1 The Problem of Liberal Democratic Political Culture

Establishing a state, as difficult as it may sound, is a problem that can be solved even for a nation of devils (if only they possess understanding).[1]

—Immanuel Kant

The viability of liberal society depends on its ability to engender a virtuous citizenry.[2]

—William Galston

Immanuel Kant famously held that it is possible to construct a stable liberal regime for a people regardless of their moral character.[3] While his political philosophy stands in the Enlightenment tradition that begins with accounts of human nature and morality,[4] his approach is austere: his regime requires only that citizens "possess understanding." In other words, a stable liberal regime need not include obedience to an innate natural law, ethical habituation, submission to moral sentiments, or intuitive contact with moral principles. All that we need are rational citizens who know their interests and pursue these efficiently.

Despite the continuing popularity of Kantian moral and political philosophy in some contexts, few today accept his view that citizen rationality is sufficient for a stable liberal regime.[5] Most political philosophers agree with William Galston's claim above: we cannot build a stable liberal regime without virtuous citizens. Among these political philosophers, the following two requirements garner general agreement:

Ethical Citizens Requirement: The stability of democratic institutions requires that citizens possess a supportive moral character.

Civil Society Requirement: The supportive moral character required for the stability of democratic institutions is secured in civil society.

The *Ethical Citizens Requirement* (ECR) is a direct rejection of Kant's claim. Knowing one's interests and pursuing them efficiently is not sufficient for effective liberal political institutions. Some set of civic virtues—specified differently in different accounts—is required for liberal political institutions to function effectively. The *Civil Society Requirement* (CSR) identifies civil society as the arena in which these civic virtues

are cultivated and sustained. To be sure, not every political philosopher accepts both ECR and CSR—some influential standouts propose a social mechanism other than civil society to account for democratic citizens' moral character.[6] But CSR attracts a wide range of support inside and outside philosophy, across national and cultural divides. Consider, for example, several representative statements by contemporary political philosophers that speak to ECR and CSR:

> Only a democratic state can create a democratic civil society; only a democratic civil society can sustain a democratic state. The civility that makes democratic politics possible can only be learned in the associational networks; the roughly equal and widespread dispersed capabilities that sustain networks have to be fostered by the democratic state.[7]
>
> —*Michael Walzer*

> A free country depends for its liberties first of all neither on formal democratic governing institutions nor on free commercial markets but on a vibrant civil society.[8]
>
> —*Benjamin Barber*

> Civic culture is the key enabling condition of democracy. The idea of civic culture appears to reflect the possibility of a recognizable common good.[9]
>
> —*William Sullivan*

> The operation of liberal institutions is affected in important ways by the character of citizens (and their leaders), and that at some point, the attenuation of individual virtue will create pathologies with which liberal political contrivances, however technically perfect in their design, simply cannot cope. To an extent difficult to measure but impossible to ignore, the viability of liberal society depends on its ability to engender a virtuous citizenry.[10]
>
> —*William Galston*

Of course, these passages reflect different accounts of the nature and effect of civil society on democracy. But each author regards democracy as a political arrangement that requires something substantial in the character of its citizens and this substantial something is supplied by a "democratic civil society" or by a "civic culture".

The central aim of this book is to investigate CSR. But before we can do this, we must first ensure that ECR is defensible. After all, CSR will be true only if ECR is true. The aim of this chapter then is the preliminary matter of the defensibility of ECR. Are contemporary philosophers right in rejecting Kant's claim? More specifically, can democracy be made to work through systems and institutions framed around citizens' rationality? And if contemporary philosophers are right in rejecting Kant's view, why is it

that modern liberal democracy requires citizens of this sort? In Section 1, we examine the argument against Kant's view. While the typical criticism offered by contemporary political philosophers against Kant is underdeveloped, I will show how it might be reworked into a strong objection. With Kant's alternative safely set aside, we move on in Section 2 to an explanation of the idea of a society. The conceptual framework established here lays the foundation for Section 3, in which I explain in detail the *problem of liberal democratic political culture*: "How is it possible for a national society to cultivate and sustain a liberal democratic political culture, given the ideal of liberal democracy and the social and psychological realities of the human condition?" As we will see, this is a problem that follows from the truth of ECR that drives many to accept CSR.

1. CONTRA KANT

Let us call those who hold ECR and CSR *civil society theorists*.[11] Most of these theorists devote scant attention to a defense of ECR. Instead, upon declaring the necessity of virtuous citizens for modern liberal democracy, they move immediately to an elaborate vision of civil society as the mechanism for generating and sustaining moral character. We will begin instead with a thorough consideration of the Kantian alternative.

1.1. Kant's Claim

Let us begin with a more extensive look at the passage of Kant quoted at the beginning of the chapter:

> Establishing a state, as difficult as it may sound, is a problem that can be solved even for a nation of devils (if only they possess understanding). The problem is as follows: "To form a group of beings, which, as a group, require universal laws for their preservation, of which each member is, however, secretly inclined to make an exception of himself, and to organize them and arrange a constitution for them in such a way that, although they strive against each other in their private intentions, the latter check each other in such a way that the result in their public conduct is just as if the had no such evil intentions." It must be possible to *solve* such a problem. For it is not precisely how to attain the moral imporvement of the human being that we must know, but rather only how to use the mechanism of nature on human beings in order to direct the conflict between their hostile intentions in a perople in such a way that they compel each other to submit themselves to coercive laws. . .[12]

More specifically then, Kant's view is that it is possible to create a political framework such that a rational being, in trying to actualize her private intentions, recognizes that these intentions are best served when she submits to

coercive laws. Notice that 'rationality' will do the work here. For Kant, the rational person pursues efficient means for actualizing her intentions, such that a political system can alter a citizen's choices by establishing incentives and disincentives that change the efficiency calculation made by the citizen. For example, by raising the taxes on gasoline, a political system makes gasoline-powered travel less efficient for citizens. Provided that the tax is sufficient to tip the balance against gasoline-powered travel in favor of some other form of transportation, the rational citizen will travel by other means. More generally, supposing that citizens are rational and that we have extensive knowledge of citizens' intentions, we can build a regime with a system of incentives and disincentives such that citizens will regard conformity as the best way to achieve their goals. As for whether it is possible to devise such a scheme, Kant simply asserts that it lies "with the capacity of humankind, to be sure."[13]

1.2. Civil Society Theorists' Objections to Kant

When civil society theorists discuss ECR, they typically begin with empirical data. Prominent studies suggest that modern constitutions require citizens with supportive moral traits. Without virtuous citizens, democratic institutions falter. Studies that support this claim include Robert Putnam's research on social capital in Italy and the U.S., Francis Fukuyama's study on trust, Robert Bellah's study of civic virtues, and Thomas Patterson's study of voting patterns.[14] With respect to several different moral characteristics, these studies find a correlation between declines in these characteristics and declines in the effectiveness of democratic institutions, voter participation, and the like. On the basis of this evidence, a civil society theorist might simply argue that empirical evidence contradicts Kant's claim. There are no instances of a stable liberal political regime where the citizens are lacking a set of moral traits, where these include dispositions to cooperate, display public trust, and engage in the political process.

This first attempt to raise an objection to Kant has an obvious defect. He could simply respond that we have settled for imperfect constitutions that are not capable of checking the vices of citizens. Just because it is possible to construct a stable liberal political regime on the assumption of merely rational citizens doesn't mean that it is easy. In other words, it is not as though constitution-building along Kant's lines has been tried and found wanting. Instead, it is that it has not been tried at all or that legislators have given up too soon. Moreover, it is not as if Kant could be refuted if nations began to undertake Kantian-styled constitution-building and rebuilding in earnest and still came up short.

The empirical evidence by itself does not refute Kant's view. But perhaps the empirical evidence suggests a stronger avenue of criticism. Perhaps the evidence points to an entrenched feature of humans and their socio-political condition that explains why Kant is wrong. For example, civil society theorists might argue that because:

a) human beings can fail and become corrupted in a variety of complex ways, and

b) political institutions are constructed, maintained, and populated by human beings,

it follows that political institutions, no matter how well constructed, could be subverted by a "nation of devils". The heart of Kant's error is the failure to pay respect to the fact that the political institutions are simply groups of humans in action. These institutions don't have an independent integrity that could protect the system of incentives and disincentives from corruption. In other words, no matter how perfectly a political institution is conceived, it is always possible for the people who operate it to subvert it for their private interests. This kind of argument seems implied in the Galston passage at the head of the chapter. He elaborates: " . . . at some point, the attenuation of individual virtue will create pathologies with which liberal political contrivances, however technically perfect in their design, simply cannot cope . . ."[15] I believe that this line of criticism is promising, but there is more we can do to strengthen it.

In the first place, there seem to be many good reasons for thinking that the human condition precludes the possibility of establishing any constitution in perpetuity without presupposing some minimal degree of civic virtue. More specifically, while Kant would have us believe that a properly framed constitution can redirect private intentions for the public good, there seem to be too many opportunities to subvert such a constitution during its construction and then later while citizens are living under it.

Consider first the phase in which a people constructs a constitution. A real event of this kind is clearly not marked by a "veil of ignorance" or any similar contrivance that separates citizens from their individual identities and interests: citizens are well aware of their private intentions when framing a constitution. Instituting the Kantian ideal, they see, raises impediments to their achievement of their private ends. This is because the ideal does not play favorites: it seeks a balanced system of incentives and disincentives such that citizens' partisan interests are subverted in favor of the public good. As Kant puts it:

> . . . the state directs the forces within it against each other in such a way that the one hinders or nullifies the destructive effects of the other. Thus, the result for reason turns out as if neither existed and the human being, if not exactly a morally good person, is nonetheless forced to be a good citizen.[16]

In the construction phase of a constitution, the framers will not be motivated to "direct" a system such that they will be "forced" to be "good citizens." These citizen framers have private intentions and, under Kantian assumptions, place a priority on realizing these. Since we take these framers to be rational in the Kantian sense (they pursue the most efficient means

of realizing their private intentions), it seems clear that they will favor a constitution which makes it easier for them to achieve their ends over one that restricts or "moderates" their pursuit through coercive laws. After all, a constitution biased in favor of their intentions will be far more efficient for them than a constitution that favors no one. In other words, the political system that Kant has in mind would never be established by the nation of devils in the first place.

A contemporary Kantian such as John Rawls might counter that, under conditions of pluralism in which no citizen can safely expect to obtain constitutional advantages, rational citizens would seek the adoption of a Kantian styled-constitution as the best way to secure their private ends.[17] In other words, without agreement as to which biases should be included in the constitution, citizens would agree to construct it such that no one is favored. The problem with this response is that the conditions that give rise to it appear to be incredibly narrow. More specifically, the pluralism needed to produce a Kantian constitution would appear to be of a very specific sort: citizens must not be capable of finding a majority with respect to *any* private interest that they might seek to have promoted through the constitution and laws. Otherwise, they would simply skew the constitution in keeping with those private interests that have the support of the majority. However, it is hard to see why we should regard these conditions as anything but incredibly unlikely.[18] Devilish citizens may disagree about a great many things, but it seems to me that at least some of their private predilections and vices will be shared among a majority.

Now consider opportunities for citizens to subvert the constitution after it has been established. Given the vicissitudes of human life and culture, constitutions must be open-ended. In other words, constitutions and the coercive laws of a state must be capable modification in order to account for the various challenges and changes that confront liberal regimes over time. The ability to modify the constitution and its laws means that rational beings always have a third choice with respect to achieving their private interests. That is to say, they have a choice in addition to (i) subjecting themselves to coercive laws or (ii) violating them. They can (iii) pursue changes in the constitution of the regime in order to make their private ends easier to realize. Since our only assumption is that the citizens in question are rational, it seems clear that they will pursue these kinds of changes.

We can develop this objection against Kant in another way, focusing on his requirement that citizens be rational. What does it mean for citizens to have understanding or be rational and how do they come to display this trait? As Kant explains, intelligent but devilish citizens can be forced to obey the rule of law by establishing conditions that inhibit their hostile intentions. The idea seems to be that the rational devil would choose obedience to the laws against violence, for example, over disobedience and its consequences. In short, a rational human being is one who selects the most efficient means of securing her ends. As for developing this capacity, notice

that it requires the prior development of a host of capabilities. Among these are the ability to identify ends, the ability to identify the means of realizing those ends, and the ability to distinguish among means those which are most efficient. Because human beings are social creatures who require the aid of others in order to reach maturity, a program of education in a social context will be required in order for people to acquire these characteristics. While these traits of character may not be moral virtues, they are certainly intellectual virtues. Even if Kant is right in thinking that a properly framed constitution does not require complementary institutions to fashion citizens' moral character, it seems clear that the constitution requires complementary institutions to fashion citizens' intellectual character. These institutions, some civil society theorists could argue, are just what we mean when we talk about civil society.

2. GROUNDWORK FOR THE PROBLEM OF LIBERAL DEMOCRATIC POLITICAL CULTURE

I have raised doubts about Kant's claim that a stable constitution can be framed for people on the assumption of mere rationality, irrespective of their other moral, social, and intellectual dispositions.[19] Our ultimate aim in this chapter is to explain this inadequacy more precisely, as it is this inadequacy (framed as the *problem of liberal democratic political culture*) that prompts the demand for civil society. Before we can explore this inadequacy, we must first establish some conceptual groundwork. We need a clear understanding of 'society', 'national society', and the some of the internal relationships that characterize national society.

2.1. The Concept of Society

Begin with a basic concept of *society*. John Rawls regards a society as "a more or less self-sufficient association of persons who in their relations to one another recognize certain rules of conduct as binding and who for the most part act in accordance with them."[20] There are three problems with this definition, at least for our purposes. First, while Rawls typically uses 'society' synonymously with 'national society', it will be important for our purposes not to conflate these ideas. 'Civil society' is a type of society and yet it is clearly not identical with national society. Second, the characterization of a society as self-sufficient is too restrictive. No one regards civil society, for example, as self-sufficient. We will therefore leave self-sufficiency out of our account. Third, where Rawls refers to "rules of conduct," I prefer a *system of norms*. It seems to me that the moral content of many societies is more varied and expansive than "rules of conduct" captures.

Adjusting Rawls' definition accordingly, we will use the following definition:

> Society = a group of people unified by their shared allegiance to a system of norms.

In a society, systems of norms are organized and promulgated through institutions, where an institution is simply the instantiation of a system of norms among a group of people. The relationship between systems of norms and their particular instantiations is complex. On the one hand, for example, a comprehensive set of norms might be expressed in a variety of institutions, as one might find in a religious sect. The system of norms in Roman Catholic society, for example, is instantiated through a diverse set of institutions that includes parish churches, monastic orders, schools, and hospitals, among others. On the other hand, a single institution might be a repository for different, even incommensurable systems of norms. A public radio station might be an example of this sort of institution, as it provides a context in which widely divergent views can be expressed. For purposes of economy, I will speak simply of a society as a system of norms and institutions. However, the fact that systems of norms and collections of institutions have complex overlapping relationships will become important when we turn later to the explanation of how civil society cultivates and sustains a liberal democratic political culture.

Critical evaluation of a given society is complicated. We can investigate the facts about the people, rules, and institutions of a society. We can investigate the various relationships that may hold among these parts. We can judge the system of norms against independent or comparative standards. Further, the idea of allegiance at the heart of society suggests that we can evaluate it in terms of the quality of its internal function. In other words, we judge a society to be functioning well when the members of that society are characterized by perfect allegiance: each member regards the system of norms as binding and sees others as fellow members in light of their shared regard for the system.[21] Great loss of allegiance among members is an indication that a society is not functioning as well. The idea of function at the heart of the idea of society suggests that societies are teleological entities, perhaps akin to "objects that exist by nature" in Aristotle's *Physics*.[22] In other words, each society has a proper end or *telos*: the end of a society is the realization of its aims as set out in its system of norms and institutions.[23] In this way, every society is, at its most basic level, a social achievement. Even so, it is important to see that the teleological character of society does not comport entirely with the Aristotelian idea of a natural object. For Aristotle, natural objects are not artifacts: their ends are fixed by their nature and not by human contrivance.[24] The concept of society that we are developing does not have this restriction. On the one hand, if there are groups of people that are natural in Aristotle's sense—as Aristotle regarded the polis[25]—they count as societies. But on the other hand, if there are groups that are the products of human contrivance and initiative—as David Hume regarded the nation-state[26]—they count as societies as well.

It is especially important to see that neutrality with respect to this issue means that our judgments about the quality of a society's internal function will be only partially connected to our judgments about the value of that society as a whole. In other words, where Aristotle's all-things-considered normative judgments about the function of a natural object such as a polis would be congruent with his normative judgments about that polis *qua* polis, our normative judgments about a society will not necessarily be similarly congruent. Our all-things-considered judgments about societies such as Greenpeace, North Korea, Al Qaeda, and the Ku Klux Klan, for example, must distinguished from our judgments about them *qua* functioning society. It may be that the KKK is an especially good example of society *qua* functioning society: the members are characterized by allegiance and realize the aims found in the Klan's system of norms and institutions. But this does not mean that we judge the KKK, all things considered, to be a good society. We rightly believe that the no society should pursue the aims that the KKK pursues.

This account of society comports with common linguistic intuitions. Consider, for example, the colloquial expression, "the breakdown of society." This expression suggests that some group no longer shares allegiance to the norms and institutions that previously bound them together. Under these circumstances, others become moral strangers, at least with respect to the society that we previously shared with them.

2.2. National Society and Political Culture

Different systems of norms and institutions give rise to different kinds of society. Some are limited and trivial: a bridge club, for example. The club's rules and institutions cover a relatively narrow range of human affairs, extending only to the member as a player of bridge. These rules are also trivial: the aims of the club are friendly competition and amusement. Others systems of norms and institutions are more extensive and serious. For example, consider the system of norms and institutions that together comprise a society such as the Society of Jesus (the Jesuits). The rules and institutions in this case have bearing on the whole of a member's life and affairs. Of course, there are many systems in between.

We typically employ a term other than 'society' to denote the nature of the group of people, depending on the characteristics of the system of norms and institutions in question. For example, we might call the group a club, a team, a movement, a family, a community, a corporation, a commonwealth, a sect, a congregation, a union, and so on. The conceptual boundaries of these terms are vague, of course. Some have inherited meanings determined by their common usage in folk contexts, others have as specific, stipulated meanings. Despite this variety, it is clear that these terms represent different kinds of society, depending on features such as the extent and seriousness of the system of norms and institutions in question. 'Society' is a genus.

Our focus here is the species associated with the nation-state, which I shall call *national society.* A national society includes the people and the system of norms and institutions that binds them together in the context of a particular nation-state. Like all species of society, the boundaries of national society are vague. Immigrant populations, multinational corporations, and international religious groups, among others, complicate the picture. But this idea, grounded in the Westphalian tradition, is a well-recognized starting point for contemporary discussion.

While the system of norms and institutions that binds the people of a nation-state together is complicated and varies from one state to another, there are several characteristics that seem to be common features. First, when we consider a national society, the system of norms and institutions in mind includes all of those that are found within that nation-state. Depending on the nature of the nation-state, there will be great variation in the extent and coherence of the various norms and institutions found in the national society. For example, an Aristotelian polis with its tightly connected, teleologically structured institutions will be very different from the panoply of loosely related systems of norms and institutions that comprise national society in a modern liberal democracy. Second, we can distinguish between the norms themselves and the institutions in which they are embodied. For example, in the U.S., we can abstract the normative principle of judicial review from its context in the institution of courts. On the other hand, we cannot abstract a particular institution from the norms which it embodies without losing the sense of the institution. Returning to the U.S. courts, we cannot abstract the institution of the law court from the norms it is designed to embody—the only things left would be ornate buildings and people in black robes; law disappears entirely. Finally, we can distinguish between the norms and institutions that comprise the political framework of a national society and the norms and institutions that comprise the culture of that society. The political framework includes the explicitly articulated rules, practices, and institutions which define the political relationship among members of the national society. This framework includes a national society's conception of justice, its constitution, its system of written laws, and its authoritative sources of interpretation. The political framework supplies the explicit boundaries of the national society: it establishes the conditions for membership. It also includes those institutions that promulgate and enforce the conception of justice and the laws related to it. In the case of the U.S., for example, the Constitution articulates political norms for American society, while the U.S. Supreme Court, for example, is an institutional part of the political framework. A national society's culture, on the other hand, includes all of the norms, practices, assumptions, and institutions that operate in the context supplied by political framework.[27]

In any given national society's culture, we can distinguish a wide variety of subcultures, including a political culture, an economic culture, a religious culture, a sports culture, and so on. It is important to see that the

idea of a subculture does not necessarily divide the population into distinct subsets of individuals, though it may also do that. Instead, the idea of a subculture is more abstract: it isolates the various systems of norms and institutions found in a particular national culture. For example, talk about the African American culture is talk about an isolated set of norms and institutions—norms and institutions that need not and do not apply to all or only African Americans.

The idea of a political culture is the most important of these subcultures for our immediate purposes and it must be carefully distinguished from the political framework. Where the political framework contains the system of norms and institutions that structure the national society as a whole, the political culture contains the system of norms and institutions that are responsible for constructing and maintaining the political framework. It is in the context of the political culture that a people creates a political framework in the first place; it is in the context of the political culture that the specific public, political agenda of the nation-state is formed and debated; it is in the context of the political culture that deliberation and decision-making not performed in the political framework (e.g., in a session of Parliament) is carried out. The political culture of a national society might include norms of deliberation, citizen participation, and tolerance. It might include institutions such as political parties, issue-based advocacy organizations, and primary elections.[28]

2.3. Coherence, Support, and Congruence

In addition to subdividing a national society into its component parts, we also learn about the nature of a national society by examining the relationship among those parts. Of course, there are many ways that the various parts of a national society might be interrelated. In order to make sense of the problem of liberal democratic political culture, it will be important to focus on relations relevant to the political framework and the culture. Let us look more closely at three of these relations: *coherence*, *support*, and *congruence*.

Think of coherence as an internal feature of a society:

Coherence: The norms, institutions, and the relations between norms and institutions are logically and practically consistent.

Notice that there are three aspects that can be judged in terms of their coherence: the norms on their own terms, the institutions that embody the norms, and the relations between the norms and institutions. Since societies can have varying kinds of structure and complexity, the coherence of any particular system will be a matter of degree, and that degree will depend on the internal structure and features of the system in question. A society might have a coherent set of foundational principles but contain among its institutions one whose operations hinder the realization of the

foundational principles. Such a system displays a degree of incoherence, but not as great a degree as a system whose foundational principles are themselves contradictory. Every national society includes many different societies of other kinds: families, religious associations, and labor associations, for example. In the account we are developing, each of these societies, including the national society, can be assessed in terms of coherence with respect to its system of norms and institutions.

The idea of national society as a people unified by a system of norms and institutions suggests that there are a variety of supporting relationships found among the parts of that society.

> Support: An aspect *A* of a national society supports aspect *B* just in case *A* contributes to the realization of *B*.

For example, in the political framework, the norms expressed in a constitution require the support of the political institutions in which they are embedded. So representative government, an ideal outlined in the U.S. Constitution, requires elections. Fair elections consistent with the ideals of democracy require the support of institutions in the political culture that provide information to voters, such as the League of Women Voters. And the ability of organizations such as the League of Women Voters to provide this information requires the support of other parts of culture (financial contributors, for example). This example highlights the important fact that, unlike coherence, supporting relationships can hold between different systems of norms and institutions in a national society. It is also important to note that supporting relationships in a national society need not function only in the simple bottom-up arrangement described above. Support can involve the complex interplay of bottom-up, top-down, and side-to-side relationships. The function of economic institutions, for example, requires the support of regulatory political norms from above, individual and corporate investment from below, and corporate compliance with market norms such as price from side-to-side. Supporting relationships can also be reciprocal, such that aspects *A* and *B* of a society may be mutually reinforcing.

Congruence is a relation that holds between the different systems of norms that might be found in a national society.

> Congruence: A system of norms *A* is congruent with a system of norms *B* insofar as the norms and institutions of the two systems are similar.

Like coherence and support, congruence is degreed. Consider three examples:

1) A public university and a political framework are congruent with respect to legislative decisions: both delegate this responsibility to bodies of representatives.

2) The system of norms in a mayor's office fails to be congruent with the political framework that values non-discrimination in contracts and employment: the mayor awards contracts to political donors and employs only party members.
3) A church's system of norms fails to be congruent with other religious systems regarding the place of women: the church does not permit women to be clergy while other religious systems do.

These examples highlight an important feature of the congruence relation: it is very difficult to render all-things-considered judgments about the congruence of two societies. The societies being compared will often be marked by areas of both congruence and incongruence. If a civil society theorist argues that some degree of congruence is required for achieving modern liberal democracy (as some do, we will see), she will need to be very specific in explaining just which aspects need to be congruent.

2.4. Philosophical Analysis of National Society

A society's system of norms and institutions is at once a specification of that society's ultimate aspirations and an ongoing reality. In other words, however a society's norms may be embedded in particular institutions, one can identify an ideal vision, call it a *social ideal*, for that society by reflecting on the norms in abstraction.[29] It will be useful to distinguish the social ideal of a national society from the social ideal of other kinds of society; let us call the ideal of a national society a *socio-political ideal*.

   In the context of a national society, this ideal image can be hard to find. On the one hand, many national societies have an explicit statement of what they would like to become; the preamble to the U.S. Constitution is an example. But on the other hand, these statements are typically limited to a vision for the political framework, perhaps including also the political culture. Since the political framework and political culture are not the only aspects of the system of norms found in a national society, their ideals together cannot be a complete statement of that national society's sociopolitical ideal. A complete statement of a national society's ideal would encompass all of the systems of norms and institutions within it. In a modern liberal democracy with its multitude of subcultures and subgroups, a description of the socio-political ideal would therefore include the way non-political groups and cultures relate to each other and to the whole.

   Philosophical evaluation of national society often involves reflection on the socio-political ideal, but philosophical projects with respect to the socio-political ideal can vary widely depending on the philosopher's assumptions and the scope of her inquiry. Consider the following types of evaluation:

1) A philosopher might criticize way in which the norms of a socio-political ideal are embedded in the institutions of a national society.

In this case, she takes the system of norms for granted, but argues that the society has gone wrong in the way it has tried to actualize them. She might suggest an alternative institutional structure through which that ideal could be better realized. For example, if the constitution calls for egalitarianism, then a philosopher might criticize those aspects of the political institutions that are inconsistent with egalitarianism.

(2) A philosopher might criticize the particular socio-political ideal of a national society. In this case, she might show the defects in the current ideal, even if it were realized, and attempt to defend an alternative. For example, a philosopher might attack the socio-political ideal of a totalitarian regime.

(3) A philosopher might argue that the socio-political ideal of a given society is incongruent. In this case, she might point out that the systems of norms found in that society, when taken together, produce a contradictory account of the ideal for that society. Using the terms that we outlined in 2.3, she would describe the systems of norms in the national society as incongruent.[30]

(4) A philosopher might try to identify, in abstraction, the necessary features of any socio-political ideal. Projects of this sort come in a variety of different sizes. Such an account might be limited: for example, she might simply present a small number of features that must be part of any national society's socio-political ideal. Or such an account might be quite expansive: she might argue that there is one right vision for every national society, and any society that does not adopt that vision has done something wrong in fundamental way.[31]

All of these projects are guided by psychological, social, and political realism. Political philosophers ultimately aim to defend a socio-political ideal that can be achieved under realistic conditions. This is the case even for the abstract reflections in the fourth type. Complementing the desire for realism is the fact that one of the most common objections raised against a proposed socio-political ideal is that it is unrealizable. Developing the objection that a proposed socio-political ideal is unrealizable often involves a close look at the relations among the various aspects of a national society. For example, one might question the coherence of the socio-political ideal. Or one might argue that the elements of society specified in the socio-political ideal do not have enough support. Or one might argue that a socio-political ideal is unworkable because it permits too much incongruence among the various systems of norms and institutions that might be found within it.

In the history of political philosophy, a number of thinkers have proposed socio-political ideals in which coherence, congruence, and support are all positively interconnected. The systems of norms and institutions found in Plato's republic, Aristotle's polis, and Rousseau's republic aim to be coherent, congruent, and supportive, within the limits of their

controlling assumptions.[32] In the contemporary context of modern liberal democracy, however, philosophers are much more reluctant to defend such an ideal. One important reason for this—following on the heels of the preceding discussion—is that such an ideal seems unrealistic. For example, in his later work,[33] Rawls argues that any socio-political ideal for modern liberal democracy must take into account the fact of reasonable pluralism, according to which: "Under the conditions secured by the basic rights and liberties of free institutions, a diversity of conflicting and irreconcilable yet reasonable comprehensive doctrines will come about and persist, should it not already exist."[34] For Rawls, the fact of reasonable pluralism means that congruence among the various comprehensive doctrines found in a modern liberal democratic society is impossible to attain, given his controlling assumption of a political framework that protects citizens' freedoms of conscience, religion, association, etc.

Issues of practicability may not be the only reasons to reject a view that gives positive valence to coherence, congruence, and support in a national society. Perhaps the right account of a liberal democratic socio-political ideal is more complex. For example, it may be that the elements of society that support the political culture *must* be incongruent with that culture in order to play their supporting role. In other words, it might be that incongruence between some particular systems of norms in a national society has positive implications for the stability of the political culture and the political framework. This is in fact a view that I will defend in Chapter 6. But for now, it is enough to note that we should withhold judgment on the valance of these relations until we have considered other factors that may determine their values in specific contexts.

2.5. Consensus Views in Contemporary Political Philosophy

While the history of political philosophy reveals almost no agreement about the nature of the socio-political ideal, things are different today. Contemporary political philosophers appear to have found agreement as to the broad features of such an ideal. One significant reason for this is the emergence of the modern nation-state. Sharply defined borders and monopolistic central governments appear to provide a starting place for nearly every attempt to articulate a socio-political ideal.[35] I call the modern nation-state a "starting place" because some political philosophers argue that the proper scope of the socio-political ideal is larger than the modern nation-state. In particular, these philosophers defend an international or global socio-political ideal.[36] But these philosophers recognize that they cannot defend a realistic global socio-political ideal unless they situate that ideal in the context of the modern nation state. Modern nation states are inescapable political realities, at least in the short term. The broad features of the socio-political ideal for the modern nation-state that command nearly universal agreement include: (1) a democratic political framework,

(2) liberal political principles, and (3) a mechanism for generating a democratic political culture. Let us briefly consider each.

There is broad agreement today that the socio-political ideal for a national political framework is democracy. A nation-state with a democratic political framework regards the people as sovereign: ultimate political authority lies in the citizens. With the collapse of those Marxist approaches that reject it, democracy appears to be the only game left in town.[37] Political scientist Robert Dahl explains the significant change in world governments over the past half-century:

> During the last half of the twentieth century, the world witnessed an extraordinary and unprecedented political change. All of the main alternatives to democracy either disappeared, turned into eccentric survivals, or retreated from the field to hunker down in their last strongholds.[38]

Geoffrey Brennan gives a particularly pointed description of the current academic climate:

> . . . we are, after all, all democrats now. To brand a person or an attitude or a policy as "undemocratic" is commonly seen as being a self-evidently decisive critique: it is to remove that person or attitude or policy from the domain of discourse among reasonable people.[39]

Of course, this consensus is thin with respect to specifics; there are many views about the best form of democracy. Nevertheless this consensus is significant: it suggests progress in the attempt to identify the best socio-political ideal.

There is also broad agreement today that the socio-political ideal for a nation-state is a form of liberalism. Liberalism is a family of views and there is disagreement as to which form of liberalism is best. But we can name a number of necessary characteristics. First, citizens are regarded as free. Their choices should not be constrained by others unless, at a minimum, such a constraint is designed to protect their freedom in some way. Second, citizens are regarded as politically equal. As Dahl generalizes political equality, "all members are to be treated (under the constitution) as if they were equally qualified to participate in the process of making decisions about the policies the association will pursue."[40] In order to more clearly specify the senses in which citizens are equally free, political philosophers often argue that the ideal political framework would include a list of rights protected under the regime. Typical lists include the rights to participate, vote, speak freely, associate, and practice one's religion, among others. In a liberal political regime, these are equal freedoms of citizens—that is, each citizen has an equal claim to the exercise of these freedoms.

Further, contemporary political philosophers seem to agree that a liberal democratic political framework cannot be realized without a *liberal*

democratic political culture.[41] A liberal democratic political culture is the system of norms and institutions that acts as a complement to the liberal democratic political framework. It includes the principles, practices, and virtues that enable democratic institutions to flourish. Dahl describes some of the main beliefs that should be part of a liberal democratic political culture:

> . . . democracy and political equality are desirable goals; control over military and police should be fully in the hands of elected leaders; the basic democratic institutions . . . should be maintained; and political differences among citizens should be tolerated and protected.[42]

To say that citizens should have beliefs of this kind and that their political behavior should comport with these beliefs is to say that a democratic political framework requires a set of norms and institutions which actualize the political vision described in the framework. Suppose, for example, that the liberal political ideal includes representative government. The achievement of this ideal requires something from citizens: most of them should vote; they should vote based on careful deliberation in the light of good information; they should vote freely and not from duress or coercion, and so on. While political philosophers agree on the importance of a liberal democratic political culture for modern democracy, they disagree about its exact contents. Philosophers provide different, sometimes contradictory accounts of the virtues, dispositions, and norms that should constitute a liberal democratic political culture.

3. THE PROBLEM OF LIBERAL DEMOCRATIC POLITICAL CULTURE

The importance of a political culture to a political framework is not a new discovery; political philosophers such as Aristotle, Augustine, and Machiavelli all recognized it.[43] Political scientists have undertaken extensive empirical study of it.[44] Let us approach the issue in the form of a problem in the attempt to achieve a modern liberal democratic ideal. Consider the *problem of liberal democratic political culture*: "How is it possible that a national society might cultivate and sustain a democratic political culture, given the ideals of a liberal democratic political framework and the social and psychological realities of the human condition in the modern nation-state?"

The problem of liberal democratic political culture is generated by an asymmetry in the mutual supporting relation that holds between a liberal democratic political framework and a liberal democratic political culture. A liberal democratic political framework requires citizens with the set of principles, virtues, and practices needed to realize the ideals set forth in that framework. Liberal democracy, at a minimum, requires active citizen participation in the political system through voting, deliberation, running for office, and the like.

Now on the one hand, a liberal democratic political framework can establish conditions within which members of society might cultivate a liberal democratic political culture. For example, the framework might include provisions designed to establish socio-economic conditions within which such learning is possible. Or the framework might require the public promulgation of its norms so that members are aware of the liberal democratic nature of the framework. But on the other hand, a liberal democratic political framework's commitment to protecting members' freedom means that the framework cannot itself force citizens to cultivate the required set of principles, virtues, and practices. To do otherwise would be to violate the freedoms that a liberal democratic framework regards as sacrosanct. In short, the framework requires the full support of the culture, but it cannot by itself provide full support for that culture. The problem of liberal democratic political culture, then, is the problem of finding something else in a national society to correct for this lack of support.

To be clear, the problem of liberal democratic political culture is not the problem of merely identifying a political culture that will support a democratic political framework. Not just any culture will do. We can imagine, for example, a functioning national society that has an explicitly democratic political framework but whose political culture is profoundly illiberal and undemocratic. We can also imagine a democratic political culture that establishes and supports a profoundly undemocratic political framework. In other words, the problem of democratic political culture is not the problem of identifying conditions under which incongruent national societies can function, or even function reasonably well. Instead, the problem of liberal democratic political culture is that of explaining how the specific needs of a modern liberal democratic regime can be met. The broader ideal of liberal democracy includes a significant degree of congruence between the political framework and the political culture. An example will help illustrate the point.

Suppose that a democratic political framework includes a principle of political equality. In order to realize this principle, the political equality must characterize the political culture as well—remember that a political framework is realized in the context of a political culture. In particular, the principles, virtues, and practices of the individual citizens that comprise the political culture must be consistent with political equality. On the one hand, if significant aspects of the political culture do not adhere to political equality, then the culture is inconsistent with the framework. But on the other hand, if the political framework and the political culture univocally support the principle of political equality, then they will be mutually reinforcing. Institutions in the political framework will treat citizens as political equals and citizens will strengthen those institutions which they regard as consistently upholding their own value of political equality. To be sure, we must recognize that achieving coherence of this sort is a matter of degree: the best we can hope for may not be perfect support and coherence

between the political framework and the political culture. But the best account is one that maximizes these relations under realistic conditions.

It is important to distinguish the claim that, with respect to the liberal democratic political culture and the liberal democratic political framework, the relations of coherence, support, and congruence all have positive valence from the claim that the relations of coherence, support, and congruence all have positive valence throughout a national society. The first claim is uncontroversial, while the second is not. We can agree that in the socio-political ideal, good citizens (*qua* citizen) are those who reflect the values of the political framework. But citizenship in a liberal democracy is but one of the many roles that people fill in a liberal democratic national society. In other roles, for example as a mother, son, employee, or parishioner, members of a national society bring different principles, virtues, and practices to bear. Political philosophers give different accounts of the valences of coherence, support, and congruence between these aspects of society and the political aspects of society.

The problem of liberal democratic political culture, as I have defined it, is connected to this issue. Some philosophers, as we shall see, argue that a liberal democratic political culture can be sustained only when the rest of the society shares the principles, virtues, and practices of that culture. Others contend the opposite: they argue that a liberal democratic political culture is supported by certain parts of society only when those parts are *incongruent* with the liberal democratic political culture. The point on which we can agree, it seems to me, is this: in the ideal case, the political framework and the political culture should be coherent and mutually supporting.

3.1. Contexts for the Problem

Before we consider the various ways that contemporary philosophers tackle this problem, we need to sort out three very different contexts in which the problem is found. What differentiates these contexts is the nature of the socio-political ideal. Different groups of limiting assumptions and starting points generate different socio-political ideals, which in turn generate different concerns when the problem of liberal democratic political culture is under consideration. While the general character of the solutions offered to the problem have a family resemblance across these contexts, the specific nature of each solution is quite different. The three contexts are (1) the abstract ideal, (2) the context of decline, and (3) the context of democratization. Let us consider each in turn.

Some political philosophers develop the problem of liberal democratic political culture in the context of the search for an abstract socio-political ideal. Their goal is to find a socio-political ideal that is not limited to a particular people in a particular circumstance; they seek an ideal with a broader application: a realistic utopia that reflects the limits of human socio-political possibility. Perhaps the most celebrated recent attempt of

this kind is John Rawls's *A Theory of Justice.* While Rawls's project does not aim to specify a complete socio-political ideal, he does take up what I call the problem of liberal democratic political culture.[45] For a liberal democratic political framework characterized by justice as fairness to achieve its ends in the long term, Rawls explains that it must be stable. In a stable democratic regime, "institutions are just," and "those taking part in these arrangements have a corresponding sense of justice and desire to do their part in maintaining them."[46] His account of stability reflects the challenge presented by the asymmetrical relationship of support between the political framework and the political culture. Rather than appealing to the political framework or the political culture for support, Rawls looks to a different aspect of national culture. Using the resources of developmental psychology, he explains how a citizens' sense of justice can be cultivated through the apolitical ties of family and association.[47]

Other political philosophers eschew the idealizing conditions of Rawls's project, preferring instead to confront the obstacles to achieving a socio-political ideal within a particular historical and cultural context. One group under this rubric is disturbed by the apparent decline of democratic political culture in Western societies, especially the U.S. Prominent thinkers of this kind include Robert Bellah, Robert Putnam and Thomas Patterson.[48] Social scientific research supporting their worries include studies that show declines in various aspects of civic life, including voter participation, party-affiliation, political activism, and public deliberation. The net result is that the norms and institutions established by the liberal political frameworks of Western democracies are supported less and less by the political cultures of those democracies. Recognizing the asymmetrical nature of the mutual supporting relation that holds between a political framework and a political culture, these thinkers look to other parts of these Western societies for the resources to reinvigorate their liberal democratic political cultures.

The third group of approaches to the problem of liberal democratic political culture begins quite differently. In nations where a liberal democratic political framework has been established but no liberal democratic political culture exists, the problem is that of democratization. It is here that the asymmetry between a liberal democratic political framework and a liberal democratic political culture is most readily apparent. Having observed the establishment of a liberal democratic political framework in name only, these thinkers struggle to identify other resources within the historical and cultural context of their nation-state that might be used to construct the culture required to sustain the framework.

This third group of approaches can be further subdivided into three different sets of historical/cultural conditions.[49] One is in the developing world. In this context, the problem is sometimes that of transforming a colonial political culture into an independent liberal democratic political culture.[50] Other times the problem is that of creating a political culture where none had existed before.[51] In both contexts, developing a liberal democratic political

culture must often go hand-in-hand with a program of socio-economic modernization. A second set of historical and cultural conditions is the post-communist states of Eastern Europe and Asia. These regimes were quick to adopt liberal democratic political frameworks, but soon discovered that their inherited political cultures—the political cultures that supported (or were at least associated with) their communist regimes—were not so easily transformed into liberal democratic political cultures. The challenge here is to find resources to transform the old political culture into a liberal democratic political culture. A third set of historical and cultural conditions is post-authoritarian contexts. Recent examples of post-authoritarian democracy include South Africa, Afghanistan, and Iraq.[52] The challenge here is to transform an authoritarian political culture into a liberal democratic one. The difference between this third set and the second set can be found in the nature of the original political culture that must be transformed in order to bring about a liberal democratic political culture. In most communist settings, it was at least possible to identify the principles, practices, and virtues one had to acquire in order to advance politically and socially under the regime. For example, exemplary service in the army, party membership, or participation in ideological organizations could help even the ordinary soviet citizen succeed. However, under authoritarian regimes, political participation and advancement is often restricted to a small group of citizens based on arbitrary criteria such as family or tribe.

3.2. The Philosopher's Stone

What thinkers in all of these contexts are searching for is some way to explain how a national society with a democratic political framework might cultivate and sustain a correlative liberal democratic political culture. Some approach the problem abstractly, turning to the practical matter of implementation only after they have developed a theory. Others are concerned about the lived-in circumstances of nations with obvious deficiencies in their democratic political cultures. Surprisingly, thinkers from a wide range of perspectives believe that the answer lies in the same place: *civil society.* A flourishing civil society, they say, cultivates and sustains support for a liberal democratic political culture. Neither the political framework nor the political culture can make members of society into the good citizens by themselves; civil society is the proper school for democratic citizenship.

As these three contexts suggest, the civil society solution to the problem of liberal democratic political culture is of significant theoretical and practical importance. Empirical research suggests that both our established democracies and our newly minted ones are struggling with this problem today. It is therefore important to make a clear and careful assessment of the civil society solution. But before we assess this solution, we must first make better sense of the vague concept that lies at the heart of it—the concept of civil society. To this we now turn.

2   Concepts and Conceptions of Civil Society[1]

The term 'civil society' is vague. It is employed so often, in so many different ways and in so many different theoretical, practical, and historical contexts that contemporary attempts to deploy it in democratic theory are typically more obfuscating than illuminating. Our bewilderment only increases when we discover that most civil society theorists offer intuitive, ostensive, or paradigmatic accounts of it rather than something more rigorous. In the end, we find ourselves with a broad array of alternatives, each of which is ambiguously related to the others and none of which appears to represent the most basic account.

Recognizing this vagueness, some civil society theorists have tried to find a way out. They argue that behind the vagueness and confusion, there is a core idea of civil society that is composed of a variety of different yet ultimately related conceptions. Once we isolate this core idea, they tell us, we can catalog the various conceptions of civil society and their relation to the core idea. In other words, these latter theorists would have us believe that the idea of civil society is similar to the idea of justice, as John Rawls first described it. Rawls distinguished between the concept of justice and various conceptions of justice:

> Men disagree about which principles should define the basic terms of their association. Yet we may still say, despite this disagreement, that they each have a conception of justice. That is, they understand the need for, and they are prepared to affirm, a characteristic set of principles for assigning basic rights and duties and for determining what they take to be the proper distribution of the benefits and burdens of social cooperation. Thus it seems natural to think of the concept of justice as distinct from the various conceptions of justice and as being specified by the role which these different sets of principles, these different conceptions, have in common.[2]

Notice Rawls's distinction between a concept and a conception. Here, a concept is a functional constituent of a socio-political scheme, while conceptions are the specific objects, institutions, principles, etc., intended to

fulfill that function. A complete schematic account of a socio-political ideal includes a host of interrelated concepts. When the ideal is fully specified, there will be a specific conception for every concept. To clarify this distinction, consider the metaphor of a single-family home. A complete schematic account of a single-family home includes distinct spaces (concepts) for eating, sleeping, bathing, storage, and so on. Once an architect designs a home, we can identify the specific conceptions that she has employed to fill out the concepts of eating space, sleeping space, etc., that together fulfill a vision of a specific home.

In our context, Rawls identifies the concept of justice as a functional constituent of a socio-political ideal that will be specified whenever people set out to establish terms for social cooperation. The very nature of social cooperation includes the expected creation of new benefits and burdens. These new benefits and burdens must be accounted for in our socio-political ideal: we need to establish principles for distributing them among the participants. The concept of justice identifies this functional constituent in our socio-political ideal, while particular conceptions of justice are the specific proposals intended to accomplish this function.

Many civil society theorists believe that 'civil society' has a similar conceptual structure to 'justice'. In their view, the various conceptions of civil society that we find in the contemporary discussion are intended to accomplish the same function in a socio-political ideal and can therefore all be related together under a single concept. It is my view, on the contrary, that these civil society theorists are mistaken: 'civil society' does not name a single concept. What we find instead is a collection of conceptions that fall under different concepts. In other words, there is no single functional constituent 'civil society' of a socio-political ideal that unites the various conceptions of civil society into a single family. Of course, this thesis does not imply that every conception of civil society falls under a different concept: clearly, some civil society theorists are working with conceptions of civil society that aim to accomplish similar functions in the socio-political ideal. My thesis here is simply that not all conceptions of civil society fall under the same concept. Despite the family resemblance that we may observe between some particular groups of conceptions, there are not any relations that are shared jointly by the entire collection of conceptions that go by the name 'civil society'. The only thing that the entire collection has in common, I will argue, is the expression itself.

My argument will be structured as follows. In Section 1, I will outline three attempts to specify a concept of civil society that I take to be among the most important and influential in the literature. I've dubbed them (1) the *Sphere concept*, defended by Nancy Rosenblum and Robert Post, (2) the *Lockean concept*, defended by John Dunn, and (3) the *Scottish concept*, defended by Adam Seligman. While none of these accounts explicitly appeals to Rawls's notions of a concept and a conception, I will show how each of them is an attempt to identify a particular function of civil society

in a socio-political ideal and account for the uses of 'civil society' in the literature as conceptions designed to fulfill this function. In Section 2, I will argue that there is not a single concept of civil society. The three concepts suggested earlier cannot be reconciled together, nor can any two of them be dismissed in favor of the third. In Section 3, I will present a hypothesis designed to explain why there is no single concept of civil society. In my view, 'civil society' is best viewed as a theory-laden expression that can be understood only in a broader historical, theoretical, and/or practical context. Finally, in Section 4 I will consider the implications of my hypothesis. I reject the implication that 'civil society' is of no critical value. I argue instead that the critical value of the idea depends on the way theorists contextualize it. Civil society theorists must provide the specific context and content of the expression as they are employing it; they cannot rely on merely ostensive, intuitive, or commonsense understandings.

1. THREE RIVAL CONCEPTS OF CIVIL SOCIETY

1.1. The Sphere Concept

In a recent coedited collection, Nancy Rosenblum and Robert Post attempt to specify a concept of civil society that captures the various conceptions of civil society defended by their contributors. Rosenblum and Post are cognizant of the difficulty of this task. Nevertheless they seem to think it is possible to identify a core concept of civil society by contrasting it with government. They write:

> . . . civil society is the realm of social life which, when viewed from the perspective of government, is characterized by plural and particularist identities. Government, by contrast, is an inclusive sphere, which, when viewed from the perspective of civil society, is characterized by overarching public norms made and enforced by official institutions. Civil society is a zone of freedom for individuals to associate with others and for groups to shape their norms, articulate their purposes, and determine for themselves the internal structure of group authority and identity.[3]

Two features of this definition should be carefully noted. First, civil society is described using a spatial metaphor: they call it a "realm"[4] or "sphere."[5] Rosenblum, Post, and their contributors picture modern democratic society as composed of spheres which can be conceptually distinguished from one another. Government and civil society name two distinct spheres. For example, government is a sphere characterized by an inclusive set of public norms, while civil society is a sphere characterized by an exclusive set of private norms. The sphere metaphor is useful, on this account, because the sphere civil society is best understood when it is set in contrast with the

other spheres that together make up a whole society. Rosenblum and Post leave open the question of how a societal whole might be divided. Some civil society theorists advocate a three-part model, in which the economy represents a distinct sphere, while others include economic activity within the sphere of civil society.[6]

A second important feature of their account is the close connection Rosenblum and Post make between civil society and the value of free association. In particular, they contend that civil society is most basically the sphere of social life which is generated under conditions of freedom of association. Given the fact that, under conditions of free association, citizens will form a variety of different associations with different values and aims, Rosenblum and Post argue that civil society is necessarily plural in character; it is "the realm of pluralism."[7] Because Rosenblum and Post locate freedom of association among the important values of modern democracy, this attendant pluralism is valuable as well. An ideal civil society, on their view, will not block freedom of association. As they put it: "From a number of perspectives, the 'ideal type' of civil society is identified with voluntary association, meaning that membership is consensual and exit possible without loss of status or public rights and benefits."[8] Because civil society is the result of free of association, the complete realization of the ideal of free association implies an ideal for civil society: no one is forced to join a particular association and everyone is free to leave the ones they are in. Rosenblum and Post describe civil societies which protect these conditions as "fluid," contrasting them with "segmented" civil societies in which citizens find it hard to join new associations and exit from present ones. To be sure, Rosenblum and Post concede that some features of segmented civil society are valuable, such as the fact that citizens can form more stable identities. And insofar as it is possible, they leave room for them in their ideal. But the pluralist vision, an implication of free association, is the controlling feature of their ideal.

This account of the sphere concept and its conceptions is still underspecified, given that our Rawlsian notion of a concept requires a clear account of the functional constituent and the institutions, practices, etc., that together fulfill that function. According to theorists who deploy the Sphere concept, civil society describes the arena in which citizens pursue individual and social goods. Through their pursuit, two important aspects of the socio-political ideal for modern democracy are achieved. First, it is in civil society that citizens' diverse and cooperative pursuit of their comprehensive philosophical, moral, and religious views are secured. In other words, civil society is the realm of normative pluralism: under conditions of free deliberation and association in civil society, we expect a diverse group of comprehensive views to come about and flourish. Second, it is in civil society that citizens learn the principles, practices, and rules associated with citizenship in modern democracy. In other words, civil society is the realm of citizenship education. Of course, civil society theorists who deploy the

Sphere concept are really working with two functional constituents here, but it is their view that civil society accomplishes both of these functions. More specifically, it is their view that a dense network of associational life, marked by a balance of segmented and fluid forms of association, is required in order to achieve the socio-political ideal of modern democracy. (Let the reader note that the concept that I elect to work with in developing an ideal model of civil society—see Chapter 6—is closely related to the Sphere concept discussed here.)

1.2. The Scottish Concept

Adam Seligman's analysis of the history of the idea of civil society presents us with a somewhat different candidate from that offered by contemporary proponents of the Sphere concept.[9] According to Seligman, what unites conceptions of civil society is the attempt to describe a space wherein private and individual interests are reconciled with public and social goods. This idea was most fully developed in the work of the philosophers of the Scottish Enlightenment, especially Adam Ferguson, Adam Smith, Francis Hutcheson, and David Hume.[10] Later attempts to use the idea are corrupted to the extent that they diverge from the Scots' view. In order to understand more fully how Seligman distinguishes between the Scottish concept and the Sphere concept, we must examine two features of his account: (i) his understanding of the contemporary uses of 'civil society', and (ii) his understanding of the Scots' conceptions of civil society.

(i) Seligman's goal in exploring the use of 'civil society' in contemporary discourse is to see if the idea is capable of bearing the theoretical and practical weight that is put on it. According to Seligman, we can identify three contemporary uses of the expression: (a) it is a concrete political slogan; (b) it is sociological concept that means the same thing as 'democracy'; (c) it is a normative political ideal: a locus of ethical and social solidarity.[11] As a slogan, 'civil society' is invoked in different, even contradictory ways in different practical, historical, and cultural contexts. Thus, the first usage is clearly inadequate to the theoretical and practical task at hand. The second usage is also inadequate: if 'civil society' means the same thing as 'democracy', then the expression does not pick out a unique theoretical and practical ideal. If democracy is what is signified by 'civil society', then our discussion should focus on democracy, not civil society. It is the third usage, Seligman argues, that refers to a concrete theoretical and practical entity. When the third usage is what is invoked, civil society theorists hope to specify a distinct ethical space in modern liberal democracies within which ethical and social solidarity is achieved.

(ii) As Seligman explains, the idea of civil society as a locus of ethical and social solidarity played a prominent role in the social and political philosophy of the Scottish Enlightenment in the eighteenth century. The Scots' conceptions of civil society are attempts to account for a

complicated inheritance with respect to ideals of society, politics, and the human good. On the one hand, they inherit from the ancients and medievals an idea of human society as a social whole with independent moral authority and a unified commitment to the common good. In this view, each person's moral, social, and political standing is determined in light of her proper place within the whole. But on the other hand, the Scots inherit from the Enlightenment an idea of the individual as an autonomous source of value with legitimate private and individual interests—interests which deserve the respect of others. In attempting to construct a coherent socio-political ideal, reconciling these two ideas presented a significant challenge. How can individual interests be pursued in the social arena? How can the common good have moral authority over an autonomous individual's private interests?

The idea at the center of the Scots' solution was civil society. Of course, the specific conceptions of civil society developed by each of the Scots are somewhat different. But in each of their accounts, civil society is a public, ethical space regulated by laws, within which citizens pursue their private interests in harmony with the common good. In order to explain how an individual with her private interests might perform an act aimed at the common good, the Scots posited the ideas of moral affections and natural sympathy—social sentiments. For Adam Ferguson, a civic republican, this meant that each individual has a sense of the duties of citizenship and acts on them out of a conscious commitment to the common good. For Adam Smith and David Hume, this meant that a citizen's strong sense of social attachment orients her private and individual interests toward the common good. In both cases, civil society is thought to be a social space governed by a univocal set of intrinsic norms—a space in which citizens share a view of the common good and regard it as a legitimate moral authority in their private, individual lives. The Scots ground civil society in our natural moral sentiments, together with an account of universal human reason that makes public morality possible. If their anthropology is correct, it is possible for citizens to construct a public space—a civil society—within which they can pursue their interests. Of course, this space is regulated by law, but it is also regulated through the social expression of moral sentiments: praise and reprobation. To belong to civil society in the Scot's view is not to belong to this or that particular group; it is instead to recognize obligations to the whole community that frame an individual's personal projects. Actions that respect this set of priorities are praised; actions that fail to respect this priority are condemned.

While the Scots' views do not occupy a prominent place in contemporary discussions of civil society, Seligman argues that the Scots' work on civil society represents an apex in the conceptual history of the idea. Earlier attempts to develop a conception of civil society did not possess a clear enough doctrine of individual autonomy to see the way that the social realm and the common good threatened to trample on the legitimate aims

and interests of private individuals. Later attempts to develop a conception of civil society had given up the classical and medieval view of the social realm as an independent source of legitimate moral authority. Only the Scots clearly saw both individuals and society as legitimate sources for moral authority.

The concept of civil society, then, according to Seligman, refers to those institutions and practices that perform the necessary function of reconciling the tension between two legitimate sources of moral authority. As he puts it, the attempt to articulate a model of civil society is the attempt to resolve the "problematic relation between the private and the public, the individual and the social, public ethics and individual interests, individual passions and public concerns."[12] Particular conceptions of civil society include accounts of the nature of these two distinct sources as well as an overall account of how they are harmonized in the socio-political ideal. There are, in this case, at least three closely interrelated functional constituents of the socio-political ideal in view. Of course, in this view, there could be widely disparate conceptions of civil society, insofar as there could be widely different accounts of how we can best reconcile the tension in question. Even so, it should be clear that there are paradigmatic cases of conceptions that fall outside the concept of civil society. Any conception that denies either the independent moral authority of individuals or the independent moral authority of the social whole is no longer confronting the same problem.

1.3. The Lockean Concept

A conception of civil society plays a central role in John Locke's Second Treatise on Government. In that work, Locke takes civil society to be a normative achievement: it represents a people's departure from the state of nature in order to establish legitimate coercive power. He writes, "Whenever, 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."[13] John Locke himself does not argue that he has found the concept of civil society; he does not even consider other philosophers' uses of the term. In other words, Locke presents us with a stipulative account.Recently, however, John Dunn has argued that John Locke's account of civil society is superior to other accounts.[14] Dunn's concern is not precisely the same as our own. That is, he is not principally concerned with identifying a single concept of civil society through which all the other conceptions of society can be explained. Instead, he argues that as an analytical tool, the account of civil society given by Locke makes better sense than the accounts offered by other civil society theorists. Locke's account was influential in his own time and continues to be influential among classical liberals and libertarians today. If there is a single concept of civil society that includes all conceptions,

Locke's account must be explained, either as the controlling account or subsumed under some other.

Dunn begins his analysis in a manner similar to Seligman: he argues that there are significant problems with the way 'civil society' is used in contemporary discussion:

> When employed to demarcate benign from pathological political or social conditions today, civil society is usually interpreted to signify a reality which is not merely (a) analytically distinguishable from the state (a necessary condition for its employment for this purpose to make any sense at all), but also (b) referentially discrete from the state. Not infrequently, it is also used to signify a reality which (c) either is, or could and should be, causally independent from the state.[15]

As Dunn goes on to explain, each of these accounts has significant defects. Option (c) is absurd: "causal independence, whether normative or factual, is an absurd assumption, which has probably never been actualized anywhere the category of the state has been actualized."[16] Option (b) also seems to be impossible. The ideas of the state and civil society are not precise enough to permit a clear distinction between them. Finally, he explains, option (a) is plausible only if the other two options succeed. Otherwise, the idea of civil society "can be employed in a controlled manner to analyze features of the history of the universe only *ex post facto* and not *ex-ante*. This feature makes it unsuitable in principle (that is, logically inapplicable) for purposes of causal explanation."[17] In other words, because we cannot distinguish civil society from the state before we consider actual societies, we cannot make civil society part of a general normative framework for evaluating the social world. Dunn concludes that the contemporary use of "civil society" is bankrupt: it does not reflect a concept with enough theoretical and practical distinctiveness to provide us with an evaluative tool for political philosophy.

Fortunately, these three contemporary uses of 'civil society' are not exhaustive. A different and better approach, Dunn suggests, is John Locke's. Locke's concept of civil society is defined with reference to the state of nature. Dunn explains:

> Civil society is the historical remedy for the inconveniences of the state of nature. What it provides is, in the first place, known standing laws (in place of the projective indeterminacy of a law of nature open to the promiscuous judgment and enforcement of all), in the second place, impartial judges (in place of the necessary partial judgment of every adult human being), and in the third place, at least in aspiration, effective powers of enforcement in place of the highly undependable coercive capabilities of offended individuals and their families and relations.[18]

Notice the relationship between the state of nature and civil society. Civil society represents an advance over the state of nature; it is the condition that people in the state of nature want to achieve. It is important to see that for Locke, according to Dunn, the practical aim of our analysis is not to draw a sharp boundary between civil society and the state of nature. As Dunn explains, " . . . although a true civil society can be an effective remedy for the inconveniences of the state of nature, no actual existing state is ever guaranteed to provide such a remedy in practice."[19] Actually existing states may reflect a "true" civil society to greater and lesser degrees. For Locke, "civil society" is a success term: it describes a state of affairs that people attempt to bring about.

According to Dunn, when contemporary civil society theorists conceive of civil society as the couplet civil society/state (or the triplet civil society/ government/market), rather than the couplet civil society/state of nature, they lose the normative import of the idea. In particular, they lose the contrast between a pathological social arrangement and a well-ordered social arrangement—a contrast that is central to the idea of civil society. Locke's view, on the other hand, maintains this distinction. As Dunn explains:

> Locke's conceptualization of civil society is a powerful critical instrument for appraising the pretensions of modern state authority. . . . But where it draws its power from is the analytically prior and altogether less anodyne category of the state of nature. If we want to think accurately and powerfully about political possibility, and about how to demarcate pathological from non-pathological social and political conditions, the category we shall need in the end is not Civil Society itself—however lexically specified. It is the conceptual foundation of the category as Locke uses it . . . the State of Nature.[20]

In other words, Locke's conception makes sense of the contrast between civil society and "uncivil" society, a contrast that seems central to the very idea of civil society but which is lost in the contemporary discussion. Without that contrast, Dunn argues, the idea of civil society is of little use in contemporary political philosophy.

Dunn's analysis suggests a way that Locke's view of civil society might be developed into a full-blown concept, in the Rawlsian sense. The idea of the state of nature, together with the possibility that humans might take leave of it, requires an account of the transformation that occurs when people do leave. In other words, there is a role to be filled in Locke's account of the socio-political possibilities of human life: in the Lockean account of civil society, the concept refers to that condition, whatever it is, that humans enter when they depart from the state of nature. Different conceptions of civil society give different accounts of the nature and extent of that new condition. These conceptions might be paired with different conceptions of the state of nature, depending on one's philosophical anthropology. If

Dunn is right and non-Lockean conceptions of civil society are defective, then perhaps Locke's concept is a good candidate for being the basic concept of civil society.

2. THERE IS NO SINGLE CONCEPT OF CIVIL SOCIETY

The existence of the three accounts of civil society described above raises a problem for the view that the various conceptions of civil society present in the literature are related to a single, basic concept. More specifically, if there were a single, basic concept of civil society, then one of the following claims will be true:

(a) each of the concepts of civil society described above envisions the same functional constituent in the socio-political ideal;
(b) some synthetic arrangement of the three concepts, e.g., one subsumes the other two, results in a workable, univocal concept; or
(c) some fourth alternative can subsume the three accounts we have considered.

Prima facie, it might appear that the existence of a single concept of civil society is consistent with the rejection of (a), (b), and (c). However, once we have considered the reasons for rejecting these options, the impossibility of a single concept of civil society will be evident. Let us consider each of these claims in turn.

2.1. Is the Functional Constituent the Same in Each Case?

Consider (a). When we examine the function of civil society in the socio-political ideal in each of the above accounts, we find significant variation. A brief account of the function in each case reveals the disparity:

First, in the Sphere concept, civil society has two functions: it provides a context in which citizens can cooperatively pursue their comprehensive vision of the good life and it teaches citizens how to be good liberal democrats. In other words, a liberal democratic socio-political ideal requires both that citizens find a non-political arena in which to pursue their comprehensive views and that citizens non-coercively learn the principles, practices, and virtues required for the success of democratic institutions. According to civil society theorists who deploy the Sphere concept, civil society accomplishes both of these functions.

Second, in the Scottish concept, the function of civil society is to reconcile the individual goods of citizens with their common good. In other words, the socio-political ideal requires that citizens reconcile the demands of two distinct sources of moral authority: the individual and the society. For the Scots, civil society represents the set of conditions in which this

reconciliation is achieved. According to Seligman, we no longer subscribe to a socio-political ideal that requires this kind of reconciliation, and thus no longer possess the conceptual framework that makes civil society relevant to contemporary political philosophy. Given that no contemporary conception falls under a concept of civil society in Seligman's account, and given that conceptions under the Sphere concept are primarily contemporary, it seems safe to conclude that the Sphere concept and the Scottish concept cover different functional territory.

Third, in the Lockean concept, civil society describes the condition of citizens who depart from the state of nature through a social contract. In other words, our contractual account of political authority requires a distinction between the human condition both before and after a people enters into a social contract. According to Locke, 'civil society' refers to the latter condition. Locke's concept differs from the other two in giving a central place to the civil society/state of nature dichotomy. Neither of the other concepts is designed to explain our transition out of the state of nature.

2.2. Can One Account Subsume the Others?

Now consider (b). To say that one concept subsumes the others is to say that one account can include the others as subset groups of conceptions. These groups fulfill the same functional role in the economy of the socio-political ideal. Let us therefore consider each of these possibilities in turn.

Begin with the Sphere concept. It seems immediately clear that the popular Sphere concept does not have the resources to subsume the others. Among other obvious reasons, it is central to the Sphere concept that 'civil society' picks out a subgroup of broader society where the other two concepts pick out the whole.

Now turn to the Scottish concept. In giving conceptual priority to the Scots' account, Seligman makes the problem of reconciling individual interests and common goods central to any conception of civil society. Subsumption, in Seligman's view, can succeed if we are properly attentive to the uniqueness of this problem for the Scots at that point in the history of political philosophy. This means that we must regard prior conceptualizations of civil society as crude prototypes and latter conceptualizations as corruptions. In this account, Locke's conception is a crude prototype, given his failure to fully recognize individual autonomy, and the Sphere conception is a corruption, given that it no longer regards the social whole as an independent and univocal source of moral authority.

The problem with this story, it seems to me, is that the special historical priority that Seligman assigns to the Scottish concept is arbitrary; he gives us no reason why we should grant it this special status. It seems open to a proponent of the Sphere concept, for example, to turn the tables on him and claim that the Sphere concept has special historical priority. In other words, why shouldn't we regard the Sphere concept as the apex of conceptual development and regard the Scots' concept as the crude ancestor? Or

from the Lockean point of view, what's to stop Dunn from claiming that the Lockean view has special historical priority, such that both the Scottish concept and the Sphere concept are corruptions? The point is this: the Scottish concept does not deliver an adequate account of the Sphere concept or the Lockean concept as clear subsets in the fashion which appears to be demanded. The best Seligman can do is deliver a history of the use of the expression. There is no justification for attaching special priority to any of the conceptions in question and thus no real way to make Seligman's account work as an overall concept.

Now consider Dunn. Dunn would have us believe that the Lockean concept of civil society has critical value for political philosophy where the other two approaches do not. In other words, the Lockean civil society/state of nature distinction represents the only useful way to construe 'civil society.' By failing to pick out this distinction, the other two accounts fail to be conceptions of civil society altogether. The main problem with Dunn's account is that the Lockean concept does not seem to be the only useful way to construe 'civil society' for the purposes of political philosophy. More specifically, if the feature of Dunn's account that gives it critical import is that civil society defines a well-ordered social condition in contrast to a pathological social condition, then it seems to be a mistake on his part to regard the state of nature as the only form of political pathology. In other words, there clearly are other pathologies which are important in political philosophy that cannot be subsumed under the state of nature. Civil society theorists who deploy the Sphere concept, for example, also conceive of civil society as part of a well-ordered social condition. For these theorists, pathological social conditions obtain when other spheres, for example, the sphere of government, interfere with the activity of civil society. And just as Dunn argues that Locke's concept of civil society is still useful for distinguishing between well-ordered and pathological social conditions even when there is no clear line between a people living in the state of nature and a state of civil society, so civil society theorists who rely on the Sphere concept find it useful for distinguishing between well-ordered and pathological social conditions even when there is no clear line between civil society and government. It seems to me that for Dunn's argument to work, he must do more than show that the Lockean concept distinguishes between well-ordered social conditions and pathological social conditions. He must also tell us why the particular pathological conditions intrinsic to the Lockean concept should have priority. He does not do this; nor is it clear that he can. What we have are two different functional elements in our socio-political theory. Identifying one over the other as the realm of civil society is arbitrary.

2.3. Is There a Fourth Alternative?

Our evaluation of the three concepts described above reveals that none of them can be regarded as basic. However, there is one further way in which

they might be reconciled: claim (c). One might attempt to construct a fourth concept of civil society that subsumes the other three within it. While the arguments against (a) and (b) might make this possibility unlikely, it might be that there is conceptual room for a more basic account.

Suppose we conceive of civil society quite generally as that realm, whatever it is, in which citizens reconcile their private and public interests, where these interests include a variety of individual and social goods. In other words, we recognize that any socio-political ideal for modern democratic life must confront the fact that citizens have two distinct sets of interests and these must be reconciled in a coherent fashion. Of course, these interests can overlap: some social goods are pursued privately and some individual goods are pursued publicly. But these problematic cases will be small in number and peripheral, in this account.

Prima facie, this general account appears to capture the three views we have considered as subset families of conceptions. It can capture the Sphere conceptions by including both citizens' interest in pursuing their comprehensively considered private ends as well as their public interest in cultivating the principles, practices, and virtues conducive to modern liberal democracy. Yet it does not specify too closely the scope of the realm, thus capturing both conceptions with a limited scope (such as we find in the Sphere account) and conceptions with a broader scope (such as we find in the Scottish account and the Lockean account). It can capture the Scots' conceptions of reconciling different sources of moral authority by including both private sources and public sources. Yet it does not specify too closely the exact nature of these sources or the manner in which they are to be reconciled, thus capturing both conceptions that recognize two sources of moral authority (such as we find in the Scottish account) and those conceptions that recognize only one (such as we find in the Lockean account). It can capture the Lockean conceptions by redescribing the state of nature as the realm of private interests and redescribing civil society as the realm in which those private interests are publicly pursued under the terms of a social contract. Yet it does not require a contract for reconciliation (it merely includes that possibility), thus capturing the wide variety of political pathologies identified in the three accounts.

Despite the apparent success of this more general concept of civil society, it is clearly too vague to be a critical resource for political philosophy in the way that the concept of justice is such a resource. The intuitive idea of a concept, according to Rawls, is a well-recognized theoretical problem area that implies a clear-cut set of specific solutions. In this case, however, the problem area is not well recognized: each of the three subsets of conceptions depends on entirely different meanings for the ideas of public and private as well as entirely different accounts of the nature of the conflict that requires resolution. In order to cover such a wide range of conceptions, the ideas of private and public, individual and social, have been stretched so thin as to empty them of content. Ultimately, this fourth account simply

explains one vague expression with another group of vague expressions. Progress has not been made.

To be sure, we have only considered one additional way in which the accounts of civil society might be reconciled under a single concept. However, the problem of vagueness which attaches to the fourth account strikes me as intractable. The three accounts that must be reconciled are so disparate as to make any general account hopelessly lacking in specific content. Moreover, the three accounts presented here were not intended to be exhaustive—there are other prominent accounts of civil society, such as those of Hegel and Marx, that would strengthen the argument here (though on the pain of tediousness). Rather than pursue a single univocal concept of civil society, it seems to me that we would do better to look for a different way to describe the expression and its uses.

3. AN ALTERNATIVE APPROACH

It is my view that our inability to discover a deep connection among the various conceptions of civil society has less to do with the shape of our analytical skills and more to do with the fact that there is no connection out there to find. The disagreement among those who deploy the expression is deeper than most contributors realize. Civil society theorists who appeal to the Sphere concept, the Scottish concept, and the Lockean concept disagree fundamentally about the nature of the modern democratic socio-political ideal itself. They give different accounts of individual and social human nature. They also give different accounts of what an ideal political arrangement would look like—this despite an apparent agreement about the liberal and democratic nature of such an arrangement. In short, they employ significantly different conceptual frameworks in their accounts of the socio-political ideal, and thus produce significantly different concepts of civil society.

Nevertheless, I think that we can provide a general explanation of the way 'civil society' is used, even if we cannot identify a single overarching concept. Let us begin with the idea of a mode of conceptualization. By a mode of conceptualization, I mean an interrelated set of presuppositions that serve as the context in which an idea is developed. Put another way, a mode of conceptualization describes the circumstances in which a theorist frames a concept or argument in order to establish its significance in a broader story. The modes of conceptualization that concern us are related to the modern nation state and its functional constituents.

It is my hypothesis that the various accounts of civil society that we find in the contemporary discussion are conceptualized through one or more of three different modes: theoretical, practical, and historical. More specifically, it is my view that every conceptualization of civil society takes place within one or more of these modes, and until now, these modes have only

been implicit. To be sure, across the variation both within and between the various modes of conceptualization, we find conceptions of civil society that bear no resemblance to each other save the expression itself. Each use of 'civil society' is maximally theory-laden. But we can provide a more systematic account of the various ways in which the idea of civil society is worked into a concept and its attendant conceptions. It will be helpful to sketch the central features of these three modes. Keep in mind that the three discussed below can be combined in various ways to form more complicated modes.

3.1. The Theoretical Mode

The theorist who develops a conception of civil society in a theoretical mode is focused on the development of a socio-political ideal in the abstract. Theorists of this kind begin with a set of ideal principles in an ideal institutional arrangement. Civil society is conceptualized in the abstract as one aspect of that ideal institutional arrangement. Of course, not every socio-political ideal contains a concept of civil society. But there are at least four prominent strands of socio-political thinking that do.

Liberal Egalitarianism. Liberal egalitarians begin with an abstract socio-political ideal that attempts to balance principles of liberty and equality. Egalitarians who include an account of civil society in their ideal (either implicitly or explicitly) include John Rawls, Nancy Rosenblum, Will Kymlicka, William Galston, and Michael Walzer.[21] Typical liberal egalitarian conceptualizations of civil society result in versions of the Sphere concept. Civil society is thought to pick out dense networks of social exchange outside the political sphere. Ideally, civil society is a realm in which citizens pursue their comprehensive ends and develop the principles, practices, and virtues conducive to democratic government. Sensing the tension present in these two aims, some liberal egalitarians argue that civil society requires the influence and regulation of a strong central government in order to keep the political culture it cultivates democratic in character.[22]

Classical Liberalism. Classical liberals begin with an abstract socio-political ideal that attempts to minimize state interference with citizens' natural liberties. Classical liberals who include an account of civil society in their ideal include both historical figures such as John Locke and Adam Smith, as well as contemporary thinkers such as John Dunn, Loren Lomasky, David Schmidtz, and Tom Palmer.[23] As one might guess, typical classical liberal conceptualizations of civil society result in versions of the Lockean concept, as described by Dunn above. In other words, classical liberals take civil society to be that association formed by social contract out of the state of nature; it represents a normative social unity distinct from each individual's private interest. In this view, it is a universal, singular, and public association. Some contemporary classical liberals owe a greater debt

to Smith than Locke: they regard minimally regulated economic markets as the heart of the civil society. It is their view that the invisible hand reconciles individual interest with the common good.

Civic Republicanism. Civic republicans begin with an abstract socio-political ideal according to which citizens' ultimate aim is to achieve the common good. Civic republicans who include an account of civil society in their ideal include both historical figures such as Machiavelli and Adam Ferguson and contemporary thinkers such as Michael Sandel, Quentin Skinner, and Philip Pettit.[24] Civic republicans' conceptualizations of civil society in their ideal typically result in versions of the Scottish concept, though this is not always the case. Pettit's contemporary interpretation of civic republicanism gives a much thinner account of the common good. While he believes that citizens' sense of republican civility is primarily cultivated at the level of the national political association (like other civic republicans), he gives civil society—here developed in line with the Sphere concept—a broader role in cultivating citizens' norms.[25]

Critical Theory. Critical theorists begin with an abstract socio-political ideal according to which citizens form and reform the institutions of modern democracy through institutions designed to achieve ideal communication. Critical theorists who include an account of civil society in their socio-political ideal include Jean Cohen, Andrew Arato, and Simone Chambers.[26] Critical theorists' conceptualizations of civil society in their ideal typically result in versions of the Sphere concept. In their view, the function of civil society is to provide the social basis for a democratic public sphere. More specifically, the associations that together constitute civil society are viewed as interconnected elements of a democratic public space within which deliberation and democratic decision-making (political will-formation, in Habermas's terms) take place. For critical theorists, civil society is therefore the place in which the virtues necessary for democracy and deliberation are formed and exercised. Critical theorists sometimes speak as if their perspective represents an intermediary between the civic republicans and classical liberals: they are neither overconfident about the ability of citizens to find a univocal statement of value through a single mode of association, nor are they overconfident about the ability of markets, through an invisible-hand mechanism, to produce the virtues needed to sustain a modern democracy.

3.2. The Historical Mode

A civil society theorist approaches the concept of civil society in a historical mode when she attempts to articulate its changing meaning in the history of ideas. Theorists who work with the idea of civil society in a historical mode are not interested in merely stipulating a definition; rather, they

want to account for the idea as the product of a certain intellectual history. As with the theoretical mode, there are a number of different ways that the idea of civil society can be conceptualized in the historical mode. One approach, as we have seen, is to try to anchor the idea to some particular landmark in intellectual history. Candidates might include the conceptualizations of civil society developed by Locke, Ferguson, Smith, Hegel, and Marx, among many others. To say that a civil society theorist "anchors" her idea of civil society to one of these historical conceptualizations is to say that she regards some particular historical conception as the best or most complete conception: previous conceptions of civil society are represented as incomplete developmental stages and later conceptions (if any are countenanced) are represented as dissolutions or corruptions of the idea. As we have seen, Adam Seligman's work on the Scottish concept is an example of this approach: he regards the seventeenth century Scottish Enlightenment understanding of civil society as the apex of the idea—everything before is prehistory and everything after is decline. Of course, a theorist partial to the historical mode need not anchor the account. John Ehrenberg's history of the idea has no such pretensions.[27]

3.3. The Practical Mode

Finally, we have the practical mode. Civil society theorists working in the practical mode are primarily informed by a particular socio-political context. Their work reflects the problems found in the democratic political culture of a particular nation-state. Now, while the practical conceptualization of civil society will differ somewhat from state to state, it seems to me that, broadly speaking, there are two main variations on the practical mode at present. The first is found in democratic states with a democratic political culture that seems to be in decline. Especially notable here is the social scientific work in the U.S. and Europe that indicates a declining trends in voter turnout, associational membership, and the like.[28] In these cases, civil society theorists are concerned with the tasks of understanding why this decline is happening and offering proposals for reversing the trend. The second variant in the practical mode is found in states that have little or no democratic political culture, where the practical interest is in constructing a democratic political culture from scratch. Among theorists who work in this mode there appear to be two subclasses. Some theorists are concerned with the project of democratization in former communist regimes such as the new states of Eastern Europe and Southern Asia. Other theorists are concerned with the project of democratization in the global South.[29]

3.4. Implications

Upon learning that the idea of civil society is theory-laden to such a great extent, some critics might declare the idea too ambiguous to be useful.

Given the range of possible meanings, we can never really be sure what a theorist intends when she uses it. Perhaps, critics might suggest, we could make better progress if we dropped talk of "civil society" and focused on ideas with more determinant content, such as democracy or liberalism.

While the critic is probably right to think that much of the contemporary discussion leads to confusion, I think that it would be a mistake to abandon the expression altogether. Within certain contexts, it is clear that civil society, in some understandings, plays a distinct role. For example, even though the Sphere concept cannot succeed as a general account of civil society, the voluntary organizations, associations, and communities thought to be captured by the sphere concept are capable of trenchant empirical investigation and analysis.[30] These structures should not be confused with democracy or liberalism; they represent some other aspect of the socio-political whole. 'Civil society' has proven to be an especially helpful way of categorizing these structures.[31]

Rather than abandon the idea of civil society, I suggest that we undertake the harder task of formulating our theories, analyses, and criticisms in ways that reflect the nature of the idea as I have described it above. As I see it, my investigation implies two important principles for the continuing theoretical and practical discussion of civil society.

First, we must situate our approach to the idea of civil society within one or more of the modes of conceptualization. In other words, as we approach the idea, we must explicitly locate our account in its proper theoretical, practical, and historical context. In keeping with this principle, we must therefore curtail our dependence on the intuitive, ostensive, and paradigmatic accounts so prevalent in civil society talk today. To describe civil society as "associational life between state and market, including unions, churches, PETA, and the Boy Scouts" is inadequate. If the concept is to have any critical value, we must be able to describe its relation to other important social, political, and economic structures. Simple lists of institutions are inadequate for this purpose because they have highly differentiated relations in this respect. A local Boy Scout troop and a local chapter of PETA are likely to have very different relations with the local government. In the end, because every account of civil society presupposes a complex conceptual framework, theorists who fail to construct such a framework for their account fail to present conceptions that can be of critical value in contemporary political philosophy.

Second, we should abandon the attempt to find a general account or universal framework in which to discuss the idea of civil society. My investigation suggests that there is no general account out there to discover.[32] What we should do instead, it seems to me, is isolate the problems that various appeals to civil society are thought to solve and consider them separately. In other words, our approach to a particular theory of civil society must carefully and explicitly describe the issue that our appeal to civil society is thought to confront. Here, our focus is the problem of liberal democratic

political culture: "How is it possible for a national society to generate and sustain a liberal democratic political culture, given a commitment to individual liberty and the pluralist reality of life under free institutions?" Perhaps some conception of civil society, if actualized, could contribute to solving this problem. But neither the problem of liberal democratic political culture nor the appeal to civil society needs to be construed generally. We can approach this problem and civil society as a possible solution without the hubris of universal applicability. Moreover, there is probably not a single problem of liberal democratic political culture. When the question is asked in different national or ethnic contexts, the problem is likely to manifest itself differently. The corresponding solutions, even if they appeal to 'civil society', will need to be tailored to fit these contexts. Only with this particularist approach, it seems to me, can the idea of civil society be of critical value.