

Understanding the Philosophical Roots of Civil Society

Ramchandra Pramanik

Assistant Professor in Political Science, Jhargram Raj College, PO.. Jhargram, Dist. Paschim Medinipur, West Bengal, India

***Corresponding Author:**

Ramchandra Pramanik

Email: ramchandrasan@rediffmail.com

Abstract: Fall of communism in the East European world during the periods of 1990s has initiated a change in the field of political analysis of the present world. Since then, the concept of civil society has regained its importance in the tradition of political thought. But, the conceptual history of civil society is not a new, rather it is deep rooted. The concept of civil society has its early manifestation in the writings of early political thinkers ranging from liberal to Marxist tradition. The present paper tries to focus on the philosophical interpretations as we discover in the writings of Thomas Hobbes, John Locke, Adam Ferguson, Adam Smith and Hegel. Civil society is now regarded as the best possible means for democratic transition and liberal creed. It is a space that is committed to ensure political participation and greater political accountability of the rulers to the ruled. The latest events that happened in the Arab world in 2011 and in New Delhi in the recent years in the form of anti corruption movement are the instances of a strong civil society movement with active participation of the citizens with a view to shape their institutions and policies.

Keywords: civil society, democratic transitions, liberal creed, political participation, accountability, anti corruption.

INTRODUCTION

The concept of civil society has, of late, made a dramatic appearance in the field of social enquiry and has been debated and discussed in a rigorous way in recent years. Analysts and theoretical spokesmen while discussing politics in diverse settings have been seriously talking about civil society-its lack, its decline, its promise and possibility [1]. Yet such a diverse concept itself is a contesting one. The notion bears different connotations to different groups of thinkers. The supporters of civil society in the West, in the Communist societies, in the Third World put forward different ideals that civil society tries to achieve. However, main currents of discussion about civil society are concerned with three identifiable contexts. In the former communist regime, state control was over extended encompassing all spheres of social life. With the collapse of this total statecraft, a need was strongly felt to encourage the formation of civil society outside the legal jurisdiction of the state. The second strand begins with the ideas of some radical theorists who are totally disillusioned with the ideas of socialism. They are keen to radicalize the idea of democracy by reinvoking notions of civil society. There is another group of thinkers who are very much critical of the neo-liberal philosophy of minimal state, a notable trend in the 1980s and upholds the principles of welfare state. They have a firm belief that it is not possible for the socialists to revive the older tradition of trade union

militancy and state absolutism. Hence, they have argued in favour of British pluralist tradition that demands the associative initiatives of non state organization in civil society. It is now increasingly felt that a vigorous civil society is a precondition for the success of democracy. Hence, the importance of civil society is now highly recognized by all, but there is also a growing disagreement about its exact meaning. In this paper an attempt is made to explore different dimension of the concept from philosophical point of view.

THE CONCEPTUAL FRAMEWORK

From the ancient to the modern periods, the term 'civil society' has been in vogue with plural usages and varied interpretations [2], [3], [4]. In the earlier days, the idea of civil society denoted a system or an arrangement having a strong commitment to the rule of law for the sake of common goods. The system includes a provision of basic rights, public safety, education, communication system and so on. In this sense, civil society is synonymous with the idea of a good society. It acts as an association of conflict resolution through the imposition of rules that restrain citizen from harming one by another [5]. Again, civil society is a space that lies between a state having a legitimate power of coercion and a host of voluntary autonomous social groups and associations [6] [2]. Civil society, in another context, excludes those groups that establish their nexus with the market and consumerism.

It restrains its members from the struggle for political power [7]. However, civil society is not a society as it generally stands for. Society is somewhat a broader concept. Entire social practices and interactions, both public (Government) and private (governed) fall within the purview of society that form a collectivity, civil society is the interactive sphere of society that articulates individual experiences for the attainment of common good. Hence, the term can be explained in two possible ways. First, it can be explained to denote a kind of social order that involves a widest possible political participation and ensuring political accountability of the rulers to the ruled. In this context, a regime of civil society is undoubtedly committed to secure the rule of law on behalf of the common good making civil society a social value. Thus, as a social value, it is a part of the well behaved section of the society that we want to live in and its goal, for our political and social efforts, is to create an ideal society that is trustful, tolerant and cooperative including all conditions that are strongly supposed to be universal and universally good. The other broad idea describes civil society as a space that exists between the state and the individual, the space that consists of a variety of different groups and social associations, each of which is dedicated to upholding certain values to achieve certain goals. In a more simple sense, civil society is seen as the 'third sector' distinct from the government and business organizations[8] and from those organization like professional groups, religious groups, labour unions, citizen participatory organization that create a voice among various sectors of the society and enrich peoples participation in democracy. In this context civil society refers to different forms of associations often called voluntary groups such as families, religious organizations, trade unions, self-help groups, charitable organizations, clubs, and so on[9]. It is thus viewed as:

That set of diverse non-governmental institutions, which is strong enough to counterbalance the state, and, whilst not preventing the state from fulfilling its role of keeper of the peace and being an arbitrator between major interests, can nevertheless prevent the state from dominating and atomizing the rest of the society (Hall, 1995).

OBJECTIVE OF THE STUDY

Though the term civil society is a deep rooted phenomenon in the tradition of political thought yet, there is a growing disagreement about the exact meaning of the term. The concept has come to mean different things for different people creating a great deal of confusion. Theorists like Ernest Gellner views civil society as a 'natural' condition of human freedom, Ferguson or Hegel considers it as the "the result of the long historical process". For other group of theorists such as Kumar, or Hann, the term civil society is not helpful in understanding social realities particularly

where circumstances are totally different from those in which the term was first introduced. But Jean Cohen and Andrew Arato have sketched a normative vision of the concept. They are of the opinion that the concept of civil society is very much helpful in understanding the transition of democracy and to understand the state-society and inter-societal relations. Keeping these divergent settings of the concept, the present paper will focus on the philosophical orientations of the concept as conceptualized by Thomas Hobbes, John Locke, Adam Ferguson, Adam Smith and Hegel in order to understand the state society relationship and civil society as a means of democratization and liberalization.

MATERIALS AND METHODS

As the present paper is basically a review article, the method adopted here is a descriptive one. Literatures on civil society are many and vast. Overview of all literatures is not possible for the present purpose. So, the possibility of leaving one or more aspects of the concept cannot be ruled out. The primary literatures that are very much instrumental and influential in the construction of this paper are: *Leviathan* of Thomas Hobbes, *Two Treatises of Civil Government* by John Locke, Adam Seligman's *The Idea of Civil Society*, Andrew Aratos's, *Revolution, Civil Society and Democracy*, David Held's *Models of Democracy*, Ernest Gellner's *Conditions of Liberty, Civil Society and its rivals, An Essay on the History of Civil Society*, and *Principles of Moral and Political Science* of Adam Ferguson, David Humes's *A Treatise of Human Nature*, Adam Smith's *Wealth of Nations*, Immanuel Kant's *The Metaphysics of Morals* and Hegel's *Philosophy of Rights*.

DISCUSSION

Hobbes and Locke:

The idea of civil society has a long history, though the concept has received much popularity in recent period. Globalisation of the term, as it is seen today, is certainly a novel phenomenon, yet any debate and discussion on civil society must begin with Thomas Hobbes and John Locke who for the first time spoke about society not as a natural community, as Aristotle did, but as a product of contract. But both are diametrically opposite in their proposition. Hobbes recognizes the supremacy of the state as it only guarantees peace and self-preservation. Civil society, to him, can flourish only when the state is strong. Locke, being the founder of liberal tradition, considers freedom of the individual as the most influential thing that creates civil society first and then the state that becomes the custodian of individual rights. In this way, Locke lays the foundation of liberal state and limits the sphere of state control. Liberal democracy, the best possible political system of our age, has started its victorious journey with John Locke. According to Hobbes, civil society is an artificially created space, because what is

natural is the state of nature. Government, as a political institution is a product of contract between individuals excluding the monarch, for he is not a part of the original contract. What is novel in Hobbes's theory is that by excluding the sovereign from the terms of the contract, Hobbes makes the state an absolute entity. In the opinion of Hobbes, the state of nature is virtually a state of war. Under such a condition cooperative venture and democratic amenities are impossible because there are no rules but rules of self preservation. In the state of nature everyone enjoys the "Right of Nature" which is liberty to use his own power as his will himself for the preservation of his own nature; that is to say of his own life; and consequently of doing anything which is in his own judgment and Reason he shall conceive to be the aptest means thereunto [10]. The rights in the state of nature are not sufficient conditions that can secure self-preservation in a best possible way; rather it can be protected only within a society and with its defined authority and rules. Here, Hobbes mentions the existence of fear in the state of nature that has acted as a motive force compelling the people to make the covenant by which a sovereign is set up. It is not the social instinct as Aristotle contemplates but a calculative thought for self preservation is the main reason for entering into a society.

But Locke's account of the state of nature is different from Hobbes. The state of nature that Locke presents is social and political to a certain extent in the sense that people in the state of nature is guided by reason. "Men were led to the state of nature and to set up society and political organization because they had to find a source of power for the regulation of property [11]. According to Locke, 'consent' is very much important. Delegation of authority to a sovereign is made through the 'consent' that the society cannot lose and it is a right that itself cannot be transferred. Locke tries to establish the relationship between state and society in two ways. First, for Locke, individuals create society that demands obligation at least from majority of its members. The society, thus created, in turn, 'obligates' the community to a particular government established by it. According to Locke, that obligation is legitimate because it carries 'consent' with it. The decision to join a society is the result of a spontaneous calculation, for, membership in a society is the best means for securing self-preservation. Locke talks about permanent obligation as a necessary condition for the preservation of society. In doing so Locke is not guided by any selfishness but by the instinct of freedom and rights that must be protected in civil society.

Adam Ferguson:

Adam Ferguson, a Scottish philosopher and a historian who has also been regarded as the father of modern sociology is a highly sympathetic advocate of traditional societies that for him produce courage and loyalty. In his vision, he is a strong critic of commercial

society that makes men weak, dishonourable and unconcerned for their community. In the realm of modern political theory, Ferguson has presented a 'polished and refined' form of civil society that exists at a certain stage of social, political and economic development. Again, his vision of civil society must be understood in the context of the civil tradition as advocated by Aristotle or reinforced in the philosophy of stoicism. This context no longer remains bright, but, arguably, can still be attractive today [12]. Most importantly Ferguson and other Scottish thinkers of the eighteenth century like Lord Kames, John Millar and William Robertson have a vision to create an explanation of material, economic and social progress. According to Ferguson, progress is a measure for the advancement of civilization; mankind aiming at improving its present stage arrives at certain ends such as the foundation of civil laws and political establishments. Political leadership leads in the long term to a permanent subordination [13] Progress of civilization, Ferguson states, is spontaneous and gradual. Whether it is barbarian or polished, there is no government that emerges from a deliberative planning. It is historically confirmed that the progress of society, civilization has never been predictable or a result of a project. Rather it is out of the natural differences between people that social organizations and different forms of governments emerge. Refinement of manners, development of commerce and the division of labours are the main attributes that necessitate the gradual emergence of civil society.

Ferguson's understanding of society is different from his predecessors, Thomas Hobbes and John Locke and is a departure from the hypothesis of the state of nature and social contract theory. In his essay on Institutes of Moral Sentiments Ferguson argues that, "It appears from the history of mankind that men have always acted in troops and companies; that they have apprehended a good of the community as well as the individual; that while they practice arts, each for his own preservation, they institute political form, and unite their forces for common safety". In another significant work, An Essay on the History of Civil Society, Ferguson emphasizes the natural sociability of men saying that "man is, by nature, the member of community; and when considered in this capacity, the individual appears to be no longer made for himself". Individual freedom and happiness might contradict with the good of the society, but it is the later that should be paramount. The good of the society should be the principle in every sphere of individual endeavours and the happiness of the individual should be regarded as a great end of civil society.

In same line as Hume did, Ferguson considers 'state of nature' a mere abstraction since man exists for society and has always existed within a community. Again, man is not only social animal but also a political

entity. "Society is the natural state of man and political society is the natural result of his experience in that state of society to which he is born [14]. Contract theory of Hobbes, for Ferguson, is hypothetical base of society. Social organizations and political institutions are not the result of contract; rather historical evidences are enough to state that these organizations emerge spontaneously out of the natural necessity to act in company. Unlike Hobbes, Ferguson confers natural rights to every person stating that 'original rights' that everyone from his birth is entitled to defend in himself and no one has a right to invade in another [ibid: 196]. In this way, Ferguson tries to arrive at a realistic evaluation of human nature, its reality rather than its origins. He is therefore, an empiricist rather than an idealist. Alike Hume and unlike Hobbes, Ferguson rejects the non-social instincts of the 'state of nature'. All forms of reasoning must be grounded on reality, facts, reasons and science. In other words, we must turn to evidence, Ferguson says. All nations, savage or polished, share the same human nature whose ultimate aim is its progression and development. The analysis that Ferguson has initiated about the nature of society clearly demonstrates his strong affinity to civic tradition which view man as a social and political being rather than an individual. Ferguson's view of civil society should be understood in this spectrum.

Adam Smith and Hegel:

Adam Smith's context of civil society is to be understood from a transitional point of view of world's economy. There has been a revolutionary change, as Smith sees, in the mode of production in terms of both quality and quantity. Production in modern society has been extended from household and from some delineated areas into an increasingly expanding sphere, which is characterized as an intricate, highly specialized and interdependent division of labour [15]. This new context for this classical economist is the mark of civil society. Smith also has rejected social contract theory of Hobbes and Locke and goes on in line with Ferguson that contract is a hypothetical construction. Men do not have to enter into social contract to bring them into society; because labour is a social act that brings interdependence among different autonomous agents leading to the creation of social interactions. Changing nature of production system, more specifically the transition of household production to a more expanding area is largely responsible for creating a larger space like civil society. Household production that served earlier as the unit of production was no longer considered as much important as to the economy. Domestic space, for both men and women, has rendered itself into an insufficient space; everyday, they have to leave for civil society, which is a wider space for economic as well as social interaction. State, by this time has separated itself from other groupings and become a superior and specialized institution, proving its inaccessibility to ordinary people day by day.

Smith views civil society a self-regulating space, the inhabitants in it need not be supervised by someone else while disciplining their selfish instincts and self-serving behavior. Smith, here, faces the problem of negotiating a deep and rather a basic question that is talked about in political theory, the tension between self-destructive individualism, on the one hand, and the creation of a social order called society, on the other. 'Self-referential individuality' is a threat to the creation of a society that demands multiple social interactions. Creation of a society is an imperative module of capitalist accumulation. In the long run, the self-referential individuality or autonomous agents can prove themselves dangerously indifferent to this wider social order or capitalist accumulation. This individual-social dichotomy is not permeated in the earlier community based living where people meet together as a social entity and share a common language and tradition having a common thread that binds them with a strong affinity. But an individual of the capitalist accumulation, which proves to be the historical reason for the emergence of civil society, is a 'rootless' and unknown to others. So, they are to create 'shared lives, construct spheres of intimacy, invent areas of solidarity, and assume expectations of trust'. This, perhaps, can explain better as to why Adam Smith regards civil society as the ideal condition for freedom, as it creates an atmosphere for modern men to enter into all sorts of relationship with those who are in most cases unknown to their own communities. So, to Smith, community and civil society are different from one another, the latter provides complete freedom to individual to manifest one's individuality that was previously difficult to conceive in community based living.

Smith is very much sensible about the freedom of the civil society. Freedom the individual enjoys in the civil society might degenerate into egoism, greed, and self-indulgence in particular and exploitation in general. The division of labour and the operation of market are very much instrumental in creating a high degree of interdependence among individuals. At the same time, people are increasingly forced to depend on others who are strangers and unknown to him. How do people negotiate this problem? Hobbes has given the answer saying that men enter into social contract to get rid of this problem. Writing after a few decades of Hobbes and at the time when market capitalism has overshadowed all spheres of human activity, Adam Smith, the distinguished Scottish philosopher has put this view in a different direction. He wrote:

Were it possible that a human creature could grow up to manhood in some solitary place, without any communication with his own species he could think of his own character of the propriety or demerits of his own sentiments or conduct of the beauty or deformity

of his own mind than of the beauty or deformity of his own face. All these are objects which he cannot easily see, which naturally he does not look at, and with regard to which he is provided with no mirror which he can present them to his view. Bring him into society and he is immediately provided with a mirror which he wanted before [16]

Smith, thus, argues that civil society is a space where individual retains freedom to self realize. Yet his actions are restricted in at three occasions. In the first place, Smith's individual is ascribed with the instinct of 'approbation, sobered by the desire to be seen as praiseworthy and hammered into shape by propriety'. Secondly, self-censorship acts as a great constraint that makes man what Smith calls it "the impartial spectator". That impartial spectator resides in the breathing of every individual and a third eye is there that steers individual to express a universal point of view. Smith upholds that we fashion ourselves abiding by a triangular relationship between three agents: "I, others, and impartial spectator who stands between us filtering our responses, moderating our behavior, and mediating what was initially a dialogical relationship"

As regards private property, Smith's understanding is very much interesting and thought provoking. Wealth, for Smith, is a primary requirement for creating sympathy and concern for others. He writes:

There are two principles which induce men to enter into a civil society, which we shall call the principles of authority and utility. At the head of every small society or association of men, we find a person of superior abilities. In a warlike society, he is a man of superior strength, and in a polished one of superior mental capacity. Age and a long possession of power have also a tendency to strengthen authority. Age is naturally in our imagination connected with wisdom and experience, a continuance in power bestows a kind of right to the exercise of it. But superior wealth is still more than any other qualities contribute to confer authority [17]

So, what is interesting is that accumulation of wealth, to Smith is socially important and economically desirable. Any kind of civilized interaction can only be promoted through the mode of capitalist accumulation. This is a major departure from the concept of civil society that Hobbes and Locke tried to project.

We are sufficiently enlightened when we come across Georg Wilhelm Fredrick Hegel with his innovative concept of civil society that probably is the first tradition making a distinction between state and civil society [18]. The writings of Smith and other Classical economists have a strong influence on him. Like them, he also believes that civil society is an

innovation of the modern world where individual finds the sense of that freedom that has its origin in Roman Law, Christianity and the Enlightenment. To Hegel, civil society institutionalizes the context of freedom. It shapes and moulds institutions that are essential for the full development of the individuals. Civil society provides an environment in which men become free, self-conscious and rational through the process of their liberation from the rules of nature. What liberates men from the rules of nature? In Hegel's analysis, it is the force of work that initiates this process of liberation. Hegel argues that "labour shapes and fashions things" that in the long run transforms its natural qualities into human qualities appropriate for the satisfaction of human needs and the development of human potentials. Since work is a social act, it not only liberates men from the domination of nature, but also from some degree of their immediate desires. As a result, in the social platform men acquire a sense of ethical life that dictates them to act in a self-conscious and self determining way that is rational, objective and universal. Thus, Hegel's man is not selfish and self-concerned. For living he works, produces and consumes in complex, developed and interdependent system of needs in this modern world. That interdependent system of needs makes man concerned with others.

CONCLUSION

Whatever may be the philosophical orientation of the term, civil society, in the 21st century, it has become a worldwide celebrated concept. The concepts like participation, public fairness, individual rights, tolerance, trust, legality, cooperation and informed citizenry are being widely used when the term civil society is discussed and debated. Civil society is at present a viable and strong 'site at which mediations and contestations take place; the site at which society enters into a relationship with the state'. The role of civil society in bringing democratic transition is very important. Arab Spring in 2011, basically a civil society movement, is an illustration for ushering a democratic change throughout the Arab world. Though the outcome is unlikely, and the most likely scenario is that the Arab world is still under the domination of like authoritarian regime. The process of democratization in Libya and Tunisia, if compared, present a different picture. The transitional process in Libya is a failure because of the lack of strong civil society, whereas Tunisia is an example of success for the existence of a robust civil society that existed prior to the revolution in 2011.

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