” or “non-profit sector”. See also Lester M. Salamon et al. (eds), *Global Civil Society: Dimensions of the Nonprofit Sector* (Baltimore: Center for Civil Society Studies, 1999), esp. p. xvii; Helmut K. Anheier, “Der Dritte Sektor im internationalen Vergleich. Ökonomische und zivilgesellschaftliche Dimensionen von Nonprofit-Organisationen”, *Berliner Journal für Soziologie* 9 (1999), pp. 197-212; Helmut K. Anheier, Eckhard Priller and Annette Zimmer, “Zur zivilgesellschaftlichen Dimension des Dritten Sektors”, in *Zur Zukunft der Demokratie. Herausforderungen im Zeitalter der Globalisierung*, ed. Hans-Dieter Klingemann and Friedhelm Neidhardt, WZB-Jahrbuch 2000 (Berlin: edition sigma 2000), pp. 71-98. – According to the definition proposed here, organizations, initiatives and networks of the third sector should be considered part of “civil society” only if and to the extent that they correspond to the aforementioned type of social action. Consequently, violent or fanatic, intolerant organizations, movements and initiatives may belong to the “third sector” but do not qualify as belonging to civil society. The distinction, however, is difficult to make in individual cases.

remains a utopia, a promise that has yet to be entirely fulfilled, even if European reality today corresponds much more closely to this project, this utopia, than it did in the past.

This also means that civil society is never identical to real, existing societies, neither then nor now. Instead, we use “civil society” to refer to a cluster of structural elements of real, existent societies, which also include other elements: state, market and the private sector, as well as violence, fanaticism and chaos. Societies can be distinguished according to the degree and manner in which they implemented principles of civil society, thus posing a great task for comparative historical and social science studies to tackle.

4. ACTIVITIES 2003/ 2004

4.1 Report on the CiSoNet-Workshop „Europe Encountering the Other“ (12th – 14th June 2003) at the Maison des Sciences de l’Homme, Paris

The European network „Towards a European Civil Society” (CiSoNet), which is funded by the European Commission within the 5th Framework programme’s Key Action on “Improving the socio-economic knowledge base” (www.cordis.lu/improving/socio-economic/home.htm) and co-ordinated by the Wissenschaftszentrum Berlin (Social Science Centre Berlin) organised a conference from 12th – 14th June 2003 at the Maison des Sciences de l’Homme in Paris on the subject “Europe Encountering the Other”. The conference aimed to discuss the history of the concept of civil society as well as the history of its practices with non-European experts, and to examine whether and in what way the developments European civil societies have gone through can be seen in non-European societies as well. The conference covered three periods in the development of European civil society:

- the formative period of the late 18th and early 19th centuries, during which the term civil society was developed and during which the beginnings of civil society can be observed in associations, coffee houses and clubs
- the period of decline of civil society in the 19th and 20th centuries, when the term gradually disappeared from European languages. In this period civil society was weakened in practice; whether it was discredited as being a part of colonial empires, weakened by the rise of the welfare state, or abused by the dictatorships of the 20th century
- the period of the renaissance of civil society in recent history, which has seen a revival of the term, first among central and eastern European and American intellectuals, and later in the wider European and western public. This period has also seen a new role for civil societies in the stabilised democracies in western Europe and, since 1989, in central and eastern Europe.

At the conference researchers from India, Africa and Latin America discussed whether this periodization makes sense for their continents, or whether civil societies in these countries developed completely differently. Most importantly they examined the question of how strongly European and non-European civil societies influenced each other. The conference aimed to contribute to the intense debate about whether the concept of civil society is suitable as a scientific approach and how strongly it should be related to politics. The debate also aimed to cover the question of whether civil society means a sector within society or rather a catalogue of civil societal values like tolerance, non-violence, charity and trust. The conference made clear how different, but also in some ways how similar, the process of the development of civil society outside of Europe was. In relation to the first formative period of the 18th and early 19th century, Said Arjomand (State University of New York at Stony Brook) showed that the first signs of civil societies occurred not only in Europe, but also in the Moslem Societies of Isfahan and Constantinople, in coffee houses as well as institutions such as guilds, foundations and schools (Maqf and Masara). This is also true for the protection of the institution of property. Furthermore Said Arjomand also made clear how little European intellectuals - for example Montesquieu – perceived these parallels to European

development, although detailed European reports on Isfahan and Constantinople were available. Indeed, as John Keane pointed out in his commentary, whether these urban civil societies in Constantinople were able to influence political decisions remains an open question. The question of whether the origin of the European concept of civil society was at least partially built on the transfer of ideas from non-European societies also remains open. During the second period, that of the decline of civil societies in Europe, developments outside of Europe were clearly different. Sudipta Kaviraj (School for Oriental and African Studies, London) and Anand Kumar (Jawaharlal Nehru University, New Delhi) argued that in contrast to Europe, the term civil society did not disappear in India. Instead, it was developed in the 19th and early 20th centuries, particularly by Ghandi in a global sense. Hilda Sabato showed that civil society in Argentina was not in fact in decline; it experienced an upswing in the second half of the 19th century and only went into crisis in the 1930s. In a different sense Rama S. Melkotte (Sekunderabad University) confirmed this upswing tendency for the anti-colonial civil societies in India. Therefore a global history of civil societies has to be written in a different way for the 19th and the early 20th centuries, although civil societies were abused by authoritarian regimes and dictatorships in Latin America as well as in Europe. The European image of the history of civil society has been corrected most strongly in relation to recent history. At the conference it became very clear that the concept of civil society is not only a central and eastern European and north American concept, but is spread throughout India, Latin America, Africa and the Near East as well. Certainly there were many variations in temporal development and in meaning discussed at the conference. There is a need for further research on who uses the term, in what way and in whose interest, and what international differences exist. But the assumption of a European or western special case or vanguard role in the revival of the term civil society is not valid. "Civil Society" is now a global term. Furthermore the development of active civil society in Europe appears in a different light. Niluefer Gole (EHESS, Paris) pointed out that not only should pro-western tendencies be seen as a constituent part of civil societies, but that anti-western pro-Islamic civil societies must also be taken into account; they absorb many western elements and can be much closer to western civil societies than their culture and geographical position might suggest. Papers from Hilda Sabato and Elizabeth Jelin (both Buenos Aires) and also from Angelina Peralva (University of Toulouse) made clear what an enormously unusual situation emerges when a civil society is confronted with a very weak state and an "excess of civil society" is produced. This perspective is alien to the history of European civil society to date, but it does play a role in a short period of European history and it should be taken into consideration. The most intense debate was on the issue of western dominance in the development of civil society in recent history. There were two arguments against the theory that there was western dominance, as well as against the opinion that civil society was created by the west: firstly the use of the term everywhere outside the western world, without being able to trace recognisable western origins; and secondly the impression that associations and social behaviour, core elements of every civil society, can be found in every modern society. Two arguments supported the idea of western dominance, even after the end of the colonial empires; the often ignored western claim to have a monopoly on the interpretation of what a civil society is; and most importantly, what makes a good and a bad civil society. In many presentations and papers the international organisations, the World Bank, the

United Nations and the European Union were criticised because of their financial support for transnational and local NGOs, which in a neo-liberal political environment weaken, push away or even ransack endogenous civil societies. Elizabeth Jelin's (Buenos Aires) report on today's Argentina, Rama Melkotte's paper on India, Gautier Pirotte's (University of Liege) comparison of Benin and Rumania, Comi Toulabor's paper on Ghana and the two commentaries on the situation on Africa by Rainer Eckert (University of Hamburg) and Boubakar Niane (Dakar) all contained this assessment. This view did not go unchallenged, but it raises the issue of whether the European interpretation of transnational civil society as an achievement of recent history must be seen in a more differentiated way. All in all the conference made clear that not only a global history, but also a European history of civil society has to be written in a different way than has previously been assumed. The conference starkly posed the question of how the multifarious concepts of civil society can be comprehended methodologically and analytically; predominantly normative concepts were confronted by approaches based on discourse analysis and the historiography of the concept (Begriffsgeschichte). The fundamental problem posed by this will play an important role in the network's next conference on "Languages of Civil Society".

Scientifically responsible for the academic preparation for the conference were: Hinnerk Bruhns (CNRS/MSH, Paris), Dieter Gosewinkel (WZB Berlin), Hartmut Kaelble (Humboldt University, Berlin), Bjoern Wittrock (SCASSS). The practical organisation of the conference was carried out by the Maison des Sciences de l'Homme in Paris. The conference languages were English and French. Funding was provided by CiSoNet, SCASSS, and Maison des Sciences de l'Homme.

Dieter Gosewinkel and Hartmut Kaelble , Berlin 2003

4.2 Report on the CiSoNet-Worshop “The Future of the European Polity“ (5th November 2003) at the Badia Fiesolana, European University Institute, San Domenico di Fiesole, Florence

This one-day workshop was structured by a single aim: to elaborate the core themes and specific issues to be analyzed in more detail at the conference, ‘The Future of the European Polity’, to be held at the Centre for the Study of Democracy in London on June 3rd -June 5th, 2004. Some twenty invited experts attended the workshop convened by Professor John Keane, the co-ordinator of the CiSoNet programme of research on governance and civil society in the European region. A programme of speakers and a list of the principal participants are attached to this report. The discussions centred on *five* core themes :

i. *How to conceptualise the emergent European polity.* There was much discussion of the influential *condominio* thesis presented and further elaborated in this workshop by Philippe Schmitter. There was considerable agreement that Europe cannot yet be considered a consolidated polity – that it is neither a federation nor empire nor super-state – and that that fact renders difficult the task of theorizing its dynamism, multi-tiered structures, jurisdictional complexity and conflict-producing potential. It was agreed that such theoretical reflection on the nature of the European polity is an urgent priority in research on governance and civil society in the European region;

ii. The problem of violence and political disintegration. The emergent EU polity developed against the backdrop of the disintegration of empires, territorial state rivalry, total war, concentration camps and totalitarian rule. The workshop participants agreed that these historical factors have served as something like a dystopia or negative counterfactual against which the progress of European integration can be measured. By contrast, south-eastern Europe (Professor Podunavac explained) is presently suffering the aftermath of large-scale violence. Quoting Thucydides’s remark that ‘war is a violent teacher’, he pointed out that the destruction of the rule of law is especially marked in the region. The consequent ‘de-routinization’ of every day life is among the most traumatic effects of the war in Yugoslavia and poses severe challenges to such civil society ideals as wider European political integration, post-nationalism, the rule of law, free internal markets and citizenship across borders.

iii. The democratic deficit. For some years now, the project of European integration has been marked by a so-called democratic deficit. Less well-recognized, and a vital feature of this democratic deficit, is the lack of plausible new models of how to democratize the European Union. Dr Patrizia Nanz critically examined several different streams of contemporary theorizing of democracy across borders. Approaches such as ‘deliberative polyarchy’, procedural democracy and ‘deliberative supra-nationalism’ have some merits, she pointed out, but each suffers a variety of weaknesses that indicate the points on which the democratic imagination now needs to work. According to Professor Crouch, the intellectual and political task of nurturing democratic mechanisms and ways of life within the EU must be understood within the wider drift towards ‘post-democracy’.

iv. Europe in the world. The policy vision of citizenship of the European Union signals has developed as an allergic reaction to these democratic deficits and to the violence and cruelty of the Second World War. The workshop examined the ways in which the

language of European citizenship has a close elective affinity with some of the key virtues of civil society: civility, tolerance, openness, a willingness to compromise and to avoid violent means wherever possible. Professor Keane discussed whether and to what extent this model of post-military citizenship is sustainable. The workshop highlighted several of its key advantages : that it admits of the possibility of equality between men and women considered as citizens; enables the uncoupling of citizen's entitlements and duties so that a 'luxury' form of citizenship entitlements freed from corresponding military duties becomes possible; and makes possible the enjoyment of citizenship within a socio-political environment freed from the scourge of violence generated by armies locked in power battles over territorial borders. Professor Whitman and Dr Chandler reflected on the hard questions and challenges posed by post-military citizenship : granted that European citizens can and should enjoy a life of non-violence, how can the ethos and substance of European citizenship be extended to those regions – especially south-eastern Europe – with a recent history of cruel violence and forcible displacement of hundreds of thousands of people? Supposing that there will be a continuing need for (military) policing of Europe's (potential) trouble spots, will a 'European army' or 'European Peace Corps' be necessary? How should it be organised, and who would fund it? And given that the model of post-military citizenship functions as something of a global norm – as the draft constitutional treaty makes clear – to what extent, and in which ways, can the European citizen avoid taking up arms in opposition to cruelty and violence elsewhere in the world? Are the current patterns of member state support for the institutions of global civil society adequate and effective? Should greater priority be given by the European Union to the creation and defence of governing institutions (the International Criminal Court; the reform of the United Nations; greater accountability and more effective management of bodies like the WTO) that can play a vital role in the cultivation of global norms of peaceful citizenship? But when all is said and done, is 'humanitarian intervention' a necessary external condition of European citizenship? If so, how shall such 'humanitarian intervention' be organised? Is the formation of European-level armed forces a necessary condition of the creation and nurturing of citizenship at home and abroad? And what shall be the proper relationship of those forces with the military apparatuses of NATO, the United States and the United Nations? In other words: can we have European citizenship without Europe taking steps to defending itself militarily?

Preparations for the London conference in June 2004 are now well-advanced. With the co-operation and support of Birkbeck College at the University of London, the event will feature lectures and panel discussions centred on five themes: the controversies generated by the process of European constitution-making; citizenship and law; the mechanisms of politically representing the needs and interests of civil society; rethinking democracy within the context of European integration; and the future of European security and military defence. Among the principal contributors will be Robert Cooper, Michelle Everson, Thomas Ferenczi, Chantal Mouffe, Patrizia Nanz, Victor Pérez-Díaz, Ulrich Preuss, Pierre Rosanvallon, Philippe Schmitter, Alex Warleigh, Stephan Wernicke, and Richard Whitman.

John Keane, London 2003

4.3 Report on the CiSoNet-Conference “Languages of Civil Society – Europe and Beyond” (6-8 November 2003) at the Badia Fiesolana, European University Institute, San Domenico di Fiesole, Florence

The conference ‘Languages of Civil Society – Europe and Beyond’ was held at Badia Fiesolana, European University Institute, San Domenico di Fiesole in Florence on 6-8 November 2003. Speakers included the authors of the respective reports, other members of the research network ‘European civil society’ and selected scholars who have worked on and with the concept of civil society in other contexts. A programme of the conference and a list of the principal participants are attached to this report.

I. Conference Objectives

The aim of the conference was to reassess the development of the concept of Civil Society against the background of the research reports findings with a core focus on six issues:

1. The earlier uses of the term before the well-known period of the flourishing 1800s (discussed predominantly in report 1)
2. The intra-European variety of national languages of civil society (discussed predominantly in report 1)
3. The extra-European variety of national languages of civil society (discussed predominantly in report 2)
4. The recent re-emergence of the concept, particularly in regard to East and Central Europe (discussed predominantly in report 3)
5. The internationalisation of the civil society debate, particularly in regard to the new emphasis on NGOs and to globalising tendencies (discussed predominantly in report 3)
6. The relation of the concept to recent debates in political philosophy, with a critical assessment of means of conceptualising the modern polity (discussed predominantly in report 2).

In addition to the theoretical reflection, a session that involved Civil Society activists was included into the program, thus providing a link between the scholarly debates on the concept and the contemporary practices of civil society. The session with protagonists in these debates found high public attention and was mentioned in two regional articles of a major national newspaper that reported twice extensively about the conference.

II. Conference Discussion

The conference explored the comparative history of the concept Civil Society. This main focus was contrasted with the question of whether the concept of civil society contains the potential of understanding the recent dynamics of socio-political restructuring and, in a normative sense, guiding the attempts of such restructuring to enhance the civility of social life and the legitimacy of political processes.

While the discussion was based on a historical concept of Civil Society proposed in eighteenth-century Europe, the research reports demonstrated, how this concept has been adapted from related concepts in earlier European political thought. The aim was to address the problematic constellation of an absolutist state, a rising market economy and the increasingly principled defence of the liberties and rights of the individual (Session 1: The concept of Civil Society: the context of emergence). It was coined and used with considerable variation in the European languages, and later socio-historical experiences suggested its transfer – or at least the identification of concepts that showed family resemblance – into non-European contexts and languages (Session 2: The languages of Civil Society: varieties of interpretation). The revival of the concept at the end of the twentieth century took place yet again in a highly different socio-political constellation, marked by the historical experience of a certain decline of centrality of civil society, be it because of a homogenising bureaucratic state or be it because of the powerful penetration of society by relations of market exchange (Session 3: Expanding horizons: the concept of Civil Society before and after 1989). In contemporary Europe, the deconstruction of the system of political parties and institutions – which is most advanced in Italy, even though similar observations can be made for other European states – is one of the most demanding challenges for Civil Society in Europe. In this context, the interest of contemporary research on Civil Society deals with the question of the necessity, the possibilities and the obstacles of civil action in a new political environment. For the Italian case, a special session of the conference, that was open to and widely frequented by the public showed some examples of Civil Society activities that have flourished during the past two years in Florence (Session 4: Public debate – Civil Society in contemporary Italy in European comparison). A general discussion of the current constellation, with a view to the need for both assessing the *conceptual* challenges that the revival of the term ‘civil society’ faces in the current socio-political constellation and exploring the *political* import of civil society activities in our era of so-called globalisation summarised the results obtained. (Session 5: European Civil Society – contemporary challenges). The conference was ended with a concluding comment of Jürgen Kocka, who on the one hand emphasised the progress made during the last days in relation to the opening questions of the conference and who on the other hand stressed the points which still remained open and should be clarified throughout the following workshops and conferences.

III. Conclusion

In the widely shared view of the active participants and of the audience, the conference was highly successful in meeting its objectives. The substantial reports provided the background for wide-ranging and intense discussions that raised numerous new issues in the civil society debate. The participants acknowledged the excellent organisation of the conference and the standard it has set for the future and welcomed the idea to invite Florentine practitioners of Civil Society and scholars who are not regular participants of CiSoNet, particularly Paul Ginsborg, Robert Wokler and Claus Offe to this conference.

In his concluding remarks – that have been circulated to all members in a written form – Jürgen Kocka pointed out the most important *results* of the conference, he proposed a *working definition* of civil society, mentioned several points which can be classified as highly relevant and *new phenomena* in the discussion on civil society, and stated some

issues that could and should be discussed intensively throughout the following activities of CiSoNet.

One of the most important results of the conference is the highly *constructed character of the concept* of Civil Society. Civil Society is a very comprehensive concept which encompasses different activities, organisations and aspects and which – over the centuries – has less been a category of self-description and self-identification, but a category used by observers, analysts and social scientists. The construction of the concept must be understood as a social process in which people interconnect and communicate, as has been shown for the interchange between East and West European intellectuals in the 70s and 80s. The construction of such a concept can be a political act in itself, in the sense that the same actors want to influence reality by categorising the latter. Thus, the concept does not only describe and reflect reality, but it tries to anticipate and influence reality. Furthermore, Civil Society can be used as a ‘bridging concept’ with the purpose of forming coalitions, like in the panel on Civil Society in Florence that included a union representative, a speaker for an initiative of professors and somebody from the European Social Forum. The construction of such a concept is co-determined and influenced (though not dictated) by non-semantic structures, processes and practices. Its differentiation is accompanied by a differentiation of the historical reality, although not in a strict sense of parallelism.

There have been different *theoretical inputs* into the formation and debate of the concept of Civil Society, which has been expressed by Peter Wagner and his colleagues. One of the most important steps in this direction was Habermas’ book of 1962 (The Structural Transformation of the Public Sphere), although it spoke of “Bürgerliche Gesellschaft”, not of “Civil Society”. Dariusz Gawins paper made clear that left-wing traditions were dominant in forming the concept in recent times. Contrasting it with its counter-concepts and conceptual opponents even today demonstrates the concept’s appeal. For Kant and other Enlightenment authors, the concept of Zivilgesellschaft/Bürgergesellschaft/Civil Society had positive connotations. It implied a thrust against the absolutist state, against a certain type of inequality and perhaps against certain types of religion, namely religious orthodoxy. Today, the concept’s appeal relates to three other thrusts: Civil Society opposes either a despotic/dictatorial state (70es/80s in East Central Europe) or a state that is overwhelmed in other respects (i.e. problems of the welfare state today). Civil Society stands for a logic of social interaction which is clearly distinguished from the logic of capitalism; it seems to offer an alternative to capitalist relations that have spread all over the world and into many niches of our life due to commercialisation. And Civil Society opposes a too modern/post-modern individualisation and social fragmentation. With its communitarian elements the concept seems to offer an answer to the frequently asked question: What holds modern systems together?

A clear definition of civil society is necessary, if the development of the concept of Civil Society should be reassessed and if it should be used as a tool of analysis. Three proposals for a *definition* of civil society have materialised throughout the conference:

- a) Civil Society as networks, circles, initiatives, movements, organisations in a space between state, market and the private sphere.

- b) Civil Society as phenomena related to a specific type of social interaction, which is the opposite of fight, war and violence, of market and exchanges, of hierarchical relations and of private immediacy. It is a specific type of interaction that can be characterised by certain attributes, namely: self-organisation interaction in the public space, non-violence, non-profit, but public-benefit orientation.
- c) Civil Society seen as the relation between a social configuration and the form of a polity, as was proposed by Peter Wagner.

There are important and *new phenomena* that are highly relevant for the Civil Society discourse. Three of them have been discussed in Florence: One is Transnationalisation. Even if we continue to work within national borders (the importance of language), there is a growing platform of transborder activities, networks and organisations belonging to Civil Society. William Outhwaite's paper on Europeanization is one example. The second phenomenon relates to the question of whether the rise of Civil Society activities and rhetoric indicates that we live in a situation in which the conflicts between capital and labour have become secondary. There are still many social tensions and conflicts. But in comparison, the classes as such have become less prominent as a structuring line and as a line of social and political identification and conflict. In many ways the idea of Civil Society, while not negating the idea of class, is not built on class-specific notions but tends to move beyond class – not without friction as the panel of Florentine activists made clear. Still, the practice of Civil Society may be far away from neutrality vis-à-vis class. If it is defined by a certain mood and style of communication (being able to listen, argue, and socialise – as Paul Ginsborg said), one may ask who – from which social background – is really able to participate in this discourse? (Claus Offe's question). The third phenomenon can be explained by turning the argument around, namely that Civil Society activities are seen as answers to deficits: democracy deficit, failures of the state to deliver, responses to market shortcomings. The rise of civil society language and activities in the last decades can perhaps be seen as a consequence of increased abilities, increased psychic and social resources, increased „Zivilgesellschaftsfähigkeit“. The average of wealth and education has gone up over the last 100/150 years. People have more time, tools of communication have become available which were lacking in former times or restricted to small groups. In this context, a new feeling of power and a new desire to get involved can emerge, perhaps as a hidden motive behind the widespread criticism of purely formal democracy. In this respect the demand for more Civil Society activities parallels the demand for more direct democracy. The conference discussed problems of accountability and new forms of donor-dependency. The danger that Civil Society activities might undermine the democratic institutions seems to be small at the moment.

As was summarised by Jürgen Kocka, the conference was very substantive with excellent papers and discussions. Several questions remained unsolved and should be kept in mind for the following activities of CiSoNet.

The most interesting problems are related to the „border issues“ of Civil Society: on the one hand, Civil Society activities are moving across and beyond national borders on a European or even global level. The interchange between East and West European intellectuals in the 70s and 80s, which was discussed in Florence, is one example. It

would be very interesting to understand more about these processes, perhaps throughout an oral history research among eastern dissidents (as has been proposed by Henrik Domanski and Andrzej Rychard). On the other hand, there are borders in a different sense, namely relations between Civil Society and the state, Civil Society and the economy, Civil Society and the private sphere (in the context of family and household for example). The relations between Civil Society and state/government that have been a controversial topic throughout this conference – historically, systematically and with respect to current problems – will be the central topic of the CiSoNet conference in London (June 2004). The CiSoNet conference in Madrid (September 2004) will bring more insight into the relations between Civil Society and the (market) economy. While the logic of Civil Society is clearly distinguishable from the logic of the ‘private sphere’ the relation between Civil Society and family/household remains an interesting and under-researched problem. As was initiated in Florence, this topic could be dealt with in an additional, separate workshop that will hopefully be organised by Ton Nijhus and Dragica Vujadinovic-Milinkovic in cooperation with Paul Ginsborg in 2004.

Based on drafts by Peter Wagner and Jürgen Kocka,
compiled by Agnes Arndt, Berlin 2004

4.3 Report on the CiSoNet-Conference “The Future of the European Polity” (3-4 June 2003) at the Centre for the Study of Democracy (CSD), University of Westminster, London

Some 80 people attended this two-day conference at the Centre for the Study of Democracy at the University of Westminster in central London. Funded by the Fifth Framework programme and under the auspices of Workpackage III of the Civil Society Network (CISONET) project, the conference was hosted by the Centre for the Study of Democracy, with the assistance of the Wissenschaftszentrum Berlin (WZB) and Birkbeck College, the University of London.

John Keane, the conference host and co-ordinator of the CiSoNet programme of research on governance and civil society in the European region, welcomed delegates. He explained in his introduction the work of CiSoNet and something of the background to Workpackage III and the London gathering. He observed that the planning of the conference dated back to a preliminary workshop on the topic of civil society and governance held on November 5th, 2003 at the Badia Fiesolana, European University Institute, San Domenico di Fiesole, Florence. At that one-day workshop, Keane noted, there was discussion by twenty invited experts of the most desirable core themes and specific issues that would be analyzed in more detail at the London conference. A summary of that workshop is available on the CiSoNet website.

Keane explained that in Florence it had been agreed that the London conference would address *four* core research themes. These serve here as convenient headings under which to summarize the proceedings and outcomes of *The Future of the European Polity* conference:

How to conceptualise and understand the dynamics of the emergent European polity. The conference opened with a session featuring Philippe Schmitter (Florence) and Claus Offe (Berlin). It aimed to clarify the geometry of the governmental ‘boundaries’ within which a European civil society is presently emerging. Professor Schmitter elaborated his influential *condominio* thesis, according to which the European Union and other European governmental bodies cannot yet be considered a consolidated polity. It is neither a federation nor an empire nor a super-state, and for that reason there are difficulties facing the vital task of theorizing its polycentric dynamism, multi-tiered structures, jurisdictional complexity and conflict-producing potential. Schmitter highlighted some of its novel features. It is a ‘security community’ (Karl Deutsch) with a difference, in that the territorial limits of Europe may be a non-issue. The well-known variable geometry of Europe could apply as well to its relations with the rest of the world, such that ‘Europe’ is seen in post-imperial terms as a principle of organization applicable to other parts of the earth. Schmitter emphasised that on the domestic front, European government was in future likely to be marked by growing specialization of functional competences, at least some of which (like the European Central Bank based in Frankfurt) will not be guided or steered by the Commission. Europe is more than a series of onion-like concentric circles (a simile commonly used by Jacques Delors). It is an ‘eccentric polity’. Time-restricted *derogation* and ‘force-outs’ may become more common. So too might much-more-skewed patterns of representation of social interests at the top levels of governing institutions. Schmitter predicted a continuation of present

controversies about decision-making rules, evident in the present trend towards weighting. He spoke against a written constitution ('this is the most inappropriate moment to try to constitutionalise the European polity') and in favour of flexibility and improvisation plus the need for 'little democratic steps' involving the redesign of public access to decision making and experiments (for instance) with 'proportional proportionality', according to which votes and/or seats would be allocated according to the square root of the population of the member states.

In his comments on Schmitter's paper, Claus Offe developed the introductory remark by John Keane that a key reason why the naming and analysis of the emergent European polity might be important to a European civil society is that 'a stray dog that is given a name has a much higher chance of survival in the world of stray dogs on streets'. According to Offe, 'Europe is a self-naming dog'. In contrast (for instance) to the foundational myths of the Italian, Greek or Italian states, each of which solicits pride in the establishment of a newly acquired freedom, the process of European integration is not widely seen to be synonymous with advances of 'liberty'. It is not a value-added process, but legitimate only insofar as it effects *consequences* that are seen to be positive or valuable. 'European integration is outcome oriented, not a value-oriented project.' If this is so, then any account of the emergent European polity and a European civil society must take account of – and solve – the problem of *vertical fear* and *horizontal fear*. Territorially-organized liberal democracies developed various 'civilizing' mechanisms for solving these two (inter-related) types of fear. The fear among citizens generated by 'vertical' relations of power – the fear of arbitrary government and rulers' violence – was addressed through such liberal innovations as written constitutions, the rule of law, periodic elections and responsible government. The problem of horizontal fear – the tendency of citizens to be afraid of their fellow citizens or non-citizens within civil society – has been addressed by various efforts to promote 'civility', social solidarity and the 'mutual recognition of differences' among strangers. According to Offe, the greater the complexity of a polity and the broader its scope the greater are the twin dangers of vertical and horizontal fear. The emergent European polity has not solved this problem. Horizontal fear seems to be especially virulent and troublesome for the whole project of European integration and that is why, Offe proposed, democracy alone cannot easily resolve it. There is rather an urgent need within the European *condominio* to steeply increase 'governing capacity' at the European level. (Sonja Puntscher Riekmann [Salzburg] gave as an example the need to develop a European social policy: 'If the Union is not capable of finding answers to the welfare question, then it will find it hard to survive, regardless of any name or constitution that it enjoys.') According to Offe, such governing capacity will need to concentrate especially upon improving citizens' perceived gains from the integration process. A constitutional treaty is important, but it cannot be anything more than an intermediate step in an ongoing quest to transform European integration into a positive sum game. Since Europe is fated to be judged by its citizens according to the promises it has made, Europe must come to be perceived as 'a self-civilizing process'.

The democratic deficit. Many conference delegates made reference to the fact that, for some years now, the project of European integration has been marked by a so-called democratic deficit. Less well recognized, and a vital feature of this democratic deficit, is

the lack of plausible new models of how to democratise the European Union. There were a number of papers and many comments that addressed this problem.

In his report especially written for Workpackage III, Stephan Wernicke (Luxembourg) presented a detailed account of the growing importance of 'European citizenship' as a 'trigger norm' of the European Court of Justice. He was centrally concerned with the relationship between the quest for legitimacy of the Court and the role it attributes to private or non-governmental actors under EU law. How best can we describe the role of private actors and associations under this law? Is the notion of civil society of any relevance? (In an accompanying paper, Michelle Everson [London] defended a similar post-republican model of legally sanctioned citizenship based on the procedural arts of 'managing diversity'). Wernicke submitted that the ECJ is currently developing a jurisprudence under which citizens of the Union, treated as 'private' actors, as well as corporate actors are gradually being included in the matrix of rights and duties of the various Treaties. The ECJ is factually recognising and including the non-governmental actors of civil society into its own edifice of judgements. He gave as an example Case C-184/99, Grzelczyk [2001]: a French student application for a 'minimax allowance' in Belgium, initially refused by the local authorities, was later sanctioned by the ECJ on the basis of Union citizenship. 'Union citizenship is destined to be the fundamental status enabling individuals to enjoy the same treatment in law.' One of the core aspects of what he called 'this little revolution' is the creation and sanctioning of 'private governance' that is required to meet treaty standards. Extrapolating from this trend, Wernicke conjectured that the private actors of civil society could well become important constitutional actors; and that in the long run the Court, in working out a framework of rights and duties for non-governmental parties, may well extricate itself from state-bound treaties in order to draw legitimacy directly from Europe's citizens through a new form of 'European social contract'.

During other sessions, questions were raised about other means of raising the level of public visibility of the emergent European civil society. Is not the formation of a cross-border, European-wide public sphere a minimum condition of ensuring greater public accountability of the *condominio* of governmental-legal institutions of the Euro-polity? In answer to that question, considerable discussion was generated by the second conference report: that prepared by Dr Patrizia Nanz (Bremen). Her 'Europolis' : Towards a Public Sphere Beyond the Nation State' initially scrutinized current theories of European integration in terms of whether or not they deem a European public sphere either impossible or unnecessary; or normatively desirable but impossible (those whom Nanz called the '*demos*-theorists'). She proposed to push beyond the limitations and confusions of these two approaches, towards a 'thicker' and more contextually embedded image of a European public sphere that is not merely normatively desirable, but an actually emergent phenomenon. Nanz proposed a notion of a dialogical European public sphere that is nurtured by overlapping publics; culturally heterogeneous; and marked by multiple voices and a wide variety of perspectives that are nevertheless bound together by a shared sense among strangers that they are burdened by common problems and faced with common potentials. Nanz concluded by proposing an amendment to Schmitter's thesis that European integration currently assumes the form of regulatory structures of law and government that are largely unchecked by mechanisms of territorial representation and electoral accountability. According to

Nanz, something new is developing within the Euro-polity : a powerful trend towards a European public sphere that signals the end of the illusion that European integration can be steered mainly or exclusively by constitutions, laws or administrative regulation.

There was much discussion of this thesis. In the formally prepared comments, Ton Nijhuis (Amsterdam) expressed some reservations about the philosophical abstractness and *unpolitisch* qualities of the argument. Peter Wagner (Florence) emphasized the normative desirability of a European public sphere but raised doubts about the inner strength and coherence and linguistic complexity of a large-scale public of the kind proposed by Nanz. He spoke instead of institutional strategies of nurturing the ‘access component of citizenship’ so that everybody affected by constitutional norms and policy making has an opportunity to interfere with them. Others expressed support for the normative ideal of a public sphere as a vital means of guaranteeing the democratic right to ‘throw scoundrels out’ (Popper), but raised doubts about the empirical plausibility of the dialogic model of publicity, especially given the very great importance of horse-trading and log-rolling in Euro-polity policy making and policy negotiation; the chronic incompleteness of functional representation in matters of public debate and controversy; the tendency of European-level public life to be dominated by the voices of organised interests that ‘sing in an upper-class accent’ (Schattschneider); and the strong tendency of public discourse to air grievances against ‘Europe’ or self-interestedly ask what can be extracted from ‘Europe’. John Keane (London) emphasized the importance of keeping in mind three different possible usages - descriptive; strategic; normative - of the public sphere concept. He also urged the need to pluralize the originally Habermasian understanding of the public sphere. Within the European region, there are strong empirical and normative reasons for analyzing civil society in terms of a modularized, open-ended and dynamic galaxy of differently-sized publics (micro-; meso-; macro) that are currently being nurtured by the emergence of a new galaxy of digital communications media. Nanz’s model of ‘deliberative republicanism’ is perhaps insufficiently complex to grasp this tendency, which may well be invalidating the regulative ideal of a European public sphere and fostering instead a multiplicity of differently-sized publics. Keane proposed that from a strategic and normative standpoint this new galaxy of publics might be better suited to the task of publicly monitoring and sometimes vetoing the decisions produced by the variable geometry of the *condominio* and its power structures (Antje Wiener [Belfast] also noted the normative importance of the concepts of multiple *demoi* or ‘sectoral veto points’). Put differently : the project of European political integration requires the development of a civil society containing a multiplicity of publics that render exercises of power publicly accountable and thus ensure that ‘nobody rules’.

Alex Warleigh summarized his prepared report, which argued for the replacement of liberal democracy- and federalist-inspired ideas of EU reform by a coherent strategy based on an adapted form of deliberative democracy that he called ‘critical deliberativism’. The democratization of the European polity requires the abandonment of ‘the Community method’, the elevation of flexibility to the status of the prime organising principle of the EU, and the successful performance of a ‘quadruple balancing act’ between different national (elite) visions of European integration; the various levels of governance in the fused EU system; input and output legitimacy; and different normative views of democracy. From the perspective of civil society, Warleigh

proposed, critical deliberativism has an explicit priority : the fostering of an EU-wide sense of a *demos* so that citizens can come to ‘own’ the Euro-polity by fostering new sets of mechanisms for civil society participation in governance. Warleigh’s paper was extensively discussed, with especially vigorous debate for and against Philippe Schmitter’s claim that in general deliberative democracy models, including Warleigh’s, are wedded to presumptions about the importance of consensus and the primacy of individuals, rather than organizations; based on beliefs in the intrinsically ‘democratic’ qualities of civil societies (which in fact display strong tendencies towards oligarchy, secrecy and manipulateness); and chronically unable to generate concrete proposals about the envisaged reforms that would result in ‘deliberative democracy’.

The conference included a public lecture on the future of democracy in Europe by Pierre Rosanvallon (Paris). ‘Europe is a project that has yet to find an adequate structure’, he suggested, pointing to the widespread complaints about the ‘democratic deficit’ and the ‘decline of politics’ as symptomatic of the problem. He proposed a ‘dynamic history of democracy’ in the European region, an approach that adds to our sense of ‘perplexity’ by examining ‘the inner life of democracy’ and concentrating especially on its current structural contradictions and their effects. He examined three such contradictions : (a) *the generality/independence paradox* : more and more areas of life are expected to be placed under citizens’ control while at the same time there are growing claims that certain policy areas should be insulated from politics and governed according to criteria other than democracy; (b) *the control paradox* : citizens seem to want ever greater control over decisions (‘the power of authorship’) while at the same time acknowledging that political decision making is and must be a sphere of discretion (‘the power of editorship’); and (c) *the responsibility paradox* : as the ideal of public accountability advances, there is a shift from collective responsibility for decisions and their effects to individual responsibility. Rosanvallon suggested that the combined effects of these three contradictions are becoming evident, for instance in the fact that the more democratic European states and societies seem to become the less democratic and ‘visible’ they feel. It is as if efforts to institutionalize the democratic doctrine of popular sovereignty take revenge on themselves by contradicting and undermining the fact of popular sovereignty. (Jürgen Kocka [Berlin] asked whether these three paradoxes are new and, if so, from when did they date.) As the project of European integration demonstrates, Rosanvallon replied, we are living in an age of ‘indirect democracy’ (Condorcet), in which democratic control mechanisms multiply in the direction of infinity. Rosanvallon warned against attempts to resolve these paradoxes of democracy either by resort to leader worship or populist ideology. Coping with these paradoxes will rather require the renewal of *politics*: not the dependence upon governmental regulation but the emphasis on the civil society process of *social institution* or *the self-institution of society*. He illustrated this conclusion with reference to the question of citizenship through tax paying. ‘The EU budget is currently around 1% of its combined GNP. In the member states, governments handle between 40-50% of GNP. This discrepancy suggests that in a Europe that is strong in matters of governmental regulation more social institution [through civil society] is required. Otherwise the future of democracy in Europe, like its budget, will remain around 1%.’

The problem of violence and political disintegration. The emergent EU polity developed against the backdrop of the disintegration of empires, territorial state rivalry,

total war, concentration camps and totalitarian rule. It is generally agreed that these historical factors – whose combined effect was the radical weakening or outright destruction of civil societies - have served as something like a dystopia or negative counterfactual against which the progress of European integration can be measured. What is therefore worrying is that strategically important parts of south-eastern Europe (Dragica Vujadinović and Milan Podunavac explained) are presently suffering the aftermath of large-scale violence. Quoting Thucydides's remark that 'war is a violent teacher', Milan Podunavac pointed out that the destruction of the rule of law is especially marked in the State Union of Serbia and Montenegro. The consequent 'de-routinization' of every day life is among the most traumatic effects of the war in Yugoslavia and poses severe challenges to such civil society ideals as wider European political integration, post-nationalism, the rule of law, free internal markets and citizenship across borders. Podunavac proposed that the western Balkans is not just an isolated problem, but a paradigmatic case of the destruction of democracy, the lessons from which need to be grasped by the EU and its citizens. He drew some comparisons with the collapse of the Weimar Republic, whose disintegration was chiefly due to the fact that none of the traditional elites of Germany either supported the constitution or were willing to cooperate to make it work; they no longer believed a decent liberal democracy was possible. Today, the shadow of Weimar extends to Serbia and Montenegro, where there are troubles in the house of democracy. Their experience of 'soft communism' followed by extreme violence, uncivilized dictatorship and destructiveness, all of which culminated in the 'armed paranoia' and manic evil displayed in cities like Vukovar and Srebrenica, prompt the urgent question, whether in such conditions the self-defence and maintenance of public (democratic) order can be preserved. Today, it appears that the post-communist regimes of the region are rather defenceless against the enemies of democracy, especially when they exploit the constitutional opportunities and other means of democracy to undermine democracy itself. Podunavac asked whether, and to what extent, the constitutional foundations and democratic mechanisms of these states are currently threatened by a politics of radical populism that arises out of the exhausted civil society that is itself endangered by the politics of fear, open violence, belligerence, racism and corruption.

Concentrating on the case of Serbia and Montenegro, Vujadinović similarly noted the slowdown and disintegration of reforms by a constellation of negative factors, such as the in-fighting and weaknesses of the democratic parties, corruption, the lack of social dialogue, demagogy, pauperization and unrealistic public expectations about economic reforms. She proposed the thesis (later contested by Pál Tamás and others) that 'the greater the Western influence on the countries of the region, the easier their transition to democracy'. She also emphasized the unusual and paradoxical instability of contemporary voters' behaviour: for instance, the co-existence of anti-reform, anti-Europe, anti-Hague opinions of the nationalist left and right with the fact (documented in the most recent opinion polls) that more than 80% of the populations of Serbia and Montenegro favour integration with the European Union. (Vukašin Pavlović commented that this paradox is best understood as an effect of the *promise* of economic growth and improvement symbolised by the EU.) Vujadinović noted the political importance of re-shaping EU policy towards Serbia – by giving less emphasis to territorial and sovereignty matters and much more to an 'economic and social recovery

policy' that aims to regenerate civil society as an essential precondition of constitutionalising and democratising governmental power.

Europe in the world. The policy vision of nurturing a European-wide civil society within the European Union ultimately developed as an allergic reaction to the democratic deficits and to the violence and cruelty that culminated in the Second World War. Previous CiSoNet discussions have highlighted the ways in which the normative ideal of 'peaceful' European integration has a close elective affinity with some of the key virtues of civil society: civility, tolerance, openness, a willingness to compromise and to avoid violent means wherever possible, the possibility of disarmament and freedom from military duties equality between men *and women* considered as citizens; in sum, a socio-political environment freed from the scourge of violence generated by armies locked in power battles over territorial borders. Hard geo-political questions and challenges are nevertheless posed by such a civil society perspective : granted that European civilians can and should enjoy a life of non-violence, how can the ethos and substance of a European civil society be extended to those regions – especially south-eastern Europe – with a recent history of cruel violence and forcible displacement of hundreds of thousands of people? Supposing that there will be a continuing need for (military) policing of Europe's (potential) trouble spots, will a 'European army' or 'European Peace Corps' be necessary? How should it be organised, and who would fund it? And given that the model of a post-military civil society functions as something of a global norm – as the draft constitutional treaty makes clear in its reference to Europe as 'the continent that has brought about civilization' – to what extent, and in which ways, can European civilians avoid taking up arms in opposition to cruelty and violence elsewhere in the world? Are the current patterns of member state support for the institutions of global civil society adequate and effective? Should greater priority be given by the European Union to the creation and defence of governing institutions (the International Criminal Court; the reform of the United Nations; greater accountability and more effective management of bodies like the WTO) that can play a vital role in the cultivation of global norms of peaceful civility? But when all is said and done, is 'humanitarian intervention' a necessary external condition of a European civil society? If so, how shall such 'humanitarian intervention' be organised? Is the formation of European-level armed forces a necessary condition of the creation and nurturing of civil society at home and abroad? And what shall be the proper relationship of those forces with the military apparatuses of NATO, the United States and the United Nations? In other words: can we have a European civil society without Europe taking steps to defending itself militarily?

Many speakers and questioners raised and debated these issues. Chantal Mouffe [London] asked about the place of Europe in a 'multi-polar world'. Thomas Ferenczi (Paris) spoke of Europe as a 'less united, less integrated but more powerful actor on the international scene'. He cited Todorov's vision of the EU as 'a quiet power'. Peter Wagner (Florence) spoke of Europe as potentially *une contre-puissance*. Martin Jacques (London) emphasised the rise of East Asia and doubted Europe's viability and legitimacy as a political model for the global order ('Europe will be deeply preoccupied and troubled by the process of integration for a long time to come.'). Other speakers and commentators emphasised the 'dangerously growing anti-Americanism in Europe' (Ferenc Miszlivetz [Szombathely]). In his public lecture, 'Towards a European Army?',

Robert Cooper (Brussels) addressed the key question of European military power by citing a summary statement issued by the Heads of State and government after a meeting at Helsinki: 'The European Council underlines its determination to develop an autonomous capacity to take decisions and, where NATO as a whole is not engaged, to launch and conduct EU led military operations in response to international crises. This process will avoid unnecessary duplication and *does not imply the creation of a European army*'.

According to Cooper, armies belong to states. Only a European state could create a European army, but this is not the present trajectory of the 'post-modern' European Union. Cooper went on to say that although a European army is not on the agenda, the European Union framework – despite the intentions of its framers - does provide for a security and defence policy, and that a higher degree of integration in this area is desirable. 'With the crisis in Yugoslavia came a problem that Europeans cared about and America, initially at least, did not. We all then proceeded to handle it badly, Europeans worse than Americans because it was our problem and because it took us time to understand that it would need force to re-establish peace – we had lived too long in an environment of law and of political compromise. We discovered in Bosnia that we lacked the political culture and the decision making framework to use force. We discovered in Kosovo that we lacked the military capabilities to do certain operations on our own. Out of this experience come some lessons and some reasons for wanting to have some European defence options outside the NATO framework.'

Cooper proposed that Europe might in future be able to do more about its lack of military capability. 'The problem with European countries is not that they spend too little on defence – though doubtless one or two could spend a bit more without it doing any harm – but that they spend it in a fantastically inefficient way. If we had a single European rifle or a single European tank it would be cheaper and our forces would be more effective. If we could only construct our aircraft carriers so that French planes could land and take off from British vessels it would improve our flexibility.' Cooper outlined some experiments that are now under way : the launch of operations such as EUPM, CONCORDIA, ARTEMIS and PROXIMA; the creation of nine groups of about 1500 men deployable at short notice; the setting up of a Defence Capability Agency, whose job it will be to stimulate collaboration in projects to do with training, equipment and maintenance; the creation of a Situation Centre which brings together intelligence from different agencies in Member States; and integrated command forces such as the Eurocorps, the German/Dutch Corps, the Dutch/Belgian naval cooperation, and the UK/Netherlands amphibious force.

Cooper emphasised the limited scale of these developments. 'I doubt if military action is going to form a large part of a European foreign policy. We are, for the moment, not that sort of people. Besides the basic fact is that we still live under a *Pax Americana*; and strategic military operations are always likely to be US-led. My guess is that Europe is going to focus on aid in different forms, on deployments of police as much as soldiers and, when military are deployed, on peace keeping ...Very likely a good number of EU operations will be in support of the UN.'

In reply to public concerns about a possible trans-Atlantic rupture, Cooper concluded by pointing out that a well-functioning European Security and Defence Policy may be good for Europe/US relations. A stronger European capability and ‘burden sharing’ is likely to be welcomed in the US and would be good for NATO (as in the Berlin Plus arrangements that give the EU access to NATO assets and capabilities) as well as for the EU. Most important is the fact that ‘a willingness to use force is the mark of a serious foreign policy. Europe can be a real partner for the US only at the point that it ceases always to have at the back of its mind the feeling that if things get serious the US will probably have to take over.’

In his comments, John Keane posed three questions, from which flowed three bundles of comments. First: might it be that Robert Cooper’s mode or style of thinking remains firmly *within* – not *beyond* – the so-called ‘realist’ or Hobbesian paradigm that he otherwise disavows? Keane acknowledged Cooper’s well-known thesis (developed in *The Breaking of Nations* and elsewhere) that the contemporary European ‘post-modern’ project, for all its flaws and lack of legitimacy, is something new, and that we Europeans are now living in a world beyond Hobbes. Symbolized by the Treaty of Rome (1957) and the CFE Treaty (the Treaty on Conventional Forces in Europe) the old rules that governed power politics from the end of the Thirty Years War are virtually gone: balance-of-power; *raison d’etat*, the doctrine that sovereign power in extreme circumstances should be morally unconstrained, that is, entitled to do whatever it likes; might is right; the presumption that states are fundamentally aggressive or potentially so. According to Cooper, these ‘modern’ rules have been replaced by ‘postmodern states living on a postmodern continent’. That means : state sovereignty is no longer an absolute; alliances survive through peace or war; an acceptance of interference in each other’s domestic affairs, indeed, the dissolution of the distinction between ‘domestic’ and ‘foreign’/‘home’ and ‘abroad’; the acceptance as well of the jurisdiction of international courts of law; the subjection of monopolies of force to intrusive verification and self-imposed constraints; the growing irrelevance of borders and the territorial imperative; the poignancy of Catherine the Great’s maxim – ‘I have no way to defend my borders but to extend them’ – and of treaties, joint exercises and integrated command structures.

Keane noted Cooper’s thesis that since Europe has moved beyond the balance-of-power system, a new vocabulary and, up to a point, new policies are required. But the odd thing about Cooper’s own vocabulary, he claimed, is its excessive dependence upon terms derived from the age of territorial states. Sometimes this dependence is implicit, e.g in Cooper’s grand historical narrative of how there were once empires, then there were states, now (in Europe) we have post-modern polities, all of them set against a backdrop of ‘chaos’, all of which supposes that states are the fulcrum point on which the ‘pre-modern’ and ‘post-modern’ worlds pivot. Keane noted a corollary of this grand historical model : Cooper’s view that ‘the imperial instinct is dead, at least among the Western powers’, a view that rules out the probability that the United States after 1989 behaves as a new *modern* type of dominant or imperial power as by definition not thinkable. Keane also noted that Cooper’s prose is sometimes explicitly Hobbesian: for instance, when he talks of Europe’s need to exercise ‘military muscle to clear the way for a political solution’, or when he emphasises the dangers of chaos (‘This is a dangerous world and it is going to become more dangerous’), or in his frank

understanding of the profession of diplomacy as tied to war or, finally, his references (citing Christopher Logue's *War Music*) to what he calls 'the in-Built violence of being'.

Keane's second question: doesn't Cooper's lingering fascination with the language of sovereignty, force, violent power have consequences for the ways in which we think and act within a 'post-modern' polity like that of the European Union? Keane suggested that Cooper's preoccupation with order, threat, sovereignty and force – 'military muscle' – damages the normative vision of European integration. What is the ultimate purpose of joined-up government or the post-modern polity, we may ask? What's so good about it? Cooper said in reply: Europe is now pioneering a post-modern system of security that could be developed on a global scale for the purpose of the avoidance of violent conflict and the legal protection of the individual and her/his freedom. The trouble here, Keane argued, is that the bundle of institutions that historically came to be called Europe are reduced to one primary determinant: the political search for order through government, law, applied force. It is Karl Marx dressed as Max Weber: the history of all hitherto existing societies is the history of the political struggle for order, first through empire, then the territorial state, now the post-modern polity. Whether intended or not, the monism leads to the systematic neglect of the *non-governmental*. Cooper's picture of Europe is one-dimensional, and his 'governmentality' neglects some basic insights about Europe that have been formulated by the modern social sciences since, say, Adam Smith's *Wealth of Nations* : Europe was after all the place where commodity production, exchange and consumption first snapped the chains of custom, religious tradition and governmental restriction, ultimately to wrap the whole world in global commodity chains; Europe was the place in which the printing press made possible the formation of public spheres in which citizens could address matters of war and peace, good and bad government and law. And Europe was certainly the geographic and mental space therefore, in which markets and publics and other non-governmental institutions, under pressure from despotic government, coalesced to form what we have come to call civil society.

Keane's final question : does not Cooper's 'sovereignty thinking' have consequences for how we are to interpret and analyze the troubled world beyond the post-modern Euro-zone, the world of collapsing states, dictatorships, uncivil wars? Cooper indeed warned of the descent into chaos and emphasised that 'civilization and order rests on the control of violence: if it becomes uncontrollable there will be no order and no civilization'. Elsewhere, Keane proposed, Cooper imagines an 'orderly world', the 'creation of a post-modern peace'. But since there are no Historical Laws favouring peace Europe must now stand shoulder to shoulder with the United States, which means war will be a requirement of peace. The commonwealth of Europe needs to pick up a gun and cock it. Europe must develop a 'threefold mindset' by acting as a force for peace and order in a 'difficult and dangerous world' populated by modern states (China, India, Syria, North Korea, Iran.) and more than 70 zones of chaos that stretch from Mindanao and southern Burma to Darfur and the Congo. But what kind of peace does Cooper envisage, Keane asked? In *The Breaking of Nations* and elsewhere, Cooper – correctly in Keane's view – talks in terms of the difficult, painful process of cultivating and thickening post-modern institutions of government that are legitimate because they are lawful and 'democratic'. But if by democracy we mean, minimally, forms of self-

government in which the exercise of power is subject to public accountability procedures, which supposes a vibrant civil society, press freedom, a healthy mix of publicly/privately owned property, then it turns out that the cultivation of the non-governmental must be a vital concern of government and diplomacy - and that the relationship between force and democracy is highly contingent. Cooper is a believer in the primacy of force – ‘military force counts more than softer forms of power’, he states openly at one point – and that is why he criticizes Europe’s loss of will to power, why he gives a qualified yes to European defence structures, and why he wants better planning and purchasing, in short, an end to situations in which British warplanes cannot take off and land on French destroyers. Keane drew a different conclusion: ‘Cooper is too much of a civilized European to believe unconditionally in all this. He knows that *Realpolitik* often turns into *Unrealpolitik*, that military muscle has its limits – that might cannot and should not be the single parent of democratic right. But if that is so, then does it not follow that a Europe in favour of peaceful, joined up democratic government everywhere must be a Europe that not only has effective armed force, but a Europe that knows, in matters of diplomacy, security policy and the conduct of foreign affairs, that the cultivation of a strong, vibrant, canny, rights-conscious European civil society, itself a partner within a *global* civil society, is a necessary condition of a less violent and more equal and liveable world?’

Following the two-day conference, a CiSoNet business meeting was held on Saturday morning, 5 June. Minutes of this meeting have been circulated to all members and are available online at the CiSoNet website (<http://cisonet.wz-berlin.de/members/papers.htm>).

John Keane, London, June 2004