BABEŞ-BOLYAI UNIVERSITY CLUJ-NAPOCA

Faculty of History and Philosophy

**Doctoral School of International Relations and Security Studies** 

# DOCTORAL THESIS

## CONCEPTIONS ABOUT CIVIL SOCIETY

(summary)

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#### SUMMARY

The paper is consecrated to the synthetic presentation of the discussions that are carried out in philosophy and social sciences from nowadays regarding the present interest of the issue that civil society raises first of all at the level of the European Union and then at global level.

Even though the concept of civil society is present since the Antique thinking it knows a clear structuring along with the modern age so that nowadays it has become a real indicator of the way in which a society is identifying and is confronting its own consciousness with the real problems it is facing, the ways in which it understands to resolute them. Being considered the form of free and conscious linking among the members of a society, civil society can be distinguished from its institutional structures but, at the same time, it represents their basis, the source of the content and functions that they accomplish.

Hence we considered that in the succession of the chapters it is necessary to present the debates regarding the concept of civil society and the way in which it was integrated into the historical evolution of the different visions about society, about the framing of man into its structures and about the way in which based on some of its characteristics it supports a certain institutional system.

Among the perspectives from which civil society is debated we preferred the one that follows along the history the way in which, since Antiquity until nowadays, the concept has known an evolution, an accumulation of senses remaining at the same time related to the description of the state of the society in which its members feel mutually related to one another in sharing a set of values, ideas and norms and it is structuring its conducts for achieving a common project based on a certain spirituality.

In Antiquity, Plato's philosophy brought for the first time in discussion the way in which the members of the City are uniting in order to achieve Common Good, developing to one another the civic virtues: wisdom, courage, moderation and the desire for justice.

Aristotle will analyse in a more profound way the life of the Greek Cities observing that people are very special from one another through their personal qualities and also through their social role and wealth. They can be grouped according to different criteria but the most important of them all is the membership within the City. Man is a *zoon politikon* which means that he is a natural human being like all other creatures from which he distinguishes by the fact that he is rationally organizing and leading within the City.

The man of Antiquity is a singular individual, in a cold world of the City lead by Destiny, in which he is caught in the claws of the Roman law. Only the generalization of the Christianity will free him of his Destiny, will teach him the love for the kind and will transform him into a Person who along with his fellow will build civil society.

This is the man created to build his own life and as St. Augustine demands hum, "to love God and to do whatever he wants". Christianity founds the idea that the merge of free people can be done within a community in which common problems are debated, so that politics respond to the demands of the society. Through Thomas d'Aquino's thinking we can distinguish between religion, philosophy and politics so that man becomes free to build himself, to make science at the same time, and to believe in God and to dedicate himself to the practical transformation of the world.

"Paradoxically" the ideas of Thomas d'Aquino open the perspectives of the European modern thinking because through an effort of emancipation from religion it leads forward the idea that civil society represents the structure of these relationships between the members of the society through which it self-regulates, it establishes the issues of maintaining its identity with which it confronts the state, and its political organization and leading.

Through an act of emancipation from religion and church modern philosophy will regard society as a construction resulted as a consequence of the social contract established either because of the fear of the other, of hunger or of death, but anyway on *natural* bases. T. Hobbes, J. Locke, J.J. Rousseau bring the idea that this civil society imposes its orientations to the activity of the state because, exposing the natural state of man, it demands the respect of its attributes (life, freedom of the person, property) and the orientation of State's activities in relation to these exigencies.

Along with Enlightenment civil society makes a step towards its empowerment, through Spinoza's considering of its symbolic, artificial character, so that building of a civil society becomes for I. Kant an act which overpasses political action. The giftedness of the Kantian philosophy is expressed in the formula "people should be ends in themselves within the mutual relationships and not means for reaching some particular purposes".

From these philosophical premises the liberal current (of thinking) will appear and it will proclaim the liberty and equality of men as citizens, which are reuniting in the political body in order to choose freely the way of their common evolution, imposing the government's orientations. This thesis will be reanalysed by Hegel, the one who will make form the concept of civil society a foundation of the philosophy of history because civil society is regarded in its depths the basis of all the activities in which people are engaged, as concrete beings, from family to professional life, from the presence in the street to the public one. For Hegel it was essential to distinguish this civil society, as actual, real life of the members of a society, from its "superstructures", from state and its power organisms.

The distinction is not only a fundamental one for what followed to be the evolution of the world up until today and full of consequences for the building of the actual politics. The assessment is justified through the fact that it was checked up in the historical practice the fact that man, as a human being lives in the society and he builds an institutional universe to which he leaves an autonomy that turns against him.

A. de Tocqueville was the one who saw that modern society is dominated by the state which imposes its orientations in the fields of health, education, defence, social assistance, which imposes the necessity for the civil society to give birth to the expression forms of its values and believes, to impose a certain control over the institutions of the state.

In the second part of the 19<sup>th</sup> century and the first part of the following century, a series of thinkers added particular notes to the concept of civil society. Hence, A. Comte insisted on the organic character of the structure of a society, F. Tönnies supported the idea that in a society people have different objectives but by participating to the life of the civil society they find common elements of some relationships to the world, they establish a common vision on the behalf of which they manifest themselves. E. Durkheim insisted on the organic solidarity which appears in the differentiated societies because they have social groups which are involved in a division of labour and are connected through an aware solidarity; H. Bergson promoted the idea of an opened society because its members understand the need to act rationally for mobilizing the creative resources; A. Gramsci will determine civil society through all the components of the life of a society, connected as a social block that supports or not its superstructures.

In the last part of the past century, after the economical, political and military crisis an intellectual process of re-evaluating the concept of civil society broke out, in relation to the fact that the world is more and more hallmarked by the means of mass communication. For J. Habermas became expressive the concept of public sphere through which civil society is linked to the diversity of networks in which the individual is caught, among which the most

significant are the means of mass communication. They are called to structure a new public space, of the generalized dialogue which is meant to replace the old political fight between parties and adverse clans. There must be found a consensus of the political opinions related to the inside structure of a country, and it cannot be obtained outside dialogue which makes possible the relationship between different political discourses, but all of them centred on the idea that they represent (if not entirely, at least partially) the national interest.

In the 20<sup>th</sup> century, under the influence of the economical and the political crisis and also due to the manifestations of the totalitarianisms, of the different forms of dictatorship, the issue of the civil society was resumed because its structuring and its display as an equilibrium factor for the function of the societies, of the building of some democratic political regions was watched as decisive for the development, for the historical progress.

Within this framework was powerfully stated the philosophical system of J. Habermas about the public sphere, the place where there are meeting different or contradictory political discourses of some different social actors which are leaded in good faith by the idea of accomplishing public good. To that effect Habermas was concerned with reuniting public sphere and civil society in their action to influence the activity of the state. The possibility of such an interaction was given by the fact that in their private life people must be accustomed to the autonomous use of reason which, with a critical spirit, pertains to the social life. It becomes possible a permanent reform of the social and political life through the promotion of the civic dialogue over the problems of the society, with the condition to moralize the political discourse.

Similar ideas were also supported by H. Arendt for whom it was essential the existence and the manifestation of a plurality of actors that participate to the public life, understood as a condition for over passing the mass conformity, as a barrier in the way of state's intervention in the private sphere and at the same time as a way of restoring the participation of men to the political life.

For the theorists of politics form the ex-communist countries restoring civil society, with the relationships between free and responsible citizens, became an essential condition for stopping the revival of communism and for ensuring the consolidation of the new democracies. To this effect it was invoked the J. Habermas's position according to which "civil society is composed of the most or less spontaneous associations, organizations and movements which attuned to the way in which the societal problems reason within the sphere of the private life, distil and transmit such reactions in an amplified form, in the public sphere.

The core of the civil society comprises a network of associations which institutionalizes the reforming discourses of the issues in debates over some aspects of general interest within some organized public spheres"<sup>1</sup>.

The concept of civil society conserves, nowadays, according to M. Edwards "a significant emancipatory potential, a power of explaining and a practical support in resolving the problems of the contemporary democracy". So the concept, an important converting instrument, which promotes a value content because it attaches to the truth, tolerance, rationality, social balance and which stimulates the idea pr the participative democracy of the active citizenship.

The power of the civil society stands in its capacity of defending the individual of any attempt to ignore and oppress his and of allowing those actions that legitimize a democratic political power. This is why this individual must be protected from manipulation, from all the attempts of hijacking his free exercise of reason.

It is explainable the fact that the attention on civil society is present all over the world: in the countries with a consolidated democracy for defending it from erosion, in the postcommunist countries for stimulating the enhancement of the democratic regime, in different areas of the globe for ensuring the assimilation of the features of the modern society.

In the last years the processes of European integration determined not only the birth of an original institutional system for organizing and leading the European Union, with politics that are different from the national ones but also with transformations within the social structures, within the mentalities of the people on the continent. It is true that the European unification was possible because a millenary history generated a system of values which is common to the Europeans, a certain manner of interpreting the world and of relating with nature and fellows, what we could name "a European spirituality"<sup>2</sup>.

It is about supporting the value of life, of the human person. With the rights and liberties that he must enjoy, of democracy, of the rule of law, about the desire to obtain prosperity and welfare for as many members of the society as possible, about the access to education, science and culture, about a combination which is specifically European between the great values of Humanity: Truth, Good, Beauty, Justice.

European construction, based on these precepts, tried to put at work these mechanisms that could lay stress on man's freedom of creation, saving the local, regional and national

<sup>&</sup>lt;sup>1</sup> J. Habermas, Between Facts and Norms, MIT Press, Cambridge, 1992, p. 367.

<sup>&</sup>lt;sup>2</sup> Liviu-Petru Zăpârțan, Reflecții despre Europa unită, Ed. Eikon, Cluj-Napoca, 2011.

particularities, following, at the same time, a continuous approach between the European people under the motto: "United in diversity, different in Unity".

Surely, each people and nation maintains their identity but within them there are developing components that bring them together. This is how is explained the fact that through the Maastricht Treaty was introduced the concept of European citizenship which was meant to generate new relationships among the Europeans, to develop their consciousness of belonging to the same social space as a basis of a unitary economic and political life. Hence can be analysed the relationship between the European society and the institutional system of the European Union in order to debate the recession of its democratic character, the nearness of the decision-making process to the citizens. We must not confuse the European society as a whole of the European peoples with the European civil society that the White Charter of the European Union governance understands as a whole of the non-governmental organizations, of the trade union, professional and charity organizations, of all free associative forms of citizens. This is a determination that leaves aside the organizations that the state and church build or that are linked to the organization of the economical life.

This does not mean that the structuring of the European civil society should take place spontaneously. It is necessary the intervention of the institutional system and of the analysts of the social and political life for stimulating the respect for pluralism within the society, the right of men to associate freely in relation to the collective interest but also to the general one of the European construction.

We can remark the way in which the institutions of the European Union pertained to the civil society because it expresses their awareness regarding the democratic foundation of a Union that they are called to manage. To that effect the European Commission is the one that passed from the vague concept of civil dialogue used at the beginnings of its activity to the one of civil society because civil dialogue underlined the role of the NGOs in the social life, for stimulating the relationship between the institutional system and the real life of the society, but it was only in 1990 that was raised the problem of regulating the activities, and only in 1996 the general direction responsible with the social politics submitted to debate the concept of social dialogue on the issues of genre, social exclusion, disabilities, youth.

Still they were considered by numerous member states as being internal problems which do not have to represent a distinct object of some social politics.

As a consequence, the European Commission searched for the forms of performing the activities in this field. In 1996 it was organised the first Forum of the European social politics

which focused on the development of the civil dialogue at the European level. In the following year it was created a Commission for the promotion of the voluntary organizations and of the foundations in Europe, with the function of enhancing the sense of solidarity and of the citizenship. The accent was placed on those forms of institutional (organized) social dialogue that were able to mediate the relations of the European institutions with the European society, being targeted especially the NGOs. The difficulties of financing in the 2000 gave birth to a pressure from the part of the society towards the European institutions regarding the *regulation* of the activity of the forms of social dialogue, of the NGOs that proposed to express the interests of the unprivileged ones, of the ones who were interested in the enhancement of the European Union's democracy.

The important step to that effect was made in 2001 when it was published the White Charter on the European governance in which we can see the opening of the decision-making process towards the society. This time we do not hear about society in a general manner, but about the European civil society in which there are acting, with the purpose of curdling the relationships between people, the churches, the religious communities, the charity organizations, the professional ones, the scientific experts and the organisms concerned with the civil society form the member states and even some organizations with profit. Numerous authors showed that this concept of European civil society is too wide because it includes different consultative organisms invoked as sources of the Community's decision-making process because they would mark the *civic* responsibility, the opening towards an organized social dialogue and the increase of the degree of representation of the collective will.

Towards the concerns of the European Commission it was imposed the role of the Economic and Social Committee also called European (CEES) which initially had the role to express the aspirations of the citizens of Europe that it developed, towards other consultative forums and ad-hoc organizations, so that it became the spokesman of what it was called the European civil society, a collective term – according to its expression – "for all types of social action, of the groups and of the individuals which do not emanate from the state and are not leaded by it", as "the sum of all organized structures whose members have objectives and responsibilities which are of a general interest and which action as mediators between the public authorities and the citizens.

The introduction of the concept of civil society leaded to the change of the institutional discourse because it developed a participatory side of democracy at the level of the Union

which to complete the representative one through which the institutions function in the name of the advanced purpose.

At the level of the European Parliament and of the Committee of the Regions civil society is seen as a civic attendance and at the same time as a functional representation of the European citizens, under a territorial and social aspect; it is understood as a way of politicizing the citizens, in the sense that they, understanding their own concerns, within the family, at their workplace, within the society, debated in structures that they create, they transpose them into political objectives, promoting them in political formulas; it is then understood as a support of the processes of decentralization of the decision-making mechanisms, of the mechanisms of manifesting the principle of subsidiarity and of stimulating European governance.

Theorizing European civil society takes into account the new role of the state which is forced to take into consideration the more and more differentiated opinions of the members of the society Europeanized by the enhancement of the European economy, by the incapacity of self-regulation of the market within the conditions of the internationalization of the economic life.

Different interpretations of the European civil society were built in the last decades. Some of them had an echo in the political life as it was the conception of A. Giddens concerning the third way which to overcome the polar relationship between the state and the market in order to make way for the activities of the civil society and its organizations. European civil society must develop a diversity of supple organizational structures, adaptable to the changes from the society, which are in permanent interactions.

To this it is added the idea that, from the perspective of the theory of complexity, civil society must enter into a symbiotic competition with the state system and with the one of the market so that each to bring its contribution to the normal functioning of the society. The idea of norm insistently reverts in the discourse over the European civil society in the sense of creating a normative unitary European framework which to bring closer the different civil societies, through interaction, adaptation and learning in order to cope with the innovative needs.

The research literature shows that in more and more contexts we can recognise the role of civil society in ensuring information about the relationships from the society, in promoting unprecedented organizational structures which develop real technical aptitudes, of specialization, of sociology, of administration because they refer to specialized sectors as, for example, environmental protection, energy, agriculture, transports. Hence, the organizations of the civil society offer expertise to the stat and the European ones, which can support programs which are really useful to the society, without any interference from the part of the political ideologies.

It is explainable the fact that civil organizations meet in their activity with the one of the institutions and also of other components of the social life as, for example, the mass media, which are meant to inform and also to sensitize the public opinion both on the quality of the decision-making process and on the consequence of the projects promoted by the civil society. It is clear that a positive evaluation in the society of the public politics increases the institutions' capacity of action and so their legitimacy.

To all these it can be added the fact that a strong European society is capable to contribute to the approach between the regions of Europe, in the sense of extending some European ways of thinking and of managing the resources of a region, material and human, giving place to the local particularities and features of economic, social and cultural life. Reuniting local common preferences and options which could have European interrelationship, European civil society manifests a European spirit, which carries on some millenary traditions of the continent.

A special place in the debates over the European civil society is occupied by the issue of the social movements as collective actions born in the historical and social conditions determined based on some convergences of affects, appreciations and behaviours. Usually social movements are contested because they are considered by some researchers as being political movements or at least as having a political substratum. For the great part of the interpreters they are, through the diversity of their forms of manifestation and of the objectives they support, an essential element in asserting the concerns of the citizens. Surely they can be distinguished through the degree of spontaneity, of training and of organization, of consistency but it is clear that they express the cleavages within a society so that they become moments of the civil society's expression. The new social movements bring an issue which is different from the traditional one because it is born in relation to the ecological problems, of feminism, against the culture of the youth, immigration, using not only the traditional manifestation in the street but also the gridlock of the institutions functioning through blocking communications or through building the socialization networks, all of them acquiring a European coverage<sup>3</sup>.

Sewering the preoccupations of the civil society towards the European problems is illustrated by the introduction within the EU Treaties of the previsions concerning the European citizen's initiative and the widening of the procedures of the European governance<sup>4</sup>.

They enhance the actual elements of the European, transnational civil society which develop despite the limitations of the European public sphere, of the manifestations of Euroscepticism or even of the detachment of one part of the members of the society for the general problems. It is often invoked the lack of a European political culture which to generate a public debate because there are missing educative programmes and the means of communication are not stimulated by multi-languish. With regard to culture there is a monopole of the national states in relationship to their citizens and the particular cultures have their own determinations and a specific manner of creating history. This is why we must encourage the dialogue between the cultures, communication between people, and their interconnection in different sectors of activity and of building of some European relations like the ones from transports, energy, and communications.

The discussions concerning civil society could not avoid the distinct issue of the global civil society. After interpreting the logical schema of the relationship between the society and the civil society, it was also interpreted the relationship between the global society and the global civil society. To this effect, civil society would denote the totality of the relationships between people at a global scale with the distinct networks that they build based on a certain normative consensus and possibly on certain institutional structures. They are founding on the elements that define the globalization and mondialization processes meaning the economical, financial, commercial, communication flows that are developing at a planetary scale. They do not manifest without taking into consideration the different crises which mark the international scene related to energy, pollution, political contradictions, and cultural cleavages. But despite them, global society is asserting as a field of the relationships between people at a global scale and not as a system because it is missing the elements that could structure him this way. The instruments with the calling of globalism as for example UNO are born due to the lake of internal authority so that, through the way in which it is organized it reflects the decisive role of the great powers in the world organization.

<sup>&</sup>lt;sup>3</sup> Liviu-Petru Zăpârțan, Sociologia politicii, Ed. Eikon, Cluj-Napoca, 2014, pp. 304-309.

<sup>&</sup>lt;sup>4</sup> Diana-Ionela Ancheş, Preocupări juridice privind Uniunea Europeană, Ed. Eikon, Cluj-Napoca, 2014, pp. 182-225.

In the field of reality, global civil society is first the expression of a conviction that for all the people of the planet could function the idea of feeling the link with the common values which could inspire a dialogue, an effort of understanding the common issues and of identifying the ways for their resolution so, a spirituality of the consciousness of some common issues, marked by drama which demand a new world order.

It is about transnationalizing the general human problems in the attempt to find solutions within a global social space which is sensitive to the global concerns and to their consequences. A researcher, M. Kaldor, underlined the fact that through this concept it is not denominated a process of global representation of humankind but a deliberative one<sup>5</sup>.

It is about following first the global capacities of communication and deliberation in order to promote a global project for society and also for building a social field of resisting towards the global threats.

The analysis on the global civil society stand under the sign of the two traditions of reflection on civil society: the classical one born with the beginning of the modern era and the one inaugurated by Habermas for whom the differences between people are a stimulus for dialogue and mutual recognition. Hence the idea of a cosmopolitan democracy in which the actors are common actors autonomous, capable of reflecting, judging, choosing and action for the accomplishment of the common good. As a consequence, social actors can validate the principles of democracy and justice and also the ways of legitimizing their institution and functioning.

There are also actors less convinced of the consistency of the global civil society to which it appears more like a project, moral, philosophical, promoter of non-violence, of dialogue and communication, of a globally recognized normative order which to generate a contract concerning the guidance of the global system.

It is a certain thing that must be taken into consideration the fact that the transnational activities will generate transnational social networks as a basis of a global civil society. They will need peace and not war, will take into account the particularities of the different human communities, local, national and regional. The different forms of humanitarian and also military intervention for re-establishing in certain areas a certain social and political life are not, for the present moment, signs of the enhancement of the global civil society.

Either it is understood as the opposite of the state system or on the contrary it is seen as a support for it, a completion or a component of the global society, the discussions about

<sup>&</sup>lt;sup>5</sup> M. Kaldor, Global Civil Society: An Answer to War, Polity Press, Cambridge, 2003.

the global civil society underline a humanist idea related to the assertion of man, of his personality, of the rights and liberties of which he should enjoy as a human being and also of the duties he must assume with responsibility.

Despite this humanist aspiration marked by idealism there are also theoretical orientations that contest the possibility of building the global civil society being given the great discrepancies and contradictions between the people of the planet and also the role of the states in building the global order of the world.

The stage of civil society, irrespective of the perspective from which it is accomplished highlights a reality of the social life: the fact that man, in his own individuality is *related to his fellows* with whom he shares a certain culture, a certain economical and social life, a certain way of organization and leadership.

The amplitude of this link is defined by the group of belonging to the global sobriety so that the structure of the civil society is concurrent to the dimension of the inter-human relationships.

Being within a permanent dynamics between people relationships can be supported by different means: moral, normative, informational that gives civil society a greater or a lower consistency. This explains the fact that through the concept of civil society it is denominated a reality that cannot be contested but to which we must research the forms of accomplishment in a permanent dynamics. This explains the demand of the permanent debate and of understanding the senses related to its enhancement as a way of social development.

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