A Conceptual History of Civil Society: From Greek Beginnings to the End of Marx

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ABSTRACT: The idea of civil society has undergone a renaissance in recent years, but missing from this literature is an explanation for its historical transformation in meaning. Originally civil society was synonymous with political society, but the common modern meaning emphasizes autonomy from the state. This paper traces this historical transformation within the context of the history of ideas, and suggests that the critical event was an eighteenth-century reaction against the rationalistic universalism associated with the French Enlightenment. The continued significance of the question of universalism is suggested by the fact that universalistic Marxist-Leninist theories provided the ideological underpinnings for the destruction of civil society in Eastern European nations. The paper concludes that three elements are essential to the modern understanding of civil society: its autonomy from the state, its interdependence with the state, and the pluralism of values, ideals and ways of life embodied in its institutions.

INTRODUCTION

Interest in the idea of civil society has been growing in recent years. Contemporary discussions may be broadly categorized into two schools of thought. The first is the post-Marxist attempt to find a new foundation for socialist ideals, broadly understood. Within this group, writers like John Keane[1] seem to be moving towards a more liberal account, emphasizing the distinction between state and society, while others like Jean L. Cohen and Andrew Arato[2] are more interested in ways to regulate civil society while avoiding the dangers of statism and bureaucracy. A novel contribution comes from Paul Hirst,[3] who argues for a

plurality of voluntary socialist organizations within civil society, as an alternative to compulsory socialism at the level of the state. Others, like Charles Taylor,[4] believe in the continuing relevance of Hegel. Besides these writers in English, a host of others have taken up the idea, including theorists in Asia, the Middle East, and post- communist Europe.[5]

A second group of theorists working on the idea of civil society may be categorized as belonging more firmly in the liberal tradition. Writers like Seymour Martin Lipset point out the importance of the pluralistic institutions of civil society to the viability of liberal democracy itself.[6] This point has been strongly supported by Robert D. Putnam's study of Italian democracy,[7] which demonstrates an empirical connection between autonomous pluralistic associations and successful democratic governance. The central point seems to be that, as Tocqueville claimed, these institutions are the arena in which people learn to trust others with whom they have no blood tie. The notion of trust also enters the account of Adam B. Seligman,[8] who emphasizes the religious supposition of universalism as a precondition to Locke's idea of civil society.[9] Finally, Edward Shils[10] demonstrates that an ethic of civility is necessary between adherents of the variety of ways of life within civil society. This civil ethic may fill the role of an "overlapping consensus," the ideal pursued by John Rawls in his more recent work.[11] Generally for writers in the liberal tradition, the renewal of the idea of civil society may hold the best answer to communitarian critics of liberalism who charge that liberal ideology has led to the atomism and moral poverty of modern life.

But neither post-Marxist nor liberal democratic writers have provided an explanation for the historical emergence of the modern idea of civil society itself. For example, Keane[12] describes various incarnations of the idea within the liberal tradition, but does not try to explain why the

idea should have developed as it did. This paper will argue that the critical event in the transformation of civil society from a purely political idea into a primarily sociological concept was an eighteenth century reaction against the rationalism of the French Enlightenment.

The original idea of civil society, as equivalent in meaning to political society, will be traced from antiquity to the Enlightenment. It will be further shown that after the Enlightenment, as part of the reaction against it, the meaning of civil society began to change. The shift away from the conception of *civil* and *political* society as synonymous, toward the modern idea of civil society as distinct from the state, will be shown to originate with various writers in the eighteenth century, each of whom wrote in reaction against the rationalistic universalism associated with the Enlightenment.

With this reaction emerged the idea of each nation as the home of a particular people, in the ethnographic or sociological sense; that is, a cultural group with its own organizing traditions, mores and ethos. This idea of a society as a people was the prerequisite for the modern concept of civil society as a unique entity apart from the state. Finally, the tradition of thinkers whose theories led to the dissolution of the distinction between state and society will be examined. By returning to universalistic pretensions, these writers, from Hegel to Marx to Lenin, provided the essential ideological justification for the destruction of the autonomous institutions of civil society in Eastern European nations.

The approach taken in this paper is to focus on the history of ideas. While it is beyond the scope of this discussion to trace the full range of social, economic and political causes that contributed to the evolution of the idea of civil society, it should be remembered that ideas do not exist in isolation from events. The reaction against rationalism, for example, was part of the broader reaction

against the French dominance of political, intellectual and social life in eighteenth century continental Europe. This fact is essential in understanding the ideas of Herder and his German followers, who sought sources of uniqueness in their own culture. A full explanation for the modern idea of civil society also would include the growing power of the independent bourgeois class that emerged with the industrial revolution, a development which was central to Hegel's, and then Marx's, concept of civil society. In addition, the religious wars of seventeenth-century England led thinkers like Locke to see the need for tolerance of a range of conflicting ways of life. The recognition of the inevitability of conflict underlies liberal constitutionalism and the ideal of the limited state, which opened the space for an independent civil society to flourish.[13] However, while these political, economic and social events should be kept in mind as providing the context for the conceptual history discussed here, this paper will be limited to a discussion of the evolution of the concept of civil society itself.

ANCIENT ROOTS

The first attempts to answer the basic questions of political philosophy have been traced with certainty no further than the fifth century B.C.[14] The Sophists are commonly credited as the first to discuss these issues.[15] These itinerant teachers were united less by a set of common beliefs than by their vocation and methods, but they did share the revolutionary doctrine that virtue could be taught. This meant that anyone with a suitable education could be entrusted with political power. Thus the Sophist Protagoras appears to have been the first to discuss the underlying tenets of democratic theory.[16] Another Sophist innovation was the idea of progress, held in contrast to the prevailing Hellenistic doctrine that history was cyclical, or

alternatively that the golden age lay in the past. The idea of progress led Critias, who was both a Sophist and a student of Socrates, to the belief that mankind could emerge from savagery only through the instrument of the civil state and its legal sanctions,[17] a view that would reappear much later with Hobbes.

Among the Sophists' rhetorical techniques was the dialectical method of drawing out the contradictions within popular ideas. The best known example of Sophist dialectics is the tension between natural and conventional criteria of right and wrong. This foreshadowed the debate between theorists of natural versus positive law. A century after the height of the Sophists' influence, the Stoics would suggest a resolution to this tension in favour of natural law, a doctrine that would be taken up much later yet by Locke, via Cicero and Aquinas, in his departure from Hobbes. By providing moral principles for society that are logically and historically prior to the state, Lockean natural law would become one of the necessary conditions of the distinction between state and society.

Aristotle is credited with the first usage of the term civil society, although his meaning has been distorted subtly in the translation from Greek to Latin and then to English. The Greek phrase used by Aristotle, at the outset of his *Politics*, was *koinonia politikē*.[18] The noun, *koinonia*, has been translated by Liddell and Scott as "communion, association, partnership,"[19] and according to Riedel, "means nothing else than association, union."[20] The common rendering into Latin was *societas* or *communitas*. With this transition, the word began to take on new shades of meaning, becoming somewhat closer to what we today mean by society or community. But it is important to note that these words in their Greek and Latin meaning, and in their early English usage as discussed below, had none of the sense of "the people" as a cultural group, as we understand the terms today. For the Ancients, the idea of

culture in this sense did not exist, as we will see, and was not implied by words like *koinonia* and *societas*.

The adjective, *politikē*, is a derivative of *polis*. A *polis* is in general a Greek civic republic, but more precisely means the city as a political community. Originally, the *polis* referred only to the citadel at the centre of the Greek city, like the Athenian Acropolis, while the *asty* was the residential area surrounding it. But *polis* in time came to mean the inhabitants of the city and its close environs as a single organized political unit.[21] The adjectival form of *polis*, *politikē*, "signifies the theory (or rather the art) of the common life of the *polis* and the betterment of that life."[22] In the Latin translation, *politikē* became *civilis*, an adjective pertaining to a member of a city—or originally, a resident of a citadel; hence the word citizen. This seems to mirror the Greek derivation, so the translation here seems straightforward, without significant change of meaning.

So *koinonia politikē* was translated by writers of Latin as *societas civilis*, and thus in English became civil society. But a more literal translation of Aristotle's phrase would be political community or political association. Indeed the translation of *Politics* by Benjamin Jowett[23] used the first of these alternatives, while that of Ernest Barker used the second. Barker's term, association, better captured Aristotle's belief that politics was the deliberate and purposeful activity of self-organization in an effort to achieve common ends. Thus Aristotle's *koinonia politikē* is best translated as political association.

As its etymology shows, civil society for Aristotle was identified with the *polis* itself. Aristotle saw the political organization of the *polis* as natural, arising through the intermediate stages of the household and the village. For Aristotle, man was naturally a political animal, but the adjective had none of today's pejorative sense. Aristotle wrote that there was "an immanent impulse in all men

towards an association of this order"[24]—the order, that is, of the *polis* in which human life has reached its highest social form.

For Aristotle, all associations were purposeful—they existed because their members had common ends. While many kinds of associations existed, political association was the highest form, encompassing and prevailing over all others, because political ends were the highest ends of man.[25] This theme was repeated in the *Nicomachean Ethics*.

> Now all forms of community are like parts of the political community; for men journey together with a view to some particular advantage, and to provide something that they need for the purposes of life; and it is for the sake of advantage that the political community too seems both to have come together originally and to endure, for this is what legislators aim at, and they call just that which is to the common advantage. Now the other communities aim at advantage bit by bit, e.g. sailors at what is advantageous on a voyage with a view to making money or something of the kind, fellow-soldiers at what is advantageous in war, whether it is wealth or victory or the taking of a city that they seek, and members of tribes and demes[26] act similarly (Some communities seem to arise for the sake of pleasure, viz. religious guilds and social clubs; for these exist respectively for the sake of offering sacrifice and of companionship. But all these seem to fall under the political community; for it aims not at present advantage but at what is advantageous for life as a whole), ... All the communities, then, seem to be parts of the political community.[27]

Aristotle recognized sub-communities within the *polis*, but the *polis* itself was supreme. However, this passage

shows that other forms of association were not incompatible with citizenship in Aristotle's account.

His idea of the *polis* as an association based on shared ends suggests the idea of a social contract. This is explicit in another passage from the *Ethics*: "Every form of friendship, then, involves association, as has been said . . . Those of fellow-citizens, fellow-tribesmen, fellow-voyagers, and the like . . . seem to rest on a sort of compact."[28] The social contract would become a central theme of political philosophy much later, but the idea was known in Aristotle's time. It has been traced as far as the Sophist Lycophron, and was familiar to Aristotle's teacher, Plato.[29]

If, for Aristotle, civil society was inherently political, the distinction between state and society also had ancient roots, including the Stoic idea of universal natural law. In the Christian era, natural law would become associated with God-given powers of reason, leading to the age of rationalism. Religious faith itself would become important as a locus of resistance against the state with the historic rise of liberalism itself, particularly in the religious wars that followed the Reformation.[30] Seeds of this resistance appeared in Jesus' answer to the Pharisees' question about whether it was right to pay Roman taxes. His reply—"Render therefore unto Caesar the things which are Caesar's; and unto God the things that are God's"—implied that church and state involve separate realms of life. This distinction would be formalized by Aquinas as the *sacerdotum* and *regnum*, respectively the jurisdictions of the sacred and the secular, within the *respublica christiana*, or Christian society. For Aquinas, while these categories were conceptually distinct, if their interests should conflict, the state should be subordinate to the church—the Emperor should bow to the Pope.[31] Religious authority, in contrast to that of the state, would become central to the natural law doctrine of Locke.

FROM HOOKER TO HOBBES TO LOCKE

The conception of "the people" as an independent entity having an autonomous purpose and identity was already present in the Old Testament. As Laslett observed, the idea was implicit in "the Judaic sense of the chosen people, the people led by the hand of God through the wilderness because they had an enduring purpose and being. Whenever Christian political theorists thought of the people as having a voice in the appointment of a king or a regime, or of the king as having a duty to his people, their model was the peculiar people of Israel."[32] This conception of the people as a single entity would become central to the modern idea of civil society as a zone of autonomy apart from the state.[33]

But early usage of "society" did not have this connotation. It had none of the sense in which we today might speak of "the norms of Victorian society" or "the history of Western society," denoting a *particular* people, joined by common mores and culture. As we will see, this sense would emerge only as a reaction against the universalizing rationalism of the Enlightenment. In early usage, society meant association with one's fellows, as in the phrase, "People naturally seek the society of others." Still in its early form, the word came to include a collective, concrete sense, as in, "People naturally desire to create a society."[34] But in these usages there was none of the modern sense of a society as "a people," a singular entity defined by common culture, language, geography, history, and so on. (The agricultural origin of the word "culture" suggests this organic sense of orderly growth—a people as a single entity arising naturally from its own historical soil.)[35] This modern connotation of a society as culturally defined—an orderly whole, self-organized according to its own unique mores and customs—is crucial to the contemporary idea of civil society as distinct from the state.

It is important to see that the early English political
writers did not make the distinction between state and
society. Before the Enlightenment, in the era of Hooker,
Hobbes, and Locke, political society and civil society were
interchangeable phrases. For these writers, civil society
was a political union based on an implicit consensual
arrangement. Before such political union or civil society,
there was only the state of nature.

The *Oxford English Dictionary* gives Shakespeare's
prologue to *Romeo and Juliet* as the first English usage of
"civil" in the relevant sense,[36] closely followed by Richard
Hooker's *Laws of Ecclesiastical Polity*: "Civil Society doth
more content the nature of man than any private kind of
solitary living."[37] The Aristotelian sense of man as a
political or social animal is clear here—civil society for
Hooker was political society. Hooker took from Aquinas
the differentiation between positive and natural law; for
Hooker, these were combined in the eternal law of God,
the *lex aeterna*. But they were conceptually distinct:
positive law was a necessary supplement to natural law.
While mankind was naturally gregarious, social life
required both kinds of law:

> We see then how nature itself teacheth laws and statutes
> to live by. The laws which have been hitherto mentioned
> do bind men absolutely even as they are men, although
> they have never any settled fellowship, never any solemn
> agreement amongst themselves what to do or not to
> do. But forasmuch as we are not by ourselves sufficient
> to furnish ourselves with competent store of things
> needful for such a life as our nature doth desire, a life
> fit for the dignity of man; therefore to supply those
> defects and imperfections which are in us living single
> and solely by ourselves, we are naturally induced to
> seek communion and fellowship with others. This was
> the cause of men's uniting themselves at the first in

politic Societies, which societies could not be without Government, nor Government without a distinct kind of Law from that which hath been already declared.[38]

Hooker was a defender of the Anglican Church against Puritan dissenters. The latter's political claims were illegitimate, argued Hooker, because they relied entirely on divine revelation, to the exclusion of natural law. He argued further that secular government was the embodiment of natural law, just as the church embodied the revealed law of God; thus the ideal state and church were congruous. In this way, Hooker could defend the Anglican monarchies of Henry VIII and Elizabeth, while denying the claims of extreme Puritan sects. Hooker, writing in support of a popular queen, did not envision the need to revolt against tyrants, but Locke would later make explicit the conclusion that Hooker's argument seemed to imply: Any government that fails to embody natural law must be thereby illegitimate. While the separation of church and state was not compatible with Hooker's political goals, his defence of natural law set the stage for later religious dissenters against the Crown.

In Hobbes' *Leviathan*, political and civil society were the same thing. But some of the modern meaning of civil society began to emerge, as in the approbative sense of the adjective, "civilized." Thus for Hobbes the character of life in the state of nature was entirely uncivilized. Before civil society there was only, in his famous phrase, "War, where every man is Enemy to every man. . . . And the life of man, solitary, poor, nasty, brutish and short."[39] For Hobbes, natural law was minimal prior to the social contract, so whatever order existed in the world was due to the sanctions of positive law.

Locke too began by considering man's lot in the state of nature, though that state for him was very different than the one described by Hobbes. In Locke's *Second Treatise*

of Government, he wrote that we need to understand the origins of political society—which was, for Locke, civil society—before we can understand its true nature.

> To understand political power right, and derive it from its original, we must consider, what estate all men are naturally in, and that is, a state of perfect freedom to order their actions, and dispose of their possessions and persons, as they think fit, within the bounds of the law of nature, without asking leave, or depending upon the will of any other man. A state also of equality ... without subordination or subjection.[40]

Locke went on to quote a long passage from Hooker's *Ecclesiastical Polity* on the obligations of justice and charity implied by man's natural equality. Thus natural law for Locke continued to have force even after civil or political society had been established.

Unlike Hobbes, Locke was true to the Aristotelian vision of man as naturally sociable. Human nature for Locke, like Hooker, was divinely given, and included the impetus to form social groups. "God having made man such a creature, that in his own judgment, it was not good for him to be alone, put him under strong obligations of necessity, convenience, and inclination to drive him into society."[41] This vision of human nature led to Locke's idea of political or civil society:

> Those who are united into one body, and have a common established law and judicature to appeal to, with authority to decide controversies between them, and punish offenders, are in civil society one with another; but those who have no such common appeal, I mean on earth, are still in the state of nature.... Where-ever therefore any number of men are so united into one society, as to quit every one his executive power of the

law of nature, and to resign it to the public, there and
there only is a political, or civil society.[42]

To understand Locke's argument, it is helpful to identify
his political goals. Where Hobbes was a supporter of
Charles I against the Puritan Revolt, Locke was born on
the side of the Puritans—his father was a captain in
Cromwell's army.[43] Where Hobbes was patronized by
Charles II following the Restoration, Locke's patron was
the first Earl of Shaftesbury, whom he followed into Dutch
exile after a conspiracy against Charles. Hobbes' goal was
to defend royal power as the embodiment of law and order,
but Locke's was more complex. Following Shaftesbury,
Locke supported the Glorious Revolution that brought
William and Mary into power in 1689. Thus Locke had at
once to justify the overthrow of one monarch while
defending the right to rule of another. Arguments like
Robert Filmer's thesis that kings had a divine right to rule
because they were the direct descendants of Adam, or
Hobbes' defence of whatever ruler could best maintain
order, were inadequate for Locke's purposes. Instead, he
found his model in Hooker's ideas of legitimacy and
consent.

While Locke rejected Hobbes' view of a belligerent state
of nature, he followed Hooker in arguing that men, while
naturally peaceful and sociable, were none the less partial
to their own interests. This meant that life and property
could not be secure unless an impartial authority existed
to mediate disputes. But an absolute ruler does not fit this
criterion, because a ruler with unrestricted power would
be partial to his or her own interests.

And hence it is evident, that absolute monarchy, which
by some men is counted the only government in the
world, is indeed inconsistent with civil society, and so
can be no form of civil government at all. For the end
of civil society, being to avoid, and remedy those

inconveniences of the state of Nature, which necessarily
follow from every man's being judge in his own case,
by setting up a known authority, to which every one of
that society may appeal upon any injury received, or
controversy that may arise, and which every one of the
society ought to obey.[44]

Thus civil government for Locke was compatible, not
with absolute monarchy as Hobbes had claimed, but with
something like a constitutional monarchy. Thus, in Locke's
usage, civil society was political society, but a specific kind
of political society, one in which the powers of the state
were carefully limited.

Locke endorsed an idea implicit in Hooker, that
government is a trust granted on the sufferance of the
people. Locke took the further step that Hooker did not:
a ruler who violates the people's trust may be deposed.
Natural law and positive law are distinct, and natural law
gives men natural rights, discoverable by reason. Where
rulers contravene the natural rights of their subjects, they
may be overthrown.

Locke was thus a critical figure in establishing the idea
of legitimacy of government. But he was also central to
the birth of the Enlightenment. In the era following Locke,
the idea of natural law would be transformed into the
rationalistic ideas like those of the *Encyclopedists* in
France, where Locke's idea of legitimacy of government
would become the doctrine that there is a single, universally
legitimate way of life, discoverable by reason. And it would
be in reaction to this doctrine that the conception of each
society as a unique cultural entity would arise.

EMERGENCE OF THE MODERN IDEA OF CIVIL SOCIETY

In its modern meaning, civil society is a phrase used, not
in contrast to the state of nature, but in contrast to the

powers of the positive state.[45] Locke was the critical figure in this development: his usage conformed to the ancient meaning, while his argument pointed to the modern one— but in divergent ways. On one hand, natural law in Locke's interpretation pointed to certain rights which the state may not abridge. But on the other hand, his idea of natural law was universal law. And since Locke's interpretation of natural law as entailing natural rights was open to question, it could be reinterpreted by others in less liberal ways. It would be the universalism of natural law, and its culmination in Enlightenment rationalism, that would lead to ideological and political counteractions. And in these would be born the modern idea of society, wherein every society is a culturally unique, orderly whole.

The idea of culture in this sense was first formalized by Edward Tylor in 1871, who defined it as "that complex whole which includes knowledge, belief, art, morals, law customs, and any other capabilities and habits acquired by man as a member of society."[46] But the sources of this idea preceded Tylor. With the opening of the world following the Renaissance, international travel became popular among the educated elite, and their reports were widely read. By the close of the eighteenth century, "government officials, missionaries, naturalists, and others had gathered a considerable body of trustworthy and surprisingly detailed ethnographic information."[47]

The best known of these earlier ethnographers was Montesquieu. Between 1729 and 1731, he travelled widely in Western Europe to study the laws and customs of these lands. With the same purpose, he studied the ancient Romans. Using the methods of cross-cultural and historical comparison, Montesquieu tried to draw lessons for France, which he feared would fare badly in its rivalry with England and enter a period of decline.[48] Thus Montesquieu was the ancestor of the cultural sciences: sociology, anthropology and ethnography. But he was a social scientist

of a certain kind. His goal was to find the true causes of social phenomena. "From the 'nature of things,' Montesquieu set himself to derive the principles of laws which express necessary relations."[49] Although he recognized the different customs of various peoples, he believed these could be rendered into a few simple principles which applied universally, and which had the same status as physical laws. In short, Montesquieu was, in his goals if not in his methods, still a rationalist in the spirit of the French Enlightenment.

Enlightenment rationalism in its purest form was the doctrine of thinkers such as:

> Descartes, Spinoza, and Leibniz. The characteristics of this kind of rationalism are: (a) the belief that it is possible to obtain by reason alone a knowledge of the nature of what exists; (b) the view that knowledge forms a single system, which (c) is deductive in character; and (d) the belief that everything is explicable, that is, that everything can in principle be brought under the single system. [50]

This systematic thesis neither began nor died with the Age of Reason,[51] but there it was clearly articulated as a consistent philosophical doctrine. Its most dramatic effects were in France, where it was consummated in the Revolution. Although this event had other, more concrete antecedents and goals,[52] it was animated by the rationalism that Edmund Burke would denounce as "the mazes of metaphysic sophistry."[53] But before Burke, and before the excesses of the Reign of Terror, French rationalism had other critics.

Outside of France, the arts and letters also flowered in other European nations in the seventeenth and eighteenth centuries, but less so in the disunited German-speaking regions.[54] While some Germans of this era began to

emulate the French, others reacted against them. As Isaiah Berlin described, the German reaction against French universalism caused these thinkers to look for the essence that made Germans unique:

> The inner life, the life of the spirit, concerned with the relation of man to man, to himself, to God—that alone was of supreme importance; the empty materialistic French wiseacres had no sense of true values—of what alone men lived by. . . . Gradually this German self-image grew in intensity, fed by what might be called a kind of nationalist resentment. The philosopher, poet, critic, pastor Johann Gottfried Herder was perhaps the first wholly articulate prophet of this attitude, and elevated this cultural self-consciousness into a general principle.[55]

Berlin traced Herder's ideas through Vico and Machiavelli,[56] but in Herder's search for the organic sources of German cultural uniqueness, the modern sense of culture—and thus the idea of a society in the holistic sense of "a people"—first emerged fully formed.[57] Cultural differences were not just superficial manifestations of universal principles, as for Montesquieu. For Herder, culture was what gave a people their identity. Berlin wrote,

> This was a novel doctrine. . . . What, for him, makes Germans German is the fact that the way in which they eat or drink, dispense justice, write poetry, worship, dispose of property, get up and sit down, obtain their food, wear their clothes, sing, fight wars, order political life, all have a certain common character, a qualitative property, a pattern which is solely German, in which they differ from the corresponding activities of the Chinese or the Portuguese.[58]

Thus the Germans make up a culture, or a society in the modern sense, and the Chinese another, and the Portuguese a third. And in recognizing these particularities, the modern idea of a society as a self-ordered cultural whole was born.

Concurrently with Herder, the better known reaction against French rationalism came from Edmund Burke. Beginning with his earliest published writings, Burke was critical of abstract reasoning as providing guiding principles for politics.[59] Following the French Revolution, Burke's critique reached its height. Unlike Irish and American secessionists, whom he saw as defenders of their traditional rights, Burke viewed the French revolutionaries—the "sophistic tyrants of Paris"[60]—as ideological zealots, bent on destroying the existing social order so they could rebuild society according to a rationalistic blueprint, based on nothing but "the nakedness and solitude of metaphysical abstraction."[61] Burke argued that politics should be guided by acknowledged traditions rather than pure speculation, and in doing so he did for England what Herder had done for Germany: He idealized the existing practices, mores and values of Englishmen, arguing in effect that these constituted their cultural identity. Thus Burke wrote of "our national character"[62] and the "fabric of . . . society."[63] For him, it was "British Tradition *versus* French Enlightenment."[64] That tradition, he argued, constituted a set of normative rules which political leaders should follow rather than create anew. Traditional rules should be binding on the state. Thus for Burke, the state should be the servant of civil society—now understood as a set of evolved cultural practices and beliefs—rather than its master or its embodiment.

Meanwhile, a second Enlightenment, without the characteristic rationalism of the French movement, was occurring in Scotland. As Daniel N. Robinson described it, "What united the architects of the Scottish school was

a passion for natural science, a wariness toward speculative metaphysics, and the common sense convictions that all epistemic claims are finally settled in the court of conscious experience."[65] The philosophers of the Scottish Enlightenment had very different approaches to the kinds of problems addressed by the thinkers of the Cartesian rationalist school. Adam Smith's idea, for example, of the "great society" was not one that was rationally constructed, but one that arose naturally through the co-ordinating principles of what Burke would call "enlightened self-interest," and Smith famously called the "invisible hand."[66] A well-ordered society had its own rules of organization apart from those imposed by the state. These rules or organizing principles meant that society could be seen as a single orderly entity which the state should serve. Thus Smith described the role of the state in terms of its duties to society.[67] For Smith as for Burke, the state should be neither the embodiment nor the master of society, but its servant.

With Smith's friend and colleague Adam Ferguson, the phrase "civil society" was presented for the first time in the title of a major work.[68] Ferguson made explicit his debt to Montesquieu,[69] and there are similarities between them: Both men studied Ancient Rome as an exercise in comparative history, both recognized the cultural differences of various nations, and each may be seen as a predecessor of the modern cultural sciences. But where Montesquieu was essentially still a rationalist, Ferguson and his Scottish colleagues expressly were not. Where rationalists proceeded by searching for first principles from which a blueprint for society could be drawn, Ferguson denied that society's constitutive rules could be understood in this way:

The peasant, or the child, can reason, and judge, and

speak his language, with a discernment, a consistency, and a regard to analogy, which perplex the logician, the moralist, and the grammarian, when they would find the principle upon which the proceeding is founded, or when they would bring to general rules, what is so familiar, and so well sustained in particular cases. The felicity of our conduct is more owing to the talent we possess for detail, and to the suggestion of particular occasions, than it is to any direction we can find in theory and general speculations.[70]

This passage shows clearly that Ferguson rejected the rationalists' goal of guiding social behaviours by the dictates of abstract theory. Thus he complained about his era:

It is peculiar to modern Europe, to rest so much of the human character on what may be learned . . . from the information of books. . . . [W]e endeavour to derive from imagination and thought, what is in reality a matter of experience and sentiment: and we endeavour . . . to arrive at the beauties of thought and elocution, which sprang from the animated spirit of society.[71]

This "animated spirit of society" was an idea closer to Herder than to Montesquieu. Where the latter still wanted to derive from social diversity a single set of principles, Ferguson, like Herder, was more consistently a pluralist. "Nations . . . like private men, have their favourite ends, and their principal pursuits, which diversify their manners, as well as their establishments."[72] Ferguson celebrated the diversity of cultures, and saw that the competition between them was inevitable. In fact, he thought conflict was beneficial to the development of their distinctive virtues. "Athens was necessary to Sparta, in the exercise of her virtue, as steel is to flint in the production of fire."[73]

Ferguson denied both the truth and the usefulness of the idea of a state of nature from which civil society arose. The evidence, he argued, shows that people have always lived in groups. "[B]oth the earliest and the latest accounts collected from every quarter of the earth, represent mankind as assembled in troops and companies; and the individual always joined by affection to one party, while he is possibly opposed to another."[74] The idea of the state of nature for Ferguson had "led to many fruitless inquiries, and given rise to many wild suppositions."[75] Civil society for him was not characterized by the beginnings of collective life, but was marked by the emergence of arts and letters, vigorous commercial activity, and the thriving of urban life, which in total he described as the "bustle of civil pursuits and occupations."[76] Civil society was the normal outgrowth of natural sociability and the instinct for self-preservation, but also of the restless longing for industry and self-improvement.

Consistently with his anti-rationalist philosophy, civil society for Ferguson did not arise from conscious or purposive decision, but emerged slowly from historical circumstances. Indeed Ferguson did not define the term, and actually used it infrequently—in the 430 pages of the original text, it appeared perhaps a dozen times. Hence it does not seem possible to force a definition of civil society onto Ferguson without adding something that was not in the original. Instead, Ferguson gave a description of the gradual historical development of Western nations. Where he did come close to a definition, it revolved around the character and virtues of a free people, rather than a description of the state.

During the existence of any free constitution, and whilst every individual possessed his rank and his privilege, or had his apprehension of personal rights, the members of every community were to one another objects of

consideration and of respect; every point to be carried
in civil society, required the exercise of talents, of
wisdom, persuasion, and vigour, as well as of power.[77]

The essential accomplishment of Ferguson's book was to
describe civil society in terms of *the people*; that is, as
arising through the gradual evolution of a way of life, which
we have come to call a culture. With Ferguson, civil society
described the culture of a people, and was no longer a
synonym for political society or the state.

In summary, the modern meaning of society, in the sense
of a culture or a people, emerged in the eighteenth century
from these sources: German romanticism and historicism,
personified by Herder; English anti-rationalism and
conservatism, represented by Burke; and the proto-
sociological and market-based economic ideas of the
Scottish Enlightenment. These writers and their followers
were widely read by the educated generation that
succeeded them. By the beginning of the nineteenth
century, the distinction between state and civil society
would be taken for granted, as in the work of Hegel,
Tocqueville, and Marx.

ASSOCIATIONAL PLURALISM
AND STATE-SOCIETY RELATIONS

Once the hold of universalistic rationalism had been
weakened, the idea could grow that different ways of life
had their own legitimacy. With the continued opening of
the world through large-scale migrations, this pluralism
would take a new form. Nations that had been home to
unique cultures became more mixed, so that cross-cultural
pluralism would come to be replaced by multicultural
pluralism.

But if the door to the acceptance of multiculturalism
was opened by the attack on universalism, this kind of

pluralism at best was implicit in the new understanding of civil society. Instead, the pluralism contained within the modern idea of civil society took an intermediate form. By the eighteenth century, the idea of civil society had come to include what we might call associational pluralism, to depict the variety of institutions formed by freely associating individuals within civil society. As Shils described, "In the views which prevailed in the eighteenth century, civil society was pluralistic; minimally it was a society with numerous private activities, outside the family and not assimilated into the state."[78]

The idea of civil society as the realm of activities intermediate between the family and the state was accepted by Hegel. Hegel was familiar with the ideas of the Scottish Enlightenment,[79] and market relations were central to his development of the notion. As Shils pointed out, "Like all other usages of 'civil society' in modern times, Hegel's usage enunciated the right to private ownership of property as the central and indispensable feature of civil society."[80]

However, Hegel was above all a systematic theorist of history, and it is of questionable usefulness to consider any particular phrase or segment of his theory in isolation. In Hegel's triadic system of thesis, antithesis and synthesis, civil society was but one stage of a progress that itself was a part of a triadic progression. Thus Hegel's *Encyclopedia of the Philosophical Sciences in Outline* was made up of the sections: Logic, Philosophy of Nature, and Philosophy of Mind, and the latter was subdivided into Subjective Mind, Objective Mind, and Absolute Mind; the second of these consisted of law, subjective morality, and objective morality or the ethical life. Finally, the latter of these included the dialectic triad of family, civil society and the state.[81]

Within each of these triads, the thesis arises through the development of a previous synthesis; the antithesis is a kind of spontaneous outgrowth or development from the

thesis; and the synthesis is the final flourishing of that segment or stage of the system, from which the next dialectic triad begins. Thus the family was the natural consequence that followed when purely private or subjective morality was resolved into the ethical life: "Hence in a family . . . one is in it not as an independent person but as a member."[82] But the family too involves a triadic process: marriage, the accumulation of family capital and property, and the education of the children.[83] In the Hegelian progression, this education is made possible by the previous accumulation of family wealth, but it leads to the child's self-sufficiency, and thus to the dissolution of the family. At this point, a new stage has been reached and civil society becomes possible.

This is of course a very different mode of argument than is typical in the liberal tradition, and raises a host of questions. For example, it might be asked whether Hegel considered the development of civil society to be a historical process that culminated in this stage of social development, or to be an ongoing process that occurs in every generation. The answer seems to be that he allowed both to be true; that is, reality consists of, or is constituted by, the tension between thesis and synthesis and their renewal into a synthesis, and that this process (a) occurs during historical stages, and (b) provides an impetus for the movement of history itself. In Hegel's idealist ontology, without the tension between thesis and antithesis, nothing would exist—reality is forged out of dialectic process, as if the Big Bang itself were a dialectical phenomenon, the pulling apart of matter and anti-matter that makes all existence possible. Thus the dialectic process is creative in both the constitutive and developmental senses.

Whether or not explanations of this sort are convincing, the preceding description is sufficient to show the essentially economic nature of Hegel's civil society, which of course has its own triad of "moments": the "system of

needs" which encompasses the market; a justice system to protect property, and more general systems of authority including the police and the corporation.[84] These systems of authority are generalized or synthesized as the state, as the dialectical process begins anew.

This sense of transition from civil society to the state introduced a new theme in the history of the concept, that civil society and the state are interrelated, an aspect that modern writers like Shils emphasize: "Civil society and the state are bound together by the constitution and by traditions which stress the obligations of each to the other as well as their rights vis-à-vis each other."[85] Taylor suggests that Hegel had successfully combined the corporatist ideas of Montesquieu, whereby political power is dispersed and mediated through a plurality of institutions, with the Lockean distinction between state and society.[86]

Hegel's seemingly contradictory notion of the unity of opposites, captured in the dialectic, may be one way to maintain the essential distinction between state and society on one hand, and their interrelatedness on the other, although to do so would seem to require that we accept the entire Hegelian system. More than any of the writers surveyed here (Hobbes is closest to him in this sense), Hegel's ideas stand or fall as part of his system. Without this comprehensive idea, it is hard to believe that Hegel would have been more than a minor figure in history— Hegel without the dialectic is like Gutenberg without the press. Furthermore, Hegelian metaphysics seems to move away from Locke's straightforward idea of natural law. Although the philosophical foundation of morality is a difficult topic,[87] for the citizens of liberal democracies— that is, members of civil societies—the idea of moral realism, that some things are objectively right or wrong, still has a great deal of intuitive appeal. Finally, Hegel saw the state as a superior or more advanced entity than civil society, a step closer to the Absolute Mind and the universal

state. The Hegelian idea of progress may in the end leave less room for civil society than someone like Taylor would have us believe. As Seligman points out, "In Hegel's attempt to save civil society as an ethical entity, civil society, at least as it was classically conceived, disappears."[88] Perhaps the Lockean tradition may yet be more attractive than the Hegelian system.

Whatever the viability of Hegelian metaphysics, his account does serve to highlight two important aspects of civil society: the pluralism of associations within it, and its interrelatedness with the state. These themes reappear with Tocqueville. In his visit to the new American democracy, Tocqueville admired the multitude of associations spontaneously formed by Americans in the pursuit of shared goals.

> Americans of all ages, all condition, and all dispositions, constantly form associations. They have not only commercial and manufacturing companies, in which all take part, but associations of a thousand other kinds,— religious, moral, serious, futile, general or restricted, enormous or diminutive. . . . Wherever, at the head of some new undertaking, you see the government in France, or a man of rank in England, in the United States you will be sure to find an association.[89]

Tocqueville recognized that this willingness to associate was educative—that the art of association in one sector enhanced sociability in another—and thus fundamental to a workable democracy. But he did not think the transfer of skills from politics to civil association, or the reverse, was unidirectional. Instead, he argued that the educative process worked both ways at once. Associations within civil society fostered democratic participation, but at the same time, democracy forced Americans to take care of their own common affairs, and thus encouraged them to

associate politically. "Civil associations, therefore, facilitate political association; but, on the other hand, political association singularly strengthens and improves associations for civil purposes."[90] Tocqueville believed that in a democratic state, political and civil society must be mutually supporting. He had no illusions that collective political action was unnecessary, and he was no dogmatic libertarian—he saw that sometimes "liberty degenerates into license."[91] But he recognized in the right of association one of the central securities against oppression, including the tyranny by a democratic majority. "There are no countries in which associations are more needed, to prevent the despotism of a faction or the arbitrary power of a prince, than those which are democratically constituted."[92] Thus the freedom to associate is fundamental to democracy and to liberal society itself. "The right of association therefore appears to me almost as inalienable in its nature as the right of personal liberty. No legislator can attack it without impairing the foundations of society."[93]

MARX AND THE RETURN OF RATIONALISM

Hegel's idealist metaphysics had been intricate enough to retain the central features of the modern idea of civil society. He had recognized civil society, with its plurality of social institutions, as independent from but linked to the state. However, in Marx's less rarefied materialist theory of historical progress, civil society was no longer seen as legitimately independent. Instead, Marx saw civil society as the site of oppression, and its aura of legitimacy as an ideological mirage. For his followers, the replacement of the pluralistic institutions of civil society by the rationally planned state would become a political goal.

Marx's famous inversion of dialectical idealism arose from his studies of Hegel's idea of civil society. After reading Hegel's *Philosophy of Right*, he wrote,

I was led by my studies to the conclusion that legal relations as well as forms of state could be neither understood by themselves nor explained by the so-called general progress of the human mind, but that they are rooted in the material conditions of life, which are summed up by Hegel after the fashion of the English and French of the eighteenth century under the name 'Civil Society'.[94]

For Marx, civil society was the realm within which the bourgeoisie exploited the labouring class. The economic relations within that realm were the underlying reality, of which all else was just a superstructural manifestation. Marx too distinguished between political and civil society, but to the detriment of the latter.

Where the political state has attained its pure development, man . . . leads a twofold life, . . . life in the *political community*, in which he considers himself a *communal being*, and life in *civil society*, in which he acts as a *private individual*, regards other men as a means, degrades himself into a means and becomes a plaything of alien powers.[95]

Civil society for Marx was the locus of degradation, not liberation.

While Marx was concerned with the same questions as earlier political writers—the relationship between the economic, social and political orders, and the role of individuals within them—his solution was fundamentally different. With the rise of the proletariat would come the dissolution of civil society and the oppressive structures it supported. Marx's differences with Hegel on this point can be illustrated by an ambiguity in the phrase itself in its German form: civil society in German is *bürgerliche Gesellschaft*. But *Bürger* may be translated as either

townsman or citizen. While Hegel retained both senses of the word,[96] Marx put all the emphasis on the former, so in his usage, as when *Bürger* is rendered into the French as the more pejorative *bourgeois*, the economic sense of exploitation was all that remained. Thus civil society for Marx was something to be overcome, as would the state itself: "Marx, as is well known, followed the Hegelian critique of civil society, positing its 'sublation' not in the existing political state of the nineteenth century but in a future metahistorical entity where the 'true' essence of man would unfold."[97]

Marx's ideas about the post-revolutionary state were notoriously incomplete, but the utopian nature of mature communism seems to follow from the idea that all social conflict arises from class struggle. With the end of class comes the end of social disharmony. In "On the Jewish Question," Marx was both utopian and communitarian, reacting against liberal notions such as rights, property, and individualism. These are associated with civil society:

> Above all, we note the fact that the so-called *rights of man*, the *droits de l'homme*, as distinct from the *droits du citoyen*, are nothing but the rights of a *member of civil society*, i.e., the rights of egoistic man, of man separated from the other men and from the community.[98]

With the end of the class struggle, and the demise of its oppressive manifestation in civil society, will come participatory democracy, communitarian harmony, and the withering away of the state. "Only when the real, individual man re-absorbs in himself the abstract citizen . . . and consequently no longer separates social power from himself in the shape of *political* power, only then will human emancipation have been accomplished."[99] All these elements—the absorption of political power into social power, the withering away of the state, emancipation

through totalizing participatory democracy on the model of Rousseau's General Will—these amounted once again to the dissolution of the distinction between state and society. Thus Marx had set the stage for the totalitarian statesmen who followed.

Whatever the contingencies of revolutionary politics, Lenin's—and then Stalin's—efforts to eliminate the institutions of civil society were not strategies that originated solely with them, or that arose through the particularities of Eastern European history alone. The ideas of Marx and Engels about the withering away of the state, following the transitional dictatorship of the proletariat, were taken up in Lenin's revolutionary programme. In *State and Revolution*,[100] written just before the events of 1917, Lenin took up Marx's communitarian, participatory ideal.

> Only in communist society, when the resistance of the capitalists has been completely broken, when the capitalists have disappeared, when there are no classes . . . only then a really full democracy, a democracy without any exceptions, will be possible and will be realised. And only then will democracy itself begin to *wither away*, due to the simple fact that, freed from capitalist slavery, from the untold horrors, savagery, absurdities, and infamies of capitalist exploitation, people will gradually *become accustomed* to observing the elementary rules of social life that have been known for centuries and repeated for thousands of years in all school books; they will become accustomed to observing them without force, without compulsion, without subordination, without the *special apparatus* for coercion called the state.[101]

With the culmination of the revolution, the functions of the state would be absorbed into society, and the distinction between the two realms would disappear. "From the

moment when all members of society, or even the overwhelming majority, have learned to govern the state *themselves* . . . the need for any government begins to disappear altogether."[102] This would lead to "the transition from the first phase of Communist society to its higher phase, and along with it to the complete withering away of the state."[103]

Today we know that this higher phase of communism would never arrive in the USSR, but Lenin believed that the proper route to that goal was through his policy of aggressive centralization of power. While this policy was accelerated in response to the practical political challenges he faced,[104] it was also consistent with his original ideology: As part of the process by which the state would disappear, all functions of governance would be taken over by the vanguard party acting in the name of the people. And Stalin in turn would continue this policy, as with his own policy of forced collectivization. As noted by Paul Johnson,

> The whole of the gigantic operation of collectivizing the peasants, involving about 105 million people, was conducted from Stalin's study in the Kremlin . . . without any kind of public debate, in the last weeks of 1929. It was typical of the way in which the pursuit of Utopia leads the tiny handful of men in power abruptly to assault a society many centuries in the making.[105]

The ideology that justified Stalin's power was derived from Marx via Lenin. All institutions, including the church, the family, and all spontaneously formed associations of public life—in short, all the institutions of civil society— were illegitimate unless they were taken over by the representatives of the people, the Communist Party, and put into the service of the Revolution. The universalistic, totalizing ideology of Marxism could not allow, in theory nor in practice, any autonomous associations apart from

the Party, because the Party was the true and complete embodiment of the will of the people.

With the demise of the Soviet empire, a great deal of attention has been paid by post-Marxist scholars to the restitution of civil society.[106] While some Marxists still question the value of the idea,[107] others have attempted to rehabilitate the concept within a Marxist framework. Best known is the work of Antonio Gramsci, as interpreted by Norberto Bobbio.[108] Gramsci criticized the reductionism of Marxist materialism. "Between the premise (economic structure) and the consequence (political organization), relations are by no means simple and direct; and it is only by economic facts that the history of a people can be documented."[109] As Bobbio puts it, civil society is no longer part of the base in Gramsci's understanding, but part of the superstructure.[110] This means that the ideologies embodied in the institutions and practices of civil society are not just tools of oppression, but provide opportunities for the transformation of society through persuasive leadership. (Bobbio uses the terms "cultural" vs. "political" leadership in his depiction of Gramsci's thought, but given the historical realities, it is hard not to think of Gramsci as advocating democratic, persuasive leadership, in contrast to the coercive leadership of Lenin and Stalin.) But whatever his improvements to Marx's theory, in Gramsci's vision civil society remains primarily useful for its strategic value.[111] On its own terms, it is just a condition to be transcended in reaching the utopian future.

CONCLUSION

The history of the idea of civil society shows that three central elements of the concept have emerged. First, in its modern form civil society represents the realm of public institutions that are separate from the state. This new understanding arose with the idea of each nation as the

home of a distinct people, a cultural entity with its own constitutive beliefs, values and ideals. The idea of a culture as a self-organized whole meant that the state was no longer seen as the sole source of social cohesion. Thus the political and the social came to be seen as distinct.

The second essential feature of the modern idea of civil society is its continued interdependence with the state. If the social and the political are distinct, this does not mean that political institutions no longer have a central role in organizing and regulating the public life of citizens. Utopian or anarchist ideas about the end of politics, such as the withering away of the state, have been shown to result in the loss of autonomy for the institutions of civil society. Instead of disappearing, the state must exist both to serve the interests of civil society and to regulate social life.

These two features of civil society—its separateness from, and its interdependence with the state—are conceptually distinct but in tension. Writers who emphasize the autonomy of civil society may tend to underplay the role of the state, while those who concentrate on the dependency of society on the state may tend to diminish the distinction between them. This tension is what is at issue between the two schools of thought discussed at the beginning of this essay, the liberals and the post-Marxists, both of whom recognize the importance of civil society, but with these respective emphases.

This brings us to the third element, the pluralism of institutions within civil society. It remains to be seen whether a deeper understanding of the idea of pluralism itself may help us to maintain together the distinction and interdependence between state and society.

Pluralism—the idea that there are a variety of legitimate but conflicting values, ideals and ways of life[12]—is historically related to the modern concept of civil society.

The idea of the people of each nation as a cultural entity took hold in reaction to the rationalism of the French Enlightenment. Implicit in the recognition of differences between nations was a denial that there are universal answers to the problems of life. Pluralism represents the rejection of Enlightenment universalism, because it asserts that there is no singular answer to the question of how to live. Thus civil society and pluralism were joined at the root.

Today, pluralism is a feature of cultural life within nations rather than between them, so that now we may begin to see civil society as including a diversity of ways of life within each modern nation-state. This understanding would represent a further development of the original, counter-Enlightenment version of pluralism, which originated as the recognition of the existence of a plurality of cultures or societies, each comprising its own nation. While the era of large-scale migrations has resulted in the transition from cross-cultural to multicultural pluralism, the rejection of universalism remains,[113] so our understanding of civil society today should include a recognition of value pluralism, ideological diversity and multiculturalism. This recognition would represent a refinement or explication of the associational or institutional pluralism already inherent in the modern idea of civil society.

In conclusion, any definition of civil society is incomplete without the understanding that it is the realm within which free people may pursue a diversity of legitimate values, ideals, and ways of life. This suggests that the argument between the various theorists of civil society may be resolved by seeing which school of thought can best accommodate a pluralist conception of civil society while balancing together the autonomy and dependency of its institutions

NOTES

[1] John Keane, *Democracy and Civil Society* (London: Verso, 1988).
[2] Jean L. Cohen and Andrew Arato, *Civil Society and Political Theory* (Cambridge, MA: MIT Press, 1992).
[3] Paul Hirst, *Associative Democracy: New Forms of Economic and Social Governance* (Amherst: U. of Massachusetts Press, 1994).
[4] Charles Taylor, "Modes of Civil Society," *Public Culture* 3 (Fall 1990): 95-118.
[5] For an example of Asian writers, see X.L. Ding, "Institutional Amphibiousness and the Transition from Communism: The Case of China," *British Journal of Political Science* 24 (July 1994): 293-318. Ding wants to substitute the unlikely phrase in his title for the idea of civil society. His account is useful in showing the relevance of cultural differences between the East and West. For a survey of Middle Eastern work, see Salwa Ismail, "The Civil Society Concept and the Middle East: Questions of Meaning and Relevance." (Paper presented at the Canadian Political Science Association Annual Meeting, Calgary, Alberta, June 13, 1994). She finds no single trend in the writers she surveys. A good sample of European writers is presented in John Keane, ed., *Civil Society and the State* (London: Verso, 1988).
[6] Seymour Martin Lipset, "The Social Requisites of Democracy Revisited," *American Sociological Review* 59 (Feb. 1994): 1-22.
[7] Robert D. Putnam, *Making Democracy Work: Civic Traditions in Modern Italy* (Princeton: Princeton U. Press, 1993).
[8] Adam B. Seligman, *The Idea of Civil Society* (New York: Free Press, 1992).
[9] Seligman's concerns may be partly answered by Putnam, for whom religion was a control variable. More generally, Seligman may be making the mistake identified by Richard Rorty, who argues against the view that our "political institutions [are] no better than their philosophical foundations." Rorty, *Objectivity, Relativism and Truth* (Cambridge: Cambridge U. Press, 1991), 178.
[10] Edward Shils, "The Virtue of Civil Society," *Government and Opposition* 26 (Winter 1991): 3-20.
[11] John Rawls, "The Idea of an Overlapping Consensus," *Oxford Journal of Legal Studies* 7:1 (1987): 1-25.
[12] John Keane, "Despotism and Democracy," in *Civil Society and*

the State, ed. John Keane, (London: Verso, 1988).

[13] "The case for religious toleration was central to . . . the crucial but complex thought that civil society is an arena of conflicts, which should be coordinated and regulated by the constitutional state." Steven Lukes, "Making Sense of Moral Conflict," in *Liberalism and the Moral Life*, ed. Nancy L. Rosenblum (Cambridge, Mass.: Harvard, 1989), 139.

[14] Peter Laslett, *Encyclopedia of Philosophy* (New York: Macmillan, 1967), s.v. "Political Philosophy, History of; Introduction through Kant," 6:371.

[15] Ibid., 372.

[16] G.B. Kerferd, *Encyclopedia of Philosophy* (New York: Macmillan, 1967), s.v. "Sophists," 7:496.

[17] Ibid.

[18] Ernest Barker, trans., *The Politics of Aristotle* (London: Oxford U. Press, 1958), 1.

[19] Henry George Liddell and Robert Scott, *A Greek-English Lexicon* (Oxford: Clarendon, 1940), s.v. "koinonia."

[20] Manfred Riedel, *Between Tradition and Revolution*, trans. Walter Wright (Cambridge: Cambridge U. Press, 1984), 131.

[21] Barker, "Introduction" to *The Politics of Aristotle* , lxv.

[22] Ibid., lxvi.

[23] Benjamin Jowett, trans., *The Politics of Aristotle*, rev. ed. (New York: Colonial, 1900), 1.

[24] Barker, trans., *The Politics of Aristotle* , 7.

[25] This shows that Aristotle did not distinguish positive from natural law—a distinction he would have called sophistry—because manmade law should promote man's highest natural ends. "But it is the cardinal issue of goodness or badness in the life of the polis which always engages the attention of any state that concerns itself to secure a system of good laws well obeyed" *Politics*, Barker trans., 118-19.

[26] A deme is an administrative district, and a tribe is a group of demes. In Aristotle's time, Athens had about 150 demes and ten tribes. See Barker, trans., *The Politics of Aristotle* , 382, n. 1.

[27] David Ross, trans., *Aristotle: The Nicomachean Ethics* (Oxford: Oxford U. Press, 1980), 208. Translator's note: "It seems best to treat [the bracketed lines] as an insertion from an alternative version."

[28] Ibid., 212.

[29] Antony Flew, cons. ed., *A Dictionary of Philosophy*, rev. ed., s.v. "Social Contract."

[30] Rawls, "The Idea of an Overlapping Consensus," 4.

[31] Laslett, "Political Philosophy," 375. [32] Ibid., 373. [33] Taylor, "Modes of Civil Society," 114.

[34] For an account of both senses of "society" in its early meaning, see John Bossy, "Some Early Forms of Durkheim," *Past and Present* 95 (May 1982): 8-11.

[35] See Raymond Williams, *Keywords: A Vocabulary of Culture and Society* (London: Fontana, 1976), 76-82.
[3]

[6] The prologue begins,

    Two households, both alike in dignity,

    (In fair Verona, where we lay our scene,)

    From ancient grudge break to new mutiny,

    Where civil blood makes civil hands unclean.

[37] Hooker, *Of the Laws of Ecclesiastical Polity*, (1593 or 1594; reprint, London: Dent, 1907), Vol. 1, 198.

[38] Ibid., 187-88.

[39] Thomas Hobbes, *Leviathan* (1651; reprint, Harmondsworth, Middlesex: Penguin, 1968), 186.

[40] John Locke, *Of Civil Government, Two Treatises* (1689; reprint, London: Dent, 1924), 14.

[41] Ibid., 154-55.

[42] Ibid., 159-60.

[43] Jacob Bronowski and Bruce Mazlish, *The Western Intellectual Tradition* (New York: Harper, 1960), 209.

[44] Locke, *Of Civil Government*, 161-61.

[45] "The idea of civil society is the idea of a part of society which has a life of its own, which is distinctly different from the state, and which is largely in autonomy from it." Shils, "Virtue of Civil Society," 3.

[46] Tylor, *Primitive Society*, Vol. VII (London: Murray, 1871), 7.

[47] Gerald Broce, "Herder and Ethnography," *Journal of the History of the Behavioral Sciences* 22 (April 1986): 150.

[48] Bronowski and Mazlish, *Western Intellectual Tradition*, 268.

[49] Ibid., 271.

[50] Flew, *Dictionary of Philosophy*, 298-99.

[51] See Isaiah Berlin, "The Decline of Utopian Ideas in the West," in *The Crooked Timber of Humanity* (London: Fontana, 1990).

[52] See George H. Sabine, "The Two Democratic Traditions," *Philosophical Review* 61 (Oct. 1952): 451-74.

[53] Edmund Burke, *Reflections on the Revolution in France* (1790; reprint, New York: Liberal Arts, 1955), 24.

[54] Berlin, "Decline of Utopian Ideas," 36-37.

[55] Ibid.

[56] Isaiah Berlin, "The Pursuit of the Ideal," in *The Crooked Timber of Humanity* (London: Fontana, 1990).

[57] Williams, *Keywords*, 78-79.

[58] Berlin, "Decline of Utopian Ideas," 39.

[59] Frank N. Pagano, "Burke's View of the Evils of Political Theory," *Polity* 17:3 (1985): 446-62.

[60] Burke, *Reflections,* 122.

[61] Ibid., 8.

[62] Ibid., 97 and 102.

[63] Ibid., 108.

[64] Ibid., 95. Emphasis in original.

[65] Daniel N. Robinson, "The Scottish Enlightenment and its Mixed Bequest," *Journal of the History of the Behavioral Sciences* 22 (April 1986), 172.

[66] Adam Smith, *The Theory of Moral Sentiments*, 11th ed., vol. 2 (Edinburgh: Bell and Bradfute, 1808), 103; Burke, *Reflections*, 171; Adam Smith, *The Wealth of Nations* (1776; reprint, New York: Modern Library, 1937), 423. See also Donald Winch, "The Burke-Smith Problem and Late Eighteenth-Century Political and Economic Thought," *Historical Journal* 28:1 (1985): 231-47.

[67] For example, "The third and last duty of the sovereign or commonwealth is that of erecting and maintaining those public institutions and those public works . . . advantageous to a great society." Ibid., 681. The other two duties are national defence and the administration of justice.

[68] Adam Ferguson, *An Essay on the History of Civil Society*, facsimile ed. (1767; reprint, New York: Garland, 1971).

[69] Ibid., 98 ff.

[70] Ibid., 51.

[71] Ibid., 45.

[72] Ibid., 208.

[73] Ibid., 89.

[74] Ibid., 4.

[75] Ibid., 3.

[76] Ibid., 281.

[77] Ibid., 423.

[78] Shils, "Virtue of Civil Society," 5.

[79] Norbert Waszek, *The Scottish Enlightenment and Hegel's Account of 'Civil Society'* (Dordrecht: Kluwer, 1988).

[80] Shils, "Virtue of Civil Society," 6.

[81] G.W.F. Hegel, *Encyclopedia of the Philosophical Sciences in Outline* (1827; reprint, New York: Continuum, 1990).

[82] T.M. Knox, trans., *Hegel's Philosophy of Right* (London: Oxford U. Press, 1967), 110.

[83] Ibid., 111.

[84] Ibid., 126-155.

[85] Shils, "Virtue of Civil Society," 4.

[86] Taylor, "Modes of Civil Society," 114.

[87] Seligman discusses challenges from Kant and Hume to Lockean natural law. See Seligman, *Idea of Civil Society*, 36-44.

[88] Ibid., 51-52.

[89] Alexis de Tocqueville, *Democracy in America*, vol. 2 (1840; reprint, New York: Mentor, 1956), 198.

[90] Ibid., 205.

[91] Alexis de Tocqueville, *Democracy in America*, vol. 1 (1835; reprint, New York: Mentor, 1956), 98.

[92] Ibid.

[93] Ibid.

[94] Karl Marx, "Preface to A Contribution to the Critique of Political Economy," in Marx and Engels, *Basic Writings on Politics and Philosophy*, ed. Lewis S. Feuer (Garden City, NY: Doubleday, 1959), 84.

[95] Karl Marx, "On the Jewish Question," in Marx and Engels, *Collected Works*, vol. 3 (New York: International, 1975), 154.

[96] "Transferring the words to specific German relationships, Hegel notes in the margin: 'Townsman and national subject....'" Riedel, *Between Tradition and Revolution*, 142.

[97] Seligman, *Idea of Civil Society*, 59-60.

[98] Marx, "On the Jewish Question," 162.

[99] Ibid., 168. Emphasis in original.

[100] V.I. Lenin, *State and Revolution* (New York: International Publishers, 1932). For the importance Lenin himself put on this work, see Leonard Shapiro, *The Origin of the Communist Autocracy*, 2nd ed. (Cambridge, MA: Harvard U. Press, 1977), 56 and 350-51.

[101] Lenin, *State and Revolution*, 73-74. Emphases in original.

[102] Ibid., 84. Emphasis in original.

[103] Ibid., 85.

[104] See Shapiro, *Origin of the Communist Autocracy*.

[105] Paul Johnson, *Modern Times: The World from the Twenties to the Nineties*, rev. ed. (New York: Harper Collins, 1991), 270.

[106] A useful survey of this trend is Keane, *Democracy and Civil*

Society. See also the companion volume edited by Keane, *Civil Society and the State.*

[107] For example, Krishan Kumar, "Civil Society: An Inquiry into the Usefulness of An Historical Term," *British Journal of Sociology* 44 (Sept. 1994): 375-95.

[108] See for example, Norberto Bobbio, "Gramsci and the Concept of Civil Society," in *Civil Society and the State*, ed. John Keane (London: Verso, 1988).

[109] Gramsci, quoted in Bobbio, "Gramsci and the Concept of Civil Society," 86.

[110] Ibid., 82-85.

[111] John Keane, "Introduction," in Keane, ed., *Civil Society and the State*, 21-25.

[112] The best defence of pluralism by a historian of ideas is that of Isaiah Berlin. For a concise example, see Berlin, "The Pursuit of the Ideal." A good summary by a political philosopher is Steven Lukes, "Making Sense of Moral Conflict," in *Liberalism and the Moral Life*, ed. Nancy L. Rosenblum (Cambridge, Mass.: Harvard, 1989). For a discussion of the political implications of pluralism, see Boris DeWiel, "The Politics of Ideological Diversity," in Roger Gibbins, *et al, Mindscapes: Political Ideologies Towards the 21st Century* (Toronto: McGraw-Hill Ryerson, 1996).

[113] For a good discussion of the connection between the value pluralism and multiculturalism in modern democracies, see Joseph Raz, "Multiculturalism: A Liberal Perspective," *Dissent* 41 (Winter 1994): 67-79.