

## **Civil Society and Good Governance**

Mark E. Warren

Department of Government

Georgetown University

Washington, DC 20057-1035

[warrenm@gunet.georgetown.edu](mailto:warrenm@gunet.georgetown.edu)

202-687-5580

202-687-5858 (FAX)

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In what ways does civil society contribute to good governance? The question has resonance in the United States, since we associate civil society with voluntary self-government, and with the civility that accompanies voluntary relations. When we move beyond evocative abstractions, however, we find the question difficult to specify. The reasons are not hard to see: the three of elements are moving targets. First, what it means for governance to be “good” is, of course, contestable—and the normative expectations leveled at civil society are many, varied, and laden with incompatible ideological agendas. Second, the concept of civil society refers to varied and multifaceted associational structures that have quite distinct effects on governance, some desirable and some not. As it stands, most concepts of civil society provide little guidance for sorting associational types and identifying their effects on governance. And finally, current conceptions of civil society have been revived by democracy movements Latin America and Eastern Europe from the shadows of early modern liberal political thought. In these contexts the concept has been used in ways that are reminiscent of liberal struggles against authoritarian states in the early modern period (Cohen and Arato 1992; Keane 1988; Preuss 1995). The United States, however, is a consolidated, post-industrial liberal-democracy, and presents different challenges: those of enhancing good government and deepening democracy within the context of a large-scale, pluralistic, and complex society.

Nonetheless, the question is robust precisely because of its rich history and deep normative evocations. My aim in this chapter is to suggest a conceptual strategy for transforming the abstract hope that civil society might contribute to good governance into a set of discrete propositions about how the associational structures of civil society relate to good governance. I proceed as follows. In the first section, I provide a brief history of the normative uses to which the concept of civil society has been put. Of most importance here, on my view, is the strong conceptual association between the notion of civil society and self-governance through voluntary relations of association. In the second section, I argue for a concept of civil society based on a tripartite distinction between market, legal coercion, and association. In the third section, I ask what, precisely, constitutes the “good” of good governance, and distinguish among several complementary possibilities. In a modern, pluralistic, and complex society like that of the United States, democracy depends upon a number of associational contributions, including those that develop the

capacities of citizens, enable public judgments, and underwrite democratic institutions such as representation. In the fourth section, I develop a set of structural distinctions that bear on the capacities of various associational relations within civil society to contribute to one or more of these dimensions of good governance. In the fifth section, I combine these distinctions, generating a typology of associations, distinguished according to those features that affect their potentials to contribute to good governance. The sixth section illustrates the typology by looking at just one effect of civil society associations: the possibility that they might contribute to, and constitute the autonomous public spheres of judgment essential to good governance. In the final section, I suggest that that democracies require a mix of different kinds of associations to carry out diverse tasks that constitute good governance—a “democratic associational ecology.”

The approach I develop here is theoretical: it is simply a conceptual elaboration of the many possible relationships between civil society and good governance. Although the approach reaches toward social science, the categories, typologies, and hypotheses are developed for their normative significance, itself specified by indicators of good governance. I do not pretend that it will encompass the variety and complexity of the civil society it seeks to characterize—no theory can do so. What I do aim to provide, however, is a first take on the question of what we might expect of associational structures of civil society, if only we know what our expectations are.<sup>1</sup>

## **I. A BRIEF HISTORY OF THE CONCEPT OF CIVIL SOCIETY**

### **A. Locke and Ferguson: The ethical force of voluntary association**

Our inherited conception of civil society is an amalgam of concepts. Although the ancients had conceptions of civility, they were fused with state-centered means of ordering society—the location of civility was in the **polis**. In contrast, the relevant history begins in the early modern period, and involves two key ideas. The first is that of **differentiation** in means of achieving social order, and particularly the idea that social order can be achieved by “non-political”—that is, non-state-centered—means. This notion had its origins in Christian medieval political thought, where we find the argument that authority flows from two fonts—the political sovereign and God (Taylor 1990, 102). Importantly, the Christian distinction shifted the moral valence of social organization

away from political sovereignty and toward religion, with the implication that different domains of society can and ought to have distinctive ordering principles.

This early idea of differentiation was lost in the work of Hobbes and Bodin, who—finding in religion only the potential for bloody conflict—held that if a society is to be held together at all, it must be through the power of the sovereign. But Locke, in **Two Treatises of Government** (1663) rediscovered differentiation and provided its distinctively modern form by combining the concept with a second key idea, that of **voluntary association**. Locke conceived society as a contract among equals, so that legitimacy of social organization flowed from the autonomous and uncoerced commitments of individuals. The initial social contract does not include a state, but only agreement. A second contract establishes the state as a **trustee** to society, necessary to achieve those things that cannot be achieved by individuals through voluntary association alone. To be sure, with Locke the religious dimension remains essential to voluntary association: the ethical force of Protestant commitments provides a background of assurances that promises are necessary for social order (Seligman 1992, 23-25). Nonetheless, in Locke, civil society now takes on its own ethical meaning as space within which things can be done through agreements among equals. Governance is now split by sphere: the state ought to govern only those matters necessary to underwrite society, which in turn governs most matters through voluntary association. Although Locke was no democrat, the strong connection between self-governance, civil society, and democracy can already be found here.

The notion that civil society is a distinctively **moral** space of human interrelations that ought to be protected from the state was developed and reinforced by the Scottish Enlightenment philosopher, Adam Ferguson, in **An Essay on the History of Civil Society** (1767). In Ferguson's account of civil society, the theological precepts drop out, replaced by an emphasis on the social and benevolent nature of humans. Left to follow their inner-worldly resources, humans will organize a properly moral sphere of social interaction. In the United States, with a frontier that expanded ahead of established political order, these conceptions of civil society were especially resonant. Here the notion of democracy was associated closely with the notion of self-governance through voluntary means—so much so that within the populist political culture that remains powerful to this day the idea of a **democratic** state is often understood as a threat to not

just to individual liberty, but to the morally superior voluntary modes of social organization residing with churches, clubs, societies, grange halls, and economic contracts. And, indeed, the most evident effect of the 1789 Constitution was to establish a clear distinction between state and society, codified in the rights listed in the first ten amendments to the constitution. The purposes of political institutions—representation in the House, separation of powers between the branches of government, and the division of powers between the national and state governments—were, in large part, **protective**. They sought to establish a limited state; to ensure that the creative energy of society would remain outside of the state, within social and economic associations (Held 1996, chap 3). Today’s classically liberal, or **libertarian** conceptions of civil society reflect this legacy more or less unchanged.

## **B. Montesquieu and Tocqueville: Mediation, civic virtues, subsidiarity**

A second legacy provides a complementary and somewhat richer notion of civil society. Montesquieu, whose conception of separation of powers so influenced the framers of the 1789 constitution, emphasized the necessary balance between the centralized power of the monarchy and the established rights and status of the estates (Montesquieu 1989; Taylor 1990, 105-6). Montesquieu was interested mostly in finding constitutional means of limiting the centralized powers of monarchs, with the aim of sustaining the liberties and virtues he associated with non-monarchical power. In so doing he established the notion that when social powers mediate between the state and individuals, then the virtues distinctive of non-sovereign orders can generate their own kinds of order.

In this way, Montesquieu helped to provide the template through which Tocqueville viewed America in **Democracy in America** (1969), the key classical work on civil society. Tocqueville experimented with the notion that in democratizing societies associations might serve as the functional equivalents of the estates in absolutist societies, as least insofar as they contain and moderate state tyranny. But his understanding of associations as based on a knowledge of “how to combine,” brought into view three more ways in which civil society might underwrite good governance as well.

First, Tocqueville introduced the possibility that associations might serve **representative** functions with respect to the state, thus suggesting a concern with

democratization of the state largely absent from Locke and Montesquieu, and of limited concern to the Founding Fathers.

Second, Tocqueville noticed that associations develop individual capacities that support democracy. In contrast, Locke's Calvinist assumptions kept him from focussing on the associational ties that socialize citizens, leaving us with a view of society as a contract among self-sufficient, already-formed individuals.<sup>2</sup> To be sure, Tocqueville also emphasizes the power of religion in America. But he viewed society as a social psychologist, looking for the ties that form individuals' capacities. Thus, Tocqueville observed that associations can be formative of the **civic virtues** of citizens in several ways. Associations cultivate the habits of collective action, thus producing an active, self-sufficient, and vigilant citizenry. They can draw individuals out of their natural forgetfulness of the broader society that sustains them, thus inducing individuals to contribute to the public interest and view their own self-interest in an enlightened manner. And they can form an ethos of easy, egalitarian relations with others, including a propensity to generalize ethical sensibilities that, in Europe, tended to not to extend beyond community, status, and class. Tocqueville's approach to civil society was sensitive to Lockean differentiations, but goes well beyond it by focusing on the associational nurseries that cultivate whatever virtues and capacities of self-governance might come to exist within civil society.

Tocqueville introduced a third consequential idea as well. Associations might serve as alternative forms of governance, in effect carrying out tasks that would otherwise fall to the state. In some cases—Tocqueville is fascinated with temperance movements, for example—associations are more suited to addressing a problem than the state (Tocqueville 1969, 516) Tocqueville thus introduces the notion that civil society might be involved in governance through the logic of **subsidiarity**, namely, that the nature and scope of the problem be matched by the means and scope of collective action. This notion has a powerful presence in the United States, with its more than 600,000 tax-exempt associations and its 85,000 plus units of government, combined with political strategies explicitly designed to involve civil society associations in governance, often through social service provision and regulatory regimes.

The ideological attachments to Tocqueville span the spectrum. Conservatives emphasize Tocqueville's focus on character as necessary dimension of democracy, and

are taken with his warnings about over-weaning and paternalistic government. American pluralists emphasized Tocqueville's notion that in the United States, groups form the backbone of democratic representation, in contrast to class-based analyses. More recently, democrat theorists have found in Tocqueville a precursor to an associative model of democracy, whereby democracy is strengthened by devolving state functions, increasing the sites of collective action, and providing for closer links between individuals and governance (Cohen and Rogers 1995; Offe 1996, chaps 1-2; Hirst 1994).

### **C. Smith, Hegel, and Marx: Economy and civil society**

Despite differences in emphasis, Locke, Ferguson, and Tocqueville base their concepts of civil society on a simple distinction between state and society, thus including market structures within civil society. They did so despite noticing that relations of economic exchange are different from a moral perspective than other kinds of social relations—based on pure self-interest rather than benevolence, for example. But they did not conceptualize the structural consequences. Any society with developed market structures also has three distinct ways of organizing collective actions: through the state, through the market, and through associative venues organized by social norms, traditions, and discussion. So while the distinction between state and society is clear in the early liberal tradition, the distinction between markets and civil society is not.

Markets organize societies “automatically” through price structures, which work to enable complex economic divisions of labor over vast reaches of time and space, among people who never meet and speak. For these reasons, markets provide efficiencies that cannot be replicated either by government (which coordinates through sanctioned rules), or by the social means of coordination within associative venues (which are relatively cumbersome and vulnerable to constraints of time and scale). These virtues of markets, however, should not be confused with governance, nor with the virtues commonly associated with civil society. Governance, particularly democratic governance, depends on a relationship between **normative** orientations and collective actions. This linkage can exist within associations, and it can exist within states that are constitutionally structured in ways so that they gain their legitimacy and guidance from public opinion. Markets, however, sever the link between the intentions of actors, and the aggregate outcome of their actions—namely, price structures and their distributive

consequences. This is the cause of their efficiency, but at the cost of excluding governance. Market structures may serve normative purposes if they are structured by non-market forces with these purposes in mind. But in themselves they are normatively blind—markets have no agency, no mind, no discursive capacity. Markets can never answer the political question, “What ought we to do?”

Market relations are often confused with civil society relations owing to their apparent voluntarism, and hence the apparent structural analogy between voluntary economic transactions and voluntary association. This is also a misnomer: economic contractual relations are necessary in a way that voluntary association is not, harboring the power relations that result from the fact that people have material needs that are more equally distributed than the means through which they may be fulfilled. The outcomes of exchange will reflect the different endowments of the parties—the urgency of their needs, their control over jobs, their wealth, and their skills and savvy—within the context of market supply and demand. Market “choice”—with its implied freedom and voluntarism—falls to individuals who find their resources valued by the market. In contrast, the social resources of voluntary association are not equally distributed, but neither are they easily convertible into power relations.

Nonetheless, much intellectual history is on the side of those who do not make such a distinction, resulting in confusion over the governance potentials of civil society. Prior to Adam Smith, of course, there was a good excuse: markets were not understood as systematic, quasi-autonomous structures. Smith’s **An Inquiry into the Wealth of Nations** provided the first systematic analysis of markets, and the first argument that markets could organize society if only state power were limited to providing its conditions (Smith 1937). Smith knew that there was a difference between society and markets—the former housed the more noble sentiments of which people were capable, the latter reinforced the “interests”—a more solid basis for social organization, but—as he detailed in Book V of **The Wealth of Nations**—at the cost of degrading moral sentiments. But the market had the advantage of constancy, whereas the benevolence and other “passions” of individuals could, at best, provide a shaky basis for social organization (Hirschman 1977). Thus Smith, unlike Tocqueville fifty years later, never seriously entertained the possibility that associations might provide a third, distinctive mode of social organization.



G.W.F. Hegel, who did understand the distinction between markets, state, and association, provides another twist in an already tangled lineage by identifying civil society with market relations. Hegel used the term to identify the sphere of interactions driven by economic need and calculations of utility. On Hegel's account, the ethical potentials of civil society consisted in the purely formal recognition of individuals as property holders and parties to contracts—a necessary recognition, but one not sufficient to **Sittlichkeit**—ethical community. Owing to the very nature of market transactions, other kinds of ethical potentials exist elsewhere: the family cultivates care and love, while the state is the locus of an ethical community. Hegel thus provides a notion of society as consisting of differentiated but complimentary spheres, but at the same time undermines the ethical priority of civil society within the liberal tradition by understanding the state as the ultimate ethical community. This is, roughly, the vision that inspires today's statist communitarians, who hold that the constitutive associations of civil society should build toward an a community symbolized by, if not centered on the nation-state (e.g., Sandel 1996).

#### **D. Rousseau and Marx: Dedifferentiated democracy**

Marx followed Hegel in equating civil society with markets—indeed, the German term for civil society, **bürgerliche Gesellschaft**, means “bourgeois society,” and is thus conceptually linked to the rise of markets (Bell 1989, 56). While Marx followed Hegel in equating civil society and markets, unlike Hegel he recognized an organizational potential in free and democratic associations of producers. A communist society is, as it were, association writ large: people would organize their social futures through discussion and planning, thus linking their goals to social development. Thus, by inverting Hegel, Marx is the first to use the three-way distinction between state, market, and associative relations to identify distinctive means of social organization. But he also uses the term “civil society” to identify market relations within bourgeois society—precisely the opposite of usage today.

Marx introduced a strong relationship between associative social organization and democratic governance that can already be found in Rousseau's **The Social Contract** (1950). Rousseau imagined a society in which the differentiations elaborated in the traditions of Locke and Montesquieu would be overcome, in favor of absorbing the state

into civil society. States should be small enough so that all legislative decisions can be made by the assembled citizens. Partial associations would be prohibited as conspiracies against the General Will. The state would become an encompassing association, so that law would be the result of discussions among citizens not divided by factions. This model expresses a re-absorption of the state into civil society, and of political life into moral life—a “unitary” version of democracy based on the dedifferentiated vision of society (Cohen and Arato 1992). Marx took this vision one step further, imagining a society in which all decisions are made by free and democratic associations of producers. Decision-making capacities that properly belong to citizens should be brought back home from their alienated location within the state. The state withers away because its functions are assumed by associative structures—what (in contrast to Marx) we now refer to as civil society.

These visions depend, in short, on a vision of a society that is fully integrated and organized by the norms that emerge from democratic decision-making. While we should want governance that reflects the norms that emerge from democratic processes, we should not, however, conceive modern societies as organized solely by norms for at least three reasons:

- Norms that define communities typically lack integrative capacities among plural normative communities.
- Norms lack the capacities to coordinate complex and large-scale divisions of labor.
- When norms are the sole guarantors of necessary social tasks, then deviations from norms (that is, freedom) is a threat to the very viability of society. Under these circumstances, intolerance becomes, as it were, structurally necessary, and democracy is reduced to communal or national self-determination (Eisenstadt and Roniger 1984).

Nonetheless, Rousseau and Marx recover what the Athenians already knew about democracy: there are close connections between the normative questions that are integral to politics, the ability of individuals to participate in deciding these questions, and an ethically-robust meaning of self-governance. Surely this intuition remains at the heart of our current view that the associative structures of civil society are related intrinsically to good governance.

## E. Parsons: Civil society as the domain of associative relations

Although Talcott Parsons' social theory builds on ideas that were already well established, he provides the first systematic account that identifies what is distinctive about civil society as a domain of collective decision and action (cf. Habermas 1987). Civil society can emerge only when a society has evolved differentiations among the "three types of operational organization of modern societies," namely, **money** working through markets, **administrative rules backed by the coercive powers** of the state, and voluntary **associative** relations work through normative and discursive "influence." Here is the key point: **what defines civil society is that is it the domain in which associative relations are the dominant means of social organization.** The prototype of associational structure, Parsons says, is perhaps "the societal collectivity itself, considered as a corporate body of citizens holding primarily consensual relations to its normative order and to the authority of its leadership" (1971, 24). If we abstract the point that association involves **consensual** relations to a **normative** order, we can see that it is essential to association that cultural resources are purified of their coercive and economic elements. Only then can they follow their intrinsic normative logics—no longer constrained, as it were, by the melding of social functions, but rather by the differentiated systems of state and market from without.

Parsons identifies three trends in modern association relations that further elaborate these characteristics. The first is increasingly inclusive citizenship of a sort that displaces ascriptive association (1971, 24, 92-98). This trend involves the development of rights against the state as well as rights to participate in public affairs, and increasing attention to the welfare of individuals. In western countries, these trends have been complemented by the development of universal education, which likewise challenges parochial bases of membership, loosens ascriptive ties, and provides more alternatives for individuals. The trends toward equality in associational relations involves modes of social organization that are less greedy of identity, helping to produce cross-cutting and plural forms of attachment. This is why, as the "societal community" extends it also loosens, which in turn encourages the development of procedures of negotiation among and between differences. On average, these developments also tend to pluralize relations of dependence, which increases the number of bonds that must be formed on consensual grounds.

The second trend Parsons identifies is toward increasing voluntariness in associational relations. Although “an element of bindingness is essential to all collectivities,” Parsons notes, “voluntariness” describes the decision “to accept and retain membership, an alternative to compliance always being resignation” (1971, 24). Although Parsons merely hints at the relationship, differentiation pluralizes the resources of power so that possibilities for exit increase. In a purely associational tie, association is voluntary, meaning not that there is a lack of commitment (as communitarians mistakenly argue; cf. Sandel 1996; Walzer 1998), but rather that the means through which the association is bound together into a collectivity consist in the social resources of consensus, shared goals, and norms. The voluntary or consensual nature of associational relations signals that social organization is occurring through **influence** of norms and persuasion rather than through money or power.<sup>3</sup> In this sense, increasing voluntariness implies an increase in the extent to which social life is organized by agreement—not generally, but within those domains in which associational relations are dominant, namely, civil society.

The third trend Parsons identifies—toward increasing proceduralism within associational relations—is especially interesting. Because the differentiation of society pluralizes dependency, it tends toward procedural means of decision-making. And procedure, far from being “neutral” (as communitarian critics often suggest), reflects the increasing weight of influence as a means of social organization, not only within civil society, but also within domains primarily organized by power and money.<sup>4</sup> By identifying the core of civil society as modernized associative relations, Parson shows why differentiation between state, economy, and civil society involves a structural evolution toward government by influence and procedure.

#### **F. Kant, Gramsci, Habermas: The public sphere and democratic judgment**

Parson’s approach fits nicely with the fact that democratic theorists have always viewed as essential to democracy free speech, a free press, and free association, widespread information about matters of public concern, and transparency in the workings of government. When they exist together, these elements serve as conditions of public opinion-formation. As far back as the Roman concept of **res publica**, the notion of

a **public** referred to the people constituted as a body that judges matters of common importance. Its democratic significance is that within public spheres people form judgments through broad, free-flowing deliberations. Thus, when considered in isolation voting is merely a power mechanism that aggregate preferences; when combined with public deliberation outcomes express influence as well as power. Under these circumstances, voting can produce legitimate power.

Kant was the first to understand civil society as harboring a public of literate people, communicating and arguing about matters of common concern. Enlightened monarchs, Kant argued, should not only protect this sphere of public criticism, but heed its force (1970). Antonio Gramsci (1971) developed a somewhat different although related concept: he used the term “civil society” to denote the institutions (schools, the Church, etc.) that provided normative legitimacy (hegemony) for the state and capitalist class. Revolutionary strategy would depend upon organizing a counter-hegemonic culture, which would be built through criticism of common sense within associative venues. Here we find the germ of the idea that publics can be widely inclusive, and that the normative direction of politics can be gained through public criticism (or, under Italian circumstances of the 1920s, submerged public criticism). This notion is most thoroughly developed by Habermas, first in **The Structural Transformation of the Public Sphere** (1989) and more recently in **Between Facts and Norms** (1996). In the (neo-Parsonian) terms used by Habermas, public spheres generate **communicative power**, which, in democracies, takes its place along side of the administrative powers of the state and the economic powers of the market as means of social coordination (1996, chap 8).

Public spheres provide the fora within which democratic political judgments can occur. These in turn provide political guidance to states, and, increasingly, to actors in the market. For publics to have democratic significance, they must be autonomous in two senses:

- They are autonomous in the sense that they are insulated from state pressure, sponsorship, and state-run media.
- They are autonomous in the Kantian sense that public opinion is formed through public deliberation rather than simply reflecting the aggregated preferences of individuals.

## G. Pluralism

One final lineage deserves to be singled out for comment. The concept of civil society is often associated with good governance because it resists closure, and thus supports a society that includes a pluralism of identities, religions, ethnicities, life-styles, and conceptions of the good life. It is, perhaps, only with the development of postmodern consciousness that we have become attuned to pluralism as a good in itself. But pluralism was already implied in the early modern concept of civil society, and can be found in Locke's and Bodin's writings on religious toleration, where they assume that **civility** meant, among other things, due recognition of convictions that one does not share or value. A civil society enables individuals to choose their convictions as matters of conscience. Kant's distinction between matters of right (or law: **Recht**) and matters of morality formalized this liberal legacy: a government that encourages the mature development of its citizens will avoid paternalistic regulation of morality, and seek only those regulations of external behavior necessary to secure freedom. In the liberal formulas inherited from Kant, good governance implies procedural fairness on behalf of an ethic of respect for citizens. Here we can see the seed of the liberal democratic idea that matters that touch closely on the constitution of persons ought, insofar as possible, to be left to voluntary relations among individuals. In matters of identity, good governance is self-governance through voluntary association. A more contemporary way of putting this point is that civil society resists closure with respect to single goods and identities (Walzer 1995, 16-21). Thus, implicit in the notion of civil society are three further dimensions of good governance:

- Individual autonomy is recognized in matters relating to ethical identity.
- Political institutions build on the distinction between the right and the good, so that good governance involves establishing procedures through which different goods are negotiated.
- Good governance builds on a distinction between domains for which governmental powers are appropriate, and those that are not.

## II. DEFINING CIVIL SOCIETY

As should be evident from this very brief survey, the concept of civil society has a rich, evocative history. Concepts with histories, as Nietzsche pointed out, elude definition.

Nonetheless, we shall need to extract from this history a domain of explanation (this section), and the normative claims that add up to a concept of good governance (the following section). Of course doing so requires some conceptual surgery: our received concepts of civil society include quite a bit of baggage not suited to the issues at hand.

I shall define civil society as follows: **Civil society is the domain of social organization within which voluntary associative relations are dominant.** This definition identifies civil society by contrasting it to domains organized by the state or by the market, and operating above the threshold in which biology and intimacy are predominant (as in the family and close friendships). Several features of this definition require elaboration.

First, the definition is based on the Parsonian/Habermasian distinction between three “types of operative social organization”—money, power, and influence. Definitions based on simple state-society dualisms are not adequate to conceptualize civil society in modern societies. Not only do they fail to identify the power and relative autonomy of markets, but in doing so they fail to identify the distinctive means of civil society organization, namely, through social resources. Good governance can draw from the fact that associative relations generate normative influence. While there is nothing simple here, we cannot even begin to conceive of the “good” of good governance unless our conception of civil society identifies the domain in which norms have organizational force. And this requires a concept that build on the fact that modern society differentiate money, power, and influence.

Second, this definition excludes associative relationships based on intimacy: if we are interested in governance, we are interested in those associative relations formed for collective purposes. Intimate relations, as Hannah Arendt often emphasized, are “anti-political” in that intimacy is corrupted with it becomes, as it were, common property or is put to common purposes.

Third, this definition identifies what is normative compelling about the concept of civil society—namely, that it indicates a domain of associative relations. We should not, however, identify civil society with **associations**, since in any differentiated society actual associations will be affected by the market and state contexts within which they operate. Rather, the concept of civil society identifies a continuum of associations that to a greater or lesser degree embody **associative relations**. Thus, we can think of civil

society as the domain of associations that are **centered** on associative relations, and which shade into associations that interact with states, markets, and intimate relations.

Fourth, although we should conceive civil society as consisting in associations that are centered on associative relations, **from the perspective of governance** the associational kinds that mediate between “pure” association, states, and markets are of the utmost significance. One advantage of conceiving of civil society as the domain in which associative relations are dominant is that we can also see that associative relations are **also** present within non-associative organizations—within and between firms, in legislative bodies, and so on. “Mediating” forms of association—political parties, unions, and consumer cooperatives, for example—connect civil society proper to the other two “types of operative organization” through the associative “sensors” that exist within these organizations (Cohen and Arato 1992, chap 9, Cohen 1995). These mediating domains thus serve as the conduits through which associative relations can potentially affect markets and states. These domains, which might be called **political society** and **economic society** are “of” civil society, but not structurally “in” civil society. We shall, however, need to attend closely to these domains in order to conceptualize how civil society is related to governance.

Finally, it is worth noting that public spheres have unique structural locations. Publics are often distant from pure associative relations, constituted by forms of communication that span vast reaches of time and space. Publics are, as it were, a functional sphere enabled by the associative structures of civil society, but constituted in such a way that they are never the exclusive preserve of any associational form. We should, then, also conceive of publics as “of” civil society, but not “in” civil society. To put it somewhat metaphorically, the flows of communication that constitute public spheres are produce a public “space” that is autonomous from, although dependent upon, the domain of associative relations.

We can portray the location of civil society by combining the distinctions between “types of operative organization” or “media of social coordination” with that of the closeness or distance of social relations, as in Table 1 [Table 1 about here]. Thus, although civil society is centered on “pure associative relations,” the question of how civil society relates to governance requires that we also examine the three kinds of mediating domains, those of “political society,” “economic society,” and public spheres.



Accordingly, the domain that interests us includes these mediating associations as well. Except in those places where something depends upon it, I shall use the term “civil society” to encompass these associations as well.

### III. DIMENSIONS OF GOOD GOVERNANCE

Before refining this explanatory domain (Sections IV and V), we shall need to know more precisely what we want to look for. We need to refine the notion of “good governance”—at least insofar as it is something to which civil society might contribute. The conceptual history of civil society has also left us with a rather large number connections between civil society and good governance. But on the view I develop here, we need not, and should not choose among them. The very notion that good governance depends upon civil society already presupposes societies that are differentiated, pluralized, and complex. So we should expect that “good” governance will have multiple dimensions and meanings, depending upon the domain, scale, complexity, and purposes of governance. And, in fact, the kinds of governments that liberal democrats identify as “good” incorporate many different but complementary dimensions: the cultivation of citizen capacities, public opinion and judgment, freely flowing information, individual rights and protections, institutional representation, institutional checks and balances, and multiple venues for making collective decisions and organizing collective actions. “Good” governance describes a rather complex ecology of these distinct attributes. Herein will lie the problem: we must somehow formalize the complexity enough so that it will be possible to identify discrete dimensions of good governance, and then ask which kinds of associational ties within civil society potentially support (or undermine) them.

Although “good governance” always contestable, linking the notion to civil society enables an appeal to the normative intuitions already embedded in the concept. Good governance, viewed through civil society, already suggests the liberal-democratic good of **collective self-governance**, where “self-governance” is differentiated according to the problem at hand—its scale, domain, and nature. It is possible to develop a robust normative theory that would justify self-governance as a normative good, although I shall not do so here.<sup>5</sup> What I shall do, somewhat more modestly, is to disaggregate the notion of “good governance” into three complementary domains to which the various associative venues of civil society might contribute. These include

- developing, forming, enhancing, and supporting **capacities of individuals** for self-governance—what I shall call **developmental effects on individuals**.
- constituting the social infrastructure of **public spheres** that provide information, develop agendas, test ideas, represent distinctions and provide voice—what I shall call **public sphere effects**.
- supporting and enhancing institutions of democratic governance by providing political representation, enabling pressure and resistance, organizing collective actions, and serving as alternative venues for governance—what I shall call **institutional effects**.

#### A. **Developmental effects on individuals**

Tocqueville was the first to consider the possibility of that experiences of association might cultivate the capacities of citizens. “In democratic countries knowledge of how to combine is the mother of all other forms of knowledge; on its progress depends that of all the others” (1969, 14). The opportunity to act together, in Tocqueville’s view, is the experience that turns individuals toward “the public welfare” and convinces them that “they constantly stand in need of one another in order to provide for it” (1969, 511). Tocqueville’s expectations were by no means unfounded. But they were so general that they are difficult to relate to the multiplicity of associational experiences within civil society. We should, I think refine our expectations by distinguishing among several distinct capacities, not all of which are likely to be provided by any single associative experience. I shall distinguish the following: a sense of efficacy or political agency, information, political skills, capacities for deliberative judgment, and civic virtues.

##### 1. **Efficacy**

Perhaps least problematic is the effect that contemporary behavioralists refer to as the psychological disposition of “efficacy” (Verba, et. al. 1995, chap 5; Pateman 1970; Cohen and Rogers 1995, 43). Efficacy is the feeling that one **could** have an impact on collective actions. It is the self-confidence necessary to action, and the habit of doing something about problems when they arise. Civil society associations can train individuals, as it were, for confidence, assertiveness, and agency. In developing efficacy, nothing succeeds like success. But success is not always necessary: some kinds of

associations, such as New Social Movements, may even specialize in developing feelings of efficacy as a part of more general strategies of consciousness raising.

## **2. Information**

Associations often serve as conduits and sources of information that complement and often compete with information provided by states and firms, in this way educating individuals about matters relevant to them. Information empowers citizens to demand transparency and public accountability of government institutions, as well as other social powers such as corporations. Especially when they are involved in advocacy, associations provide key informational resources, concentrating on issues related to their purposes, or sometimes on monitoring governments and other powers for compliance with agreements, laws, and treaties. Associations can provide what might be called an epistemic division of labor, without which individuals would be more overwhelmed by the amount and complexity of information than they already are (Bohman 1999; Warren 1996; Hirst 1994, 34-40; Cohen and Rogers 1995, 42-3).

## **3. Political skills**

Closely related are the skills individuals acquire in associations that can either be directed to the internal politics of an association or transferred to other venues. Political skills include speaking and self-presentation, negotiation and bargaining, developing coalitions and creating new solutions to problems, learning when and how to compromise, and learning to recognize when one is being manipulated, pressured, or threatened. Such skills are likely to be cultivated by any association that deals with problems of collective action—not just by associations directly involved with political causes (Verba, et. al. 1995, 17-18, 325-333, 366; Rosenblum 1998, 206).

## **4. Civic virtues**

The Tocquevillian/republican expectation that associations will cultivate civic virtues is widespread, and the list of candidates for civic virtues is a long one: from attentiveness to the common good and concerns for justice, to tolerance of the views of others, trustworthiness, willingness to participate, deliberate, and listen, law-abidingness, and respect for the rights of others (Galston 1991, 221-224). The received list of civic virtues is far too long to allow any general conclusions about the effects of civil society

on civic virtues. Moreover, it is clear that some kinds of associations produce uncivic effects—often fundamentalist religious associations (see Wilcox, this volume), and those that engage in public sphere advocacy (see Gelb, this volume). Nonetheless, there may be some general social effects of cooperative experiences that are, as it were, precursors of civic virtues, and which we might trace to specific forms of association. In particular, we might look for associative experiences that cultivate reciprocity, trust, and recognition. Reciprocity describes the mutual obligations that can grow out of experiences of cooperation. Trust enables individuals to overcome problems of collective action, which in turn enables them to organize politically, pressure governments, and get the things done that “make democracies work” (Putnam 1993, chap 6). And recognition follows from the “experience of pluralism,” to use Nancy Rosenblum’s terms. The plural possibilities within civil society for gaining respect and recognition enhances the possibility that individuals will extend recognition to others for their distinctive contributions and achievements. None of these are specifically **civic** virtues, but more specifically civic virtues no doubt depend on these pre-civic dispositions.

## 5. Critical skills

Democratic theorists often hold that the associative structures of civil society can and ought to serve as “schools of deliberative democracy,” inducing individuals to reflect on their own interests and identities in relation to those of others (Cohen 1996, 112-113). These are distinct effects—critical skills, as it were—that go beyond feelings of efficacy, possessing information and political skills, and even civic virtues. The kinds of associational ties that induce citizens to develop these skills are likely to be rather specific, since (as I will argue) the bias of voluntary association is toward exit rather than deliberative problem solving.

If civil society cultivates the kinds of individuals who contribute to good governance, it is because specific associative experiences help to develop the capacities of citizens in several dimensions. Simply listing these dimensions makes the important point that no single venue within civil society can, or should be expected to, contribute to all of these developmental effects. We shall want to know what associational kinds are likely to contribute to which effects. As to the **developmental** dimensions of good governance, what we should hope is that individuals will, over the course of their

lifetime, have a mix of developmental experiences that cultivates each of these dimensions.

## **B. Public sphere effects**

The public sphere (or, more accurately, **spheres**) is the space of public judgment supported by the associational structure of civil society, and distinct from markets and states. The public sphere, writes Habermas, “can best be described as a network for communicating information and points of view ...; the streams of communication are, in the process, filtered and synthesized in such a way that they coalesce into bundles of topically specified **public** opinions” (1996, 360). It is through its public spheres that public opinions develop and exert normative influence on social futures. The public sphere is, in this sense, necessary to the democratic notion that a politically autonomous society can impose its needs, preferences, and will upon a state, while limiting the reach of markets into arenas it does not belong. The contribution of civil society is that publics emerge from its associative relations. As with other governance effects, however, not all associational ties have the same potentials to reproduce every aspect of the public sphere. And as with the other effects, we shall need to identify these more precisely if we are to gauge the potential contributions of associations to political autonomy. At least three possibilities should concern us:

### **1. Public communication and deliberation**

As is commonly recognized, associations play key roles in communicating matters of public concern, within civil society, between civil society, states, and markets, as well as internationally. The role is intrinsic: associations are constituted by communication among individuals. Communicating beyond the association to a broader public is intimately connected with reproducing the association through communication (Cohen and Arato 1992, 530-31). Because they are often closely connected with individuals’ lifeworlds, associations are especially sensitive to emerging problems and difficulties. They have the capacities to “signal” the concerns of individuals directly through language, whereas states and markets do not because they are sensitive in the first instance to power and money (Habermas 1996, 359). In addition, those associations that operate at a distance from the imperatives of states and markets can be well positioned to provide information about the impact of government policies or powerful

market actors in ways not compromised by power or money interests (Cohen and Rogers 1995, 42-3). That is, they can contribute to the **transparency** of government and market actors. Of course conveying information is not the same kind of activity as deliberating and forming public opinion, although in practice they are closely related. Information needs to be related to problems and issues, selected for relevance, connected to matters of public concern, and solidified into public agendas. Associations do this as a matter of course when they seek public influence, although not all associations have incentives to “go public”—indeed, as I shall suggest, most do not.

## 2. **Representations of difference**

Civil society associations may have symbolic functions in the public sphere that do not contribute directly to deliberation, but serve to alter the parameters of the public conversation. Importantly, when associations “go public” they can leverage their influence in ways that can compensate for lack of other kinds of power. Silence serves the wealthy and powerful well, and public argument is a primary means through which poorer and weaker members of society can have influence. This is why a group will often consider it a considerable achievement merely to have placed an issue before the public eye: the influence of the wealthy and powerful is compromised to the extent that their positions, possessions, and actions become subject to public tests of legitimacy. So it is important to identify as a distinct contribution to good governance those activities of associations that alter the parameters of the public sphere. Lacking recognition, they typically cannot do so through dialog, but must resort to other kinds of symbolic resources including demonstrations, protests, civil disobedience, theater, literature, and the like—tactics exemplified by groups such as Earth First! and ACT UP (the AIDS Coalition to Unleash Power). These groups help to constitute, following Nancy Fraser’s Gramscian term, **subaltern publics**—publics that specialize, as it were, in counterhegemony (1992, 123-24). This effect is even more important when public spheres are under the influence of money (via the commercial mass media), and power (through state-sponsored deliberations), both of which will tend to seek a mainstream consensus—a consensus that will, for that very reason, tend to exclude the poorer, weaker and least organized members of society.

### 3. Representations of commonality

Finally, it is worth emphasizing that representations of commonality can in themselves serve as contributions to good governance. They are, as it were, symbolic preconditions of public spheres. Many associations specialize in symbolic commonality, emphasizing inclusive membership in the polity, and often our common humanity and shared human risks. In distinctive ways, civic booster clubs, associations constituted to celebrate national holidays or centennials, and—in other ways—associations that focus on non-stigmatized diseases (e.g., leukemia rather than AIDS) that link people through their shared biological risks, and associations that focus on child poverty (everyone was once a child, and most have a reflexive empathy with the vulnerabilities of childhood) all emphasize commonality. To be sure, symbolic commonality can be relatively empty of content, or cynically emphasized for reasons of economic gain (as in the civic boosterism of the many Chambers of Commerce). Or, worse, it may be deployed to define a “we”—the respectable mainstream—against marginal others. Whatever the intentions, however, such associations inject into the public realm a common **claim to membership**, and thus an **entitlement of voice** with respect to matters of common concern. In the long run, universalist discourse works poorly to underwrite privilege.

### C. Institutional effects

Far more familiar within democratic theory are those functions of civil society associations that directly enable the institutions of good governance. Associations can provide alternative venues of governance, coordinate among sectors, provide for representation, and enable resistance. Each kind of function is, however, distinct, and again we should expect different kinds of associations to have different potentials.

#### 1. Representation

Representation is one of the two classically recognized effects of associations on good governance, the other being resistance. Representational functions are central to the American pluralist understanding of associations. On the pluralist model, associational representation complements voting with information, since votes are very crude instruments of direction. Associations speak on behalf of blocks of votes, communicating their meanings to representatives. When associations can combine votes with messages they can even hold representatives accountable for specific pieces of legislation, as

environmental and other citizens groups have been increasingly successful at doing in Washington, DC, for example (Berry 1999). In addition, associations can and often do serve to overcome the territorial bases of representation—which is, after all, only one, increasing narrow, basis of interest representation. Primarily because of associational organization, territorial representation takes into account a broader range of interests, and aggregates them at higher levels, than it would were people connected only on the parochial bases of residence (Cohen and Rogers 1995, 43). Associations also have the potential to **equalize** representation in systems like our own that are under the sway of money. Theoretically, the most important resource for associations is the time and commitment of its members, and these resources are more widely distributed than money. Importantly, time and commitment can be pooled, but cannot be accumulated like money. This means that in principle associations can help to level the playing field, organizing pressure and votes in ways that can compete with money (Verba, et. al. 1995, chap 10; Cohen and Rogers 1995, 43). In the United States, however, this democratic effect is merely a potential. With the exception of membership in religious associations, inequalities of membership tend to mirror other inequalities. Indeed, it is likely associations now multiply the influence of those who already have resources (Verba, et. al. 1995, chap 16; Patterson 1999).

## **2. Resistance**

Representation requires capacities for resistance, the other classically recognized function of association. This is why, of course, one of the first goals of any would-be totalitarian or authoritarian state is to remove rights of association—prohibiting meetings in public places, raiding the offices of political and cultural groups, arresting activists, closing newspapers and radio and television stations, closing universities, and so on. As Hannah Arendt argued so cogently, authoritarianism can thrive only where individuals are isolated and atomized, each left to face the power of the state on his or her own. Totalitarianism goes one step further, seeking to reintegrate individual into hierarchical, state-sponsored associations.

Because civil society associations provide people with the capacity to organize collective actions, they also provide the capacity resist what they do not like—sometimes politely, through the vote or through gathering and disseminating information, sometimes



less so through demonstrations, strikes, civil disobedience, or even setting up competing ways of providing services that threaten to draw public money into their wake, as in private school alternatives to public schools (see, e.g., Mathis, this volume). Most state policies require the willing cooperation and skills of most people, most of the time. This is why the capacity to resist can also produce state responsiveness, increase the transparency of state and corporate activities and process, and sometimes even produce organized dialog (see, e.g., Chambré, this volume). None of these institutional effects are likely when people are unorganized, passive recipients of administered policies.

### 3. **Subsidiarity**

Especially in the United States, civil society associations provide alternative means of achieving public purposes—and have increasingly done so since the mid 1980s, when the numbers of organizations involved in providing services (especially health and social services) have increased dramatically (Hodgkinson 1996; Van Til 2000; cf. Kramer 1984). Associations can and do serve as venues for **subsidiarity**—a term borrowed from Catholic political thought and meaning that units of collective action should be matched to the scale and nature of the problem. In some policy areas—regulation of professions and workplaces, for example—associations can sometimes do a better, more efficient job than governments. Because of their distance from social actors, states often have to resort to complex systems of inducements and monitoring to achieve results. In contrast, associations can often draw upon social resources such as the trust and good will of members which can stand in for regulations and monitoring (Warren 1999). But clearly, there are dangers here: it is important to distinguish subsidiarity from mere devolution of powers, as in American federalism. Devolution on behalf of “democracy” is also the preferred tactic for those who wish to escape public accountability (Kramer 1984). Local political units are more susceptible to the blackmail effects of local economic powers, the parochialism of local cultures, and too often local violence, as evidenced by the history of the Ku Klux Klan. Historically in the United States, much of the support for federalism and local control has come from those who are interested in disempowering collective actions, from slave holders to industrial polluters.

#### **4. Coordination and cooperation**

Likewise, we shall wish to look closely at the effects of devolving **politics** (as opposed to specified functions or services) into associational venues. In part because of the scale and complexity of many problems today, and in part because of the pluralism of forces and interests that bear on most problems, collective decisions and actions increasingly require negotiated coordination among a multitude of groups, each with different resources and often with different interests, identities, and values. Owing to these characteristics, many areas of policy have become difficult to manage and administer on the bureaucratic model favored by the state, while market solutions cannot respond to political (as opposed to monetary) demands. Public education, welfare, management of public resources, environmental issues, occupational health and safety, public health, urban planning and development, research and development, and agricultural policy are examples of the policy arenas that have these characteristics (see, e.g., chapters by Sirianni, Steinbach, Bhaumik, and Portney and Berry, this volume) . Civil society associations often find they have capacities for coordination and cooperation that governments and markets do not. Cohen and Rogers trace these capacities to two factors. First, the very existence of associational connections “reduces the transaction costs of securing agreement among potentially competing interests. The background of established forms of communication and collaboration they provide enable parties to settle more rapidly and reliably on jointly beneficial actions. Second, groups help establish the trust that facilitates cooperation. They effectively provide assurances to members that their own willingness to cooperate will not be exploited by others” (1995, 44). Cohen and Rogers conceive of these effects as policy making “in the shadow of the law,” a notion that points to the strategies that states can use to structure and monitor associational venues of policy-making—a strategy exemplified in laws enabling unions (cf. Teubner 1983).

These, then, are the key kinds of effects civil society associations may have. In complex societies like the United States, good governance will require all of them. But civil society associations are never so constituted and situated that any one kind could provide them all. We shall need to look at the ecology of associational types that, in aggregate, enable good governance. But we cannot begin to conceive of what this would

look like, however, without an account of the features of associational types that make a difference for their potential roles in a democratic associational ecology.

#### **IV. THE ASSOCIATIONAL LANDSCAPE OF CIVIL SOCIETY: DISTINCTIONS THAT MAKE A DIFFERENCE**

What kinds of civil society associations are likely to provide what kinds of effects on governance? In this section I shall suggest that three sets of distinctions (and some corollaries) will enable us to locate associational types in terms of their potential contributions to good governance. These distinctions are:

- the degree to which an association is voluntary or involuntary;
- the kind of medium—social norms/communication, money, or power—within which an association is embedded or toward which it is oriented; and
- the goods or purposes of the association.

When combined and developed, these distinctions provide a typology that maps civil society onto governance effects. In the language of social science, I am treating governance effects as dependent variables, while these three classes of factors serve as independent variables. Not surprisingly, it will turn out that this formulation is too crude—good governance effects can themselves be causal insofar as they generate support for the very features of association important for good governance. Even so, the picture that emerges from even a simplified account should help bridge the chasm that now separates theory and research.

My focus here is theoretical: I am interested in those factors about which it is possible to generalize, in order to relate these to the normative goals of good governance. There are, however, factors that will have an independent impact but which are more difficult to treat with any generality. One of these is **organization**. A voluntary association, for example, it might choose a democratic structure in order to cultivate the loyalty of its members, or simply in order to divide labor and spread responsibilities. Or, it might not: if an association's purpose is clear, then loyalty can be guaranteed by ensuring that those who disagree are also encouraged to leave. In many cases, organization seems to be an independent choice, affected by the strategies and ethos of an association's leaders and activists. But it is difficult to generalize about these choices, and analysis is best left to case studies.

But sometimes organization **is** dependent on structural factors about which it is possible to generalize. The hierarchical structure of the National Resources Defense Council certainly contrasts with the more democratic, federated structure of the Sierra Club. But this may have as much to do with the fact that the primary mission of the NRDC is advocacy and litigation. Although the Sierra Club has similar political goals, it combines these with social activities based in local chapters. This particular combination of purposes certainly encourages a more democratic organizational structure. That is, organization may often reflect the variables of purpose and strategic location.

Leadership is another key factor about which it is difficult to generalize. Good leaders can make all the difference in terms of developing loyalty to an association, refining an association's purpose and normative center, focusing and efficiently using resources, motivating others, and making difficult strategic choices. On the other hand, leadership qualities are highly variable. In seeking more federal money for AIDS research, should ACT UP have taken the highly confrontational approach to AIDS researchers that they did? One could argue that in doing so they misunderstood what AIDS research is like, undermining their credibility as partners in the endeavor and diminishing their influence. But this was a leadership choice that could have been otherwise, and is best approached through a case study.

The factors I treat here are “determining” only in the sense that they identify specific challenges and constraints to which the members, activists, leaders, and employees of associations can react with more or less finesse. Associations can rise to these challenges by choosing good leaders and appropriate organizational structures—or not. But even if we exclude the factors that do not readily admit of generalization, we can still generalize about a large number of potentially significant factors which, when combined, should give a base-line set of ideal types that we can then assess with an eye to their potential democratic effects.

#### **A. Voluntary versus involuntary association**

The notion that the kinds of associations important for good governance are **voluntary** associations is close to being a dogma within democratic theory. But it is important to distinguish pure **associative relations**, in which the normative potentials of civil society relations resides, from **associations**, whose structural locations produce can

produce **involuntary** elements within the association. This is especially true of associations that mediate between “pure” civil society, markets, and states—what I’ve referred to (under the expanded conception of civil society) as “economic” and “political” society, since these are directly affected by the constraints of markets and state power. But we should also consider some kinds of identity-based associations as involving involuntary relations. The Catholic Church, for example, includes compulsory elements for those raised in the faith. Indeed, strictly speaking, no association is entirely voluntary or involuntary: rather, exit is more or less difficult (that is, more or less costly) depending upon an association’s control over, or embeddedness in, the resources that people need or want.

Ease of exit affect the kinds of governance effects an association is likely to produce. The reason is straightforward: **There is a close relationship between the ease with which members can exit, and the pressures within associations for voice.** As Albert O. Hirschman argues in his now classic **Exit, Voice, and Loyalty** (1970) the greater the chances for exit from an association, the lesser the chances that voice will have an impact within the association. Exit thrives on freedom of movement, but it is also a silent way of making collective decisions. In contrast, the more **involuntary** the association, the more important democracy becomes, although it is possible and indeed common for the association to respond with authoritarianism. Easy exit can make democracy within association irrelevant, because unhappy members can vote with their feet. So voluntary associations will, all other things being equal, tend to **displace** internal politics onto market-like mechanisms, making it less necessary for these associations to develop internal means of resolving political disputes.

Because voluntary associations can externalize conflict, they can attain a relative purity of purpose when compared to most involuntary associations. And this may enable higher degrees of solidarity, increased capacities for subsidiarity, public voice, resistance, and representation than involuntary associations can achieve. But voluntary associations are likely to be impoverished in providing direct experience of political resolutions of conflicts. In contrast, involuntary associations find it difficult to externalize the conflicting purposes and characteristics of their members. They will often be called upon to serve a variety of purposes, just because the associations cannot externalize them. This may reduce capacities of subsidiarity and will certainly weaken voice in the public sphere.

But when involuntary associations respond to internal conflict with democratic structures, members are more likely to have the politically developmental experiences important for good governance. Josh Cohen appreciates this point in noting that associations established to govern functionally specific arenas—plant committees monitor to compliance with government occupational health and safety regulations, associations seeking to develop impoverished neighborhoods, or to train displaced workers—are under **functional** pressures to perform (hence, there are involuntary elements), and are more likely to bring together people who may share a concrete concern, but are very diverse in identities and backgrounds. These kinds of association are, other things being equal, more likely to serve as deliberative “schools of democracy” (Cohen 1996, 111-13). Table 2 provides a very rough illustration of what we might expect the effects of exit to be on an association’s contributions of good governance—all other things being equal [Table 2 about here].

## **B. The constitutive media of association**

Advanced industrial societies are differentiated in their structure and composed of numerous organizations that specialize in their function. The associations of “pure” civil, political, and economic society are no different in this respect. As I suggested above, what distinguishes these three domains within civil society are the “types of operational organization” or media of organization within which they are embedded or seek to influence. This distinction is important because media location has much to do with both the functional pressures that come to bear upon associations (which in turn has an impact upon their voluntary qualities), and upon the resources they can deploy. These in turn affect the way associations operate, reproduce their identities, negotiate conflicts among media, and pursue their goals—and hence their potential contributions to good governance.

“Pure” civil society associations reproduce themselves through social norms and communication. These include associations that engage in education and socialization, as well as groups that seek to alter the norms, traditions, or symbols that support social reproduction. Examples include families, schools, religious groups, social, sports, and hobby clubs, cultural groups supporting the arts, New Social Movements aimed at cultural transformations, and foundations that deal with cultural issues. The aims of these

groups tend to be cultural and social in nature, and their general effect is to reproduce or alter normatively-governed social relations.

Associations oriented toward or embedded within the medium of power (“political society”) include political parties, political pressure groups, economic lobbies seeking state-sanctioned benefits (“rent-seeking” interest groups), corporatist organizations, policy think-tanks, groups devoted to political issues and discussion, professional associations that take on regulatory functions, groups organized to take on legal monitoring functions, and groups that organize public sphere events (such as presidential debates) directly related to state-centered institutions.

Associations oriented toward or embedded within markets (“economic society”) include certain kinds of market-oriented non-profits, unions, consumer groups, and even environmental and human rights groups that seek impact through market mechanisms.

What difference do these distinctions make? One key divide is between associations constituted by social media and those constituted by power or money. All other things being equal, **a close relation to life-world reproduction enables high degrees of coordination, but disables conflict-resolution within the association, because nothing but social resources hold the association together.** Associations based on social resources alone will tend to be robust in identity-formation, subsidiarity, clearly articulated voice in public spheres, and perhaps the development of civic virtues; but they will be fragile with respect to conflict resolution. Conflict can overburden social relations, producing the equally anti-political responses of exit, or repression and self-censorship. So “pure” civil society associations may gain a purity of voice and purpose that can help to constitute broader public conversations, but at the expense of internal political and deliberative experiences.

The impersonality of money and the universality of law can, however, work to relieve social integration of the full burden of collective decision and action, bracketing conflicts so they are not so tightly integrated with every aspect of an association’s life. That is, it may be easier for associations that are **not** immediately involved in social reproduction to distance issues from identities, thus making process-oriented, discursive engagement of issues easier for members, and thus discursive experiences more likely. Thus, one is likely to find more deliberation in a CDC (Community Development Corporation) or union than in a recreational or hobby club.

An important corollary to distinctions between media locations is whether an association is **vested** or **non-vested** in the medium it seeks to reproduce or influence. Some kinds of associations are well situated within a medium's flow of resources (such as industrial associations or civic booster associations), while others seek to alter the flow of resources (such as anti-sweat shop activists or gay rights organizations). Does the association reproduce the system from within? Or does it seek to alter it from without? (cf. Habermas 1996, 375-76; Cole 1920) In addition, if an association is vested in its medium, does it enjoy a power position that enables it to avoid public accountability? Or is its power position such that it must resort to more or less transparent bargaining and reason-giving through the official channels of democratic institutions—that is, resort to the use of communicative power?

All other things being equal, associations that are functionally-integrated into their systems tend to be stakeholders with vested interests, and are often well-positioned to work their will through leveraging or withholding their resources. Because these kinds of associations are well-placed to amass resources or because they benefit from the existing “mobilization of bias,” they have high capacities for subsidiarity and coordination, as well as high capacities for representation and resistance.

Non-vested associations, in contrast, are better able to purify their goals and pursue them strategically, in part because they have few vested interests to compromise. When this circumstance is combined with high ease of exit, such groups can (all other things being equal) achieve a singularity of voice that functionally-entangled associations—especially those that specialize in coordination—are less able to muster. From the point of view of public debate and representation, these non-vested groups are “suppliers” of issues. But these associations will tend to face two kinds of difficulties not faced by functionally-integrated associations. First, not being functionally integrated, these associations do not benefit from established flows of resources. Second, precisely because they are not functionally-integrated, these associations must devote extra attention to maintaining the activism of their followings, thus reproducing identities that will shift as groups shift missions, win or lose battles, or find their initiatives co-opted. New Social Movements, for example, are faced with the double imperative of acting strategically, but also reproducing the identity of the association. Often these imperatives conflict, as when a group strategically compromises to gain a partial victory, but in doing



so compromises the principles that animated its following—a dilemma with which, famously, the Greens in Germany, and the Christian Right in the United States have struggled (Wilcox, this volume). Table 3 provides a rough illustration of what we might expect of the combined effects of media location and orientation (vested v. non-vested) on governance effects—all other things being equal [Table 3 about here].

### **C. The purposes of association**

The purposes of an association—the goods they seek to achieve—will also have an impact on their governance effects, apart from the effects accounted for by the factors I have just discussed. In a country like the United States, associations serve discrete goods, define their missions and identities in terms of a dominant good. But given the vast array of goods and purposes of associations, can we make distinctions that will not lead to an endless list? We can if we focus only on those features of purpose-defining goods that are important for their governance effects. There are (as I have argued elsewhere; see Warren 1992) six kinds of goods with distinctive effects on associational contributions to governance.

#### **1. Individual material goods**

**Individual material** goods include food, clothing, shelter, and other material consumables enjoyable by individuals or small groups such as families. The significance of these goods is that while they are intrinsically scarce and conflicting, there is no **inherent** requirement for collective action to gain them, which is why they are often left to markets. Associations that pursue these goods by leveraging their power in the **market** (consumer cooperatives and unions when they pursue wage demands) may produce effects relevant to democracy within the association—such as developing a sense of agency, cultivating political skills, and developing capacities for subsidiarity (Lane 1991). But broader distributional effects, planning for futures, and so on, will be left to the markets. Associations that use **political** means to affect distribution (business lobbies, industrial networks, welfare advocacy groups, and unions when they act as social advocates) can stimulate debates about distributive justice, but only if they make their cases in public, and—in some sense—transform distributional consequences into public goods.

## 2. **Interpersonal identity goods**

**Interpersonal identity** goods include the identities that emerge out of close interpersonal relations such as love, family, and friendship. These goods are usually reproduced below the threshold of civil society—in families, small groups, and social clubs. Nonetheless, it is within such intimate associations that individuals may learn the pre-civic virtues of reciprocity, trust, and recognition, as well as develop the confidence necessary to political agency.

## 3. **Public material goods**

**Public material** goods include goods such as public radio and television, clean air and water, environmental integrity, and collective security. As theories of collective action emphasize, public goods are open to free riders. Since individuals may enjoy the good whether or not they pay for its provision, they must either be persuaded or coerced into paying if public goods are to be provided. And because these goods are inherently scarce, they bring with them a potential for conflict. The combination of these factors means that public goods must be achieved by collective action against the background potential for conflict. For this reason, associations that pursue public goods through **social** media will attend closely to common interests in public goods, and emphasize their benefits in contrast to the individual material goods they often displace. With respect to the trade-offs between exit and voice, associations devoted to public goods are unique in that it is precisely the possibility of exit that stimulates voice: those who do not exit are stuck with the costs of public goods, which can induce members to use moral persuasion against those who would exit. Associations that pursue these goods through the **state** do not have the same inducement toward voice. But because the compulsory nature of state actions tends to foreground questions of legitimacy, there remains an indirect inducement for justification. All other things being equal, associations that pursue public goods are most likely to contribute to a broad range of good governance effects.

## 4. **Status goods**

**Status** goods are symbolic goods such as degrees, titles, exclusive club membership, or material goods with an attached symbolic value such as expensive cars, houses, or vacation homes. The value of status goods depends upon their scarcity and excludability: the status of any good that is too widely available is degraded. Likewise,

the value of a status good is inherently social: it is only when a good is widely recognized as worth having that ownership conveys status. Associations that defined by status goods can develop political skills and can often effectively represent their members' interests. But because these goods are exclusive and scarce, associations devoted to them are unlikely to take their cases public, or even risk public exposure through "official" representative processes. All other things being equal, such goods must be covertly defended precisely because their possession cannot, by their very nature, be presented as exclusive privileges in the common interest—at least not in a culture like that of the United States. Nor—unlike individual material goods—can they be bargained as if they were equatable to other goods: they have value precisely because they not equatable. Associations pursuing these goods cannot, therefore, contribute to the public sphere, nor to democratic processes of representation, and they are more likely to reinforce uncivic attitudes than they are civic virtues. Whatever trust and empathy they generate will typically be of a particularistic nature, limited to those of a similar status or position.

##### **5. Exclusive group identity goods**

**Exclusive group identity** goods depend on group distinctions (religion, language, ethnicity, race, age, or gender), or distinctive interests, hobbies, fads, and lifestyles. Unlike positional and status goods, these goods are not **inherently** conflicting, since there is no shortage of such identities and their value does not depend on scarcity. Associations that pursue these goods can contribute to pluralism and diversity, while providing individuals with sense of agency, solidarity, and efficacy, especially if the group is marginalized by the dominant culture. In addition, such associations often sharpen public debate and political representation. But exclusive identity goods often militate against deliberation within the association, since it will often appear as a challenge to the identity itself. Nor are cooperative relations with other groups very likely: when a group defines itself in terms of identity-based distinctiveness, interests shared with others are submerged. Moreover, for those identities given by biology and birth (race, gender, age; to a lesser extent religion, ethnicity, and language) commonality is, as it were, pre-given. The possibility of discovering new interests or interests shared with those outside the group is precluded at the outset. Moreover, the representation of (ascriptive) identity-based groups is problematic from the perspective of good governance: those who claim to

speak for the group assume the group interests whether or not there exist processes within associations that might develop the voices of members (Rosenblum 1998, chap 9).

There is a long history in the United States of exclusive group identities combining with control over scarce resources to reinforce the dominance of privileged groups. In contrast, marginalized identity-based groups typically have their identities forced upon them, so that each individual is, in some sense, forced into common cause with others who share the imposed identity. These circumstances can produce associative ties by default (that is, there is an involuntary factor that cannot be separated from identity), as in the case of Black churches, schools, and universities, which would not exist as “Black” except for the history of segregation in the United States. In the most interesting cases of identity-based groups, then, it is often difficult to separate the governance effects of identity goods from the involuntarism out of which the identity is forged.

## **6. Inclusive social goods**

**Inclusive social goods** include common resources such as language, knowledge, and cultures, as well as identities and recognitions that attach to the goals, ideals, activities, and dialogs that constitute membership in a society. Associations dedicated to these goods include those seeking to reform political processes, groups that promote rights of speech, association, and political participation, scientific and educational societies, public schools, debating societies, literary and cultural groups, and many kinds of charitable foundations. Associations devoted to social goods are essential to underwriting public spheres and political processes, and can induce commonalities, ethics of inclusion, and civic virtues. But on average, these same inclusive purposes will tend bias associations away from political conflicts, representations of differences, and direct deliberative involvements, except insofar as these are necessary to extending and securing these inclusive goods. Table 4 provides a rough illustration of how we might expect the purposes of an association to effect its potential contributions to good governance, all other things being equal [Table 4 about here].

## **V. TYPES OF ASSOCIATIONS**

These are, I think, the kinds of distinctions we can make at the level of theory. When they are combined, however, they generate a relatively fine-grained typology of

possibilities, in this way drawing the theory closer to reality, as indicated in Table 5 [Table 5 about here]. At the same time, because the distinctions involve features of civil society that bear directly on the question of how its associative fabric affect good governance—that is, because the significance of each distinction is **normative**, we should then be able to predict the potential contributions of each type to good governance. Although it will go beyond what I can accomplish here, I shall provide an example in the next section.

With regard to the first dimension, ease of exit, I rely on a somewhat limited range of possibilities, distinguishing only whether ease of exit is relatively high, medium, or low. As I have indicated, I am interested less in individuals' chosen attachments to an association—which can be very powerful indeed—than I am in the extent to which an association controls resources necessary for security, livelihood, or identity. That is, to what degree are the voluntary qualities of purely associative relations mitigated by other kinds of forces and circumstances? From my discussion of media embeddedness, I carry two more dimensions into the typology: the nature of the medium in which associative relations are embedded—social norms/communication (pure civil society), power (political society), or money (economic society)—and whether or not an association is vested in its medium. The final dimension consists of the six kinds of goods that define associational purposes. Even with simplifications in each dimension, these distinctions generate a large number of hypothetical types, described in Table 5.

Of the many hypothetical possibilities that exist, I can think of examples for only about one-third. In many cases, the empty locations represent theoretical impossibilities. For example, the cells representing membership in **economic associations with low exit** are empty because economic association can be made compulsory only through the use of directly coercive means, as in slavery or peonage. But in such cases, the medium of association would be power (in the sense of requiring direct coercion) rather than market relations, on average, offer chances for exit. The most important example of this kind of relationship in the United States today is not slavery, but organized crime, although there remain cases in which workers—usually illegal immigrants—are subject to slave-like conditions.

There are other instances of theoretical improbability in Table 5. Most of the **nonvested social** cells, for example, are empty because individuals usually regard the life

into which they are socialized from an internal (that is, “vested”) point of view: they reproduce their culture, language, identity, and social relations by participating within them. The one important exception occurs when groups cultivate an oppositional consciousness among their members toward the culture that has defined them—as in some religious groups, gay and lesbian cultural groups, the Black Pride movement, and feminist consciousness-raising groups.

In still other cases, the dimensions are theoretically over-determined. Thus, the cells representing **nonvested political associations with medium opportunities for exit** are empty because the fact of nonvesting leaves associations with few resources for controlling exit up to the point of using extra-legal violence. But this means of limiting exit also tends to make it relatively absolute, meaning chances for exit are low, as in the case of organized crime and some secret revolutionary cells.

Finally, some cells are empty not because of theoretical impossibility, but because of arbitrary judgments inherent in theoretical exercises such as this. For example, does the fact that Residential Community Associations (RCAs) draw on residential investments make exit difficult but not impossible mean that exit options are “medium” or “low”? There is, of course, no general answer, since the difficulties of exit depend upon the circumstances of individual homeowners. I am simply guessing that for most exit is constrained but not impossible (“medium”).

There also exist overlapping purposes in many cases. Often these overlaps occur when exit is constrained and associations are fully entangled in social reproduction. Public schools, for example, exemplify two cells, representing the fact that they serve at least two kinds of goods—interpersonal identity goods insofar as they are involved in socialization, and inclusive social goods insofar as they are involved in reproducing knowledge as well as citizens. Large, politically-vested associations such as political parties and corporatist bodies are called upon to represent a large number of goods—from the highly symbolic and general, to issues concerning distribution of material goods.

Still other examples may seem contradictory, but in fact help to illustrate qualities of associations that often go unnoticed. Thus, ethnic and racial identity-based groups have **low** possibilities for exit with respect to the internal, **social** reproduction of groups. Individuals are born into these groups (one cannot choose not to be African-American, nor, more significantly, to escape the imposed identity “African-American”) or socialized

into an ethnicity at such an early age that membership is virtually compulsory. It is a different question, however, as to how one bears this identity with respect to political media: one can avoid making a political issue of one's identity, thus introducing an element of voluntarism into identity-based political associations.

Other locations reflect specific kinds of associational strategies: thus, some environmental groups—the Nature Conservancy and the “Dolphin Safe” tuna campaign, for example—work through markets, but operate externally to them by altering their parameters through consumer pressure.

The locations indicated in Table 5 are indicative of the kinds of governance effects we might expect of differing types of associations, predicting on the basis of their distinct characteristics with respect to exit, media location, and purposes. Ideally, we should map these characteristics onto each kind of governance effect, as detailed in Section III. This would provide us with a researchable map of civil society, but it is a task that goes far beyond what I can do here.<sup>6</sup> I can, however, provide an example of how the typology might be developed into researchable propositions by commenting on associational contributions to public communication and deliberation, one of the effects that constitutes public spheres.

## **VI. AN EXAMPLE: ASSOCIATIONAL CONTRIBUTIONS TO PUBLIC COMMUNICATION AND DELIBERATION**

In a democracy, communicative power ought to replace other forms of force in collective decisions. The source of communicative power is often associations that provide the connections between individuals' needs and problems and public voice by working to bring issues before the public, to provide arguments for their positions—constituting issue-agendas and discussions that extend over time and space. But not every kind of association has the capacity or the incentives to “go public” in ways that keep public communication and deliberation vital and autonomous. Indeed, most associations prefer to do their work quietly—if not behind the scenes. But not every kind of association has the capacity or the incentive to “go public” in ways that keep public communication and deliberation vital and autonomous. Indeed, most associations prefer to do their work quietly—if not behind the scenes. Some, especially those that are primarily social such as recreational associations, do not need publicity to achieve their

purposes. Others, such as scientific and technical associations, are locked into specialized languages in ways that make it difficult to enter public discussions without skillful translators. Still others develop sheltered working relations among groups that could easily be disrupted by the rough and tumble of public advocacy and argument. Some groups—social service providers, for example—seek to base their legitimacy upon their expertise, which will cause them to be very cautious about taking any public stand that could be construed as “political” (Kramer 1984, 261-62). The appearance of partisanship can quickly erode the legitimacy of expert authority. And there are those that actively seek to avoid public exposure justification because they can better work their wills through power and money (see Foreman’s account of the tobacco lobby, this volume). These latter kinds of associations are not simply non-contributors to public spheres, but seek to avoid public discussion and judgments altogether. Finally, United States tax law encourages associations to keep a low public profile by providing tax advantages to “non-political” associations (see, e.g., Van Til, this volume). Elizabeth Boris estimates that only 5.5 percent of tax exempt organizations have advocacy as part of their mission, and these tend to be the smaller rather than larger organizations (cited by Van Til 2000, ms. p. 224). To be sure, contributions to the public sphere do not require advocacy as such: studies of public policies, surveys, and other such activities can promote public sphere dialogue without appearing to be “political.” Nonetheless, a relatively small number of associations are involved in public sphere activities.

The kinds of associations likely to keep the public sphere vital are those that have something to gain by going public, and are so constituted that they can “stay on message”—that is, they must have the capacity to project their voice over time and space. The logic that drives contributions to public communication and deliberation is relatively straightforward. One key factor has to do with whether an association is oriented toward **political** media. If associations are politically embedded or oriented, their purposes are, for this same reason, contestable and thus become potential elements in public debates. In contrast, for groups oriented toward **economic** media, communication is—to use Habermas’s terms—“delinguistified.” Markets “communicate,” but not publicly, and not in any way that can constitute deliberation. **Social** media involve thick and intensive communicative understandings, but social relations thrive on background consensus. Thus, many social associations—civic groups and recreational clubs, for example—



maintain this consensus through exit rather than by going public with their conflicts. “Pure” civil society associations are not likely to contribute much to public debate. So we should look first to those associations that are directly oriented toward politics.

A second key factor is whether or not an association is **vested** in its medium, since this will affect its motivations to go public. All other things being equal, an association that is **not vested** in the medium it is seeking to effect will be motivated to make use of communicative power—that is, to go public and attempt to press their cause by persuasion. Associations that are **vested** in their medium of reproduction are more likely to avoid the unpredictability of public exposure and justification, preferring to exercise influence through money, power, or the mobilization of bias. Vested associations will go seek public justifications of their positions and activities only when they are threatened by public criticism, demonstrations, legislative proposals, strikes, and the like. Business lobbies, for example, prefer to exercise political influence through large campaign contributions or threats of capital flight rather than by attempting to justify publicly favorable tax and tariff treatment. For these kinds of associations, public exposure is anathema. In contrast, because **nonvested** groups seek change and do not benefit from these resources, they will seek to communicate their positions and stimulate public debate. **Communicative power is the only power that nonvested groups can exercise.**

A third key factor is ease of exit. When associations cannot externalize political conflict, they have incentives **not** to insert themselves into public dialogs—not just because it is often difficult to find a clear, consistent, and effective public voice when there are many voices within the association, but also because keeping a low public profile is often necessary to maintain a balance of voices and forces within. If leadership should nonetheless take a strong public stand on an issue without a broad consensus within the association, this amounts to declaring war on those who disagree. In contrast, when exit is easy, associations can purify their public voice, and maintain the internal consensus necessary to “stay on message” over the long periods of time it takes to constitute and affect public debates.

These effects are illustrated in Tables 6, 7, and 8. Factors that are key in the classification of effects are represented in bold. Table 6 lists the kinds of associations we might expect to contribute little to constituting public spheres [Table 6 about here].

Because they are vested in their media and have other means to achieve their purposes, they lack incentives to go public. Because they are embedded in social and economic media, making “public issues” of things is inappropriate, ineffective, or disruptive. Indeed, these attributes characterize most kinds of association—from recreational associations and civic groups to firms, consumer cooperatives, and government service providers. And for the associative types with constrained exit, the imperatives of managing internal conflict will undermine any incentives that might exist to become actors in the public arenas. So, although associational life may provide the infrastructure of public spheres, these associational types will make few, if any contributions to public communication and deliberation.

With a couple of exceptions, Table 7 mirrors the reasoning displayed in Table 6 [Table 7 about here]. What new social movements, identity-based advocacy groups, rights advocacy groups, oppositional media, and groups that specialize in gathering and communicating information about the non-public activities of governments, businesses, and other associations have in common is that they are not vested, and so must rely on communicative power—argument, rhetoric, and demonstration—to achieve their objectives. When combined with easy exit, these groups can clarify their messages and “go public,” effects that are strengthened if the groups are politically-oriented. Groups such as Common Cause (specializing in exposing the illegitimate influence of money within political processes) operate primarily by gathering information about public officials and making it public. Groups such as the League of Women Voters sponsor candidate debates and publicize candidate responses to questionnaires in an attempt to push elections toward public judgments. The two economically-oriented types in this table—unions engaging in social investing and conservation groups that achieve their objectives by buying and preserving land, for example—benefit from high public profiles because they must use persuasion to interest people in diverting their money to their causes. In both cases, commitments to inclusive goods strengthen the incentives to go public.

The established media—the only vested group in this table—also functions to constitute publics. It is the business of newspapers, television, and news magazines to provoke public discussion, and to justify media displays of public issues in terms of their broad social contributions. The danger from a democratic perspective, of course, is that

because the mass media is business, it is primarily responsive to the powers of money rather than to the life-worlds of mostly passive media consumers. Nonetheless, even if only interested in gaining consumers, the mass media can often be provocative, helping to push issues into the public eye that had, perhaps, been ignored—as when Ellen DeGeneres declared herself a lesbian her sitcom “Ellen,” or when former Vice-President Dan Quayle found himself debating the fictitious sitcom character “Murphy Brown” on the morality of single motherhood. Moreover, in the world of news reporting, issues sell—especially new ones—so that it is in the interests of media professionals to look for that which may have been overlooked.

The associational types represented in Table 8 make limited contributions to public communication and deliberation owing to their “contradictory” locations [Table 8 about here]. The predominant pattern is that vested positions bias against public exposure and activities, while other factors tend to provoke activity. Political parties, for example, constantly seek to develop strategic agendas “in house.” They often fail, however, owing to the existence of factions that appeal to publics to bring pressure to bear on the party. In spite of the strategic intentions of leaders, parties are increasingly providing fora for public debates.

Institutions such as universities are committed by their purpose and design to public communication, discourse, and judgment, and they provide important fora for public discussions. However, because universities are reproduced in large part through social consensus, they find themselves constrained by needs to maintain civility, which may in turn lead to speech codes, student newspaper censorship, and other constraints on public discourse. Likewise, because universities are full of people with strongly-held opinions, they cannot afford to take public stances on most major issues. Similarly, social groups that are committed to public education, arts, and other cultural groups often find they are most effective at retaining members and achieving their purposes if they narrowly circumscribe their issues and avoid taking overtly “political” stands.

Business lobbies, professional associations, unions, and other vested groups with political orientations count among the “mixed” cases because of the peculiar ways in which these groups enter public arenas. These groups have an incentive to avoid public exposure when they seek political influence. But because capitalist economic systems place most important social decisions in private hands, groups such as these often find

themselves forced to confront the problems—“externalities”—they generate in the process. The American Medical Association finally decided to enter the public debate on the availability of health care because it became clear that the privileged position of doctors were being eroded by new financial realities, falling public confidence, and increasing awareness that one externality of market-based medical care is that large numbers of people go without any care at all. The tobacco lobby cynically raised issues of “principle”—free speech and individual liberties—when confronted with possible bans on tobacco advertising and limited bans on smoking. Cynical or not, they inadvertently helped to clarify the meanings of these principles—although the clumsiness of their public campaigns exposed their inexperience in matters of communicative power! More generally, every **vested** group that works through political media risks public exposure, and—at one time or another—will become public actors.

## **VII. CONCLUSION: GOOD GOVERNANCE AND THE ASSOCIATIONAL ECOLOGY OF CIVIL SOCIETY**

We need analysis such as this one if we are to begin to map the characteristics of civil society onto the many dimensions of good governance—and, ultimately, if we are to use such a map to recommend policies and politics that would enhance good governance. But although this is where much of the hard work ought to take place, question of what kinds of civil societies contribute to good governance cannot be answered without attending to the question of what mixes, balances, and distributions of associations function, in aggregate, to produce what might be called a **democratic associational ecology**. So, in conclusion, here are the issues we ought to keep in mind.

### **A. Associational mixes**

As is clear from the preceding analyses, because of their varying locations, capacities, and purposes, no single kind of association can provide all of the effects necessary for a democratic ecology of associations. Good governance depends upon a mix of associational types that enables the full range of effects that underwrite good governance.

## B. Associational balances

If no associational kind can produce every desirable effect, it is also the case that effects potentially trade off against one another. A good mix of associations should be balanced: no single kind of effect should marginalize other effects. Should some kinds of effects become predominant—say, subsidiarity or representations of differences—they can work to undermine good governance. Most imbalances can be traced to associations that have powers that enable them to deprive individuals of autonomy, or to bypass accountability to the publics affected by their actions, or to dominate representative institutions. These associational powers are **inherently** anti-democratic. To the contrary, they enable subsidiarity and resistance, two effects that are key to good governance. But these same potentials can work anti-democratically if they are not balanced by countervailing associational powers, state regulations, organized citizen activists, exposure to public scrutiny, and so on. We shall need to judge whether, in an associational ecology like that of the United States, the overall mix of associations so privileges some effects that others atrophy.

## C. External and Internal checks on associations

Fortunately, these anti-democratic twists on democratic potentials are not general to associations. These possibilities reside within **vested** associations that lack “internal” checks and balances among democratic effects. This is why, for example, business associations stand out as uniquely problematic: they have high capacities for making and following through on collective actions as well as for representation and resistance. But they are oriented toward market “accountability” alone. It is not accidental, then, that their potentials to contribute to good governance are likely to be actualized only when they are checked and balanced **externally**—through state regulation, union and citizen activism, socially-conscious investors, and the like. Unfortunately, in the United States, many of the associational kinds that might serve these checking and balancing functions such as unions are relatively weak (cf. Rogers, this volume).

It is not the **fact** that vested associations control resources that is the problem, but rather that by controlling resources many are **also** able to avoid public procedures of justification for actions that affect the public. For vested associations that occupy positions of privilege, any resort to public argument and justification is a net loss. When

pressed into public view, they must demonstrate that their privileges are, after all, justified in terms to the goods they return to society—and this is often a hard case to make. But even barring disincentives, vested associations are less likely than non-vested ones to contribute to public communication and debate. All other things being equal, it is often less easy for stakeholders to purify use public means of influence. For example, professional associations that take on state-sanctioned regulatory functions are entangled in the broader enterprises of the state. Such associations cannot appear to be “political” without drawing into question the legitimacy they have borrowed, as it were, from the public, which can in turn endanger the powers they have acquired. Still, entangled within their medium, such associations may find that they must negotiate and accommodate conflicts in order to retain their positions or serve their purposes. Where there is a parity of bargaining power, vested associations can work within democratic institutions of governance.

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In contrast, many other kinds of associations are **internally** checked and balanced, so that even when they have significant potential powers, there are few

scenarios under which they could have anti-democratic effects within an associational ecology. Very often these internal checks stem from combinations of low exit combined with purposes (such as achieving public material or social goods) which tend toward internal democracy and external accountability. Examples include universities, public schools, civic and environmental groups, rights advocacy groups, unions, political parties, public corporatist bodies, the mass media, self-help economic networks, and many other cases. Thus, **we should expect societies with more of these kinds of associations to have a more sturdy democratic associational ecology**—one that will be less dependent upon the more delicate and often problematic strategies of external checking and balancing.

The distinction between external and internal checks and balances also applies to the impact of associations on individuals' democratic capacities and dispositions. What is important here is that over time individuals have a variety of associational attachments that, in aggregate, provide the full range of developmental effects. Thus, a recreational group may not be very good at cultivating critical skills. But if its members are, say, also members of a university, PTA, or rights advocacy group, then its contributions to civic sensibilities may complement the critical skills gained in these other fora. These would be instances of **external** balancing of developmental effects. Without these balancing effects, we might very well have some citizens whose political skills have no civic or critical elements, so that they act only in cynical, strategically-calculating ways. Alternatively, a society might be replete with well-meaning, civically virtuous citizens who lack the political and critical skills necessary to make their virtues effective.

Here again, there are associational types that combine these developmental effects, thus providing checks and balances **internal** to the associational kind. Democrats should be especially interested in these associational kinds, which, if we follow the analyses in the last chapter, include universities, public schools, groups devoted to public knowledge, the mass media, civic and environmental groups, political parties, public corporatist bodies, public interest NGOs, rights advocacy groups, unions engaged in social issues, and families with democratic structures. In contrast, identity-based groups, social clubs, fundamentalist churches and religious schools, firms and business lobbies, parochial schools, and similar associational types may provide one or more developmental experiences, but fail to connect them to critical skills or civic virtues. The

democratic effects of these kinds of associations with respect to developing individual autonomy are much more dependent upon complementary experiences from other associational types. In environments lacking these complements, these associations may add little to democracy, or even produce anti-democratic effects. Thus, we should also be concerned about “greedy” associations that seek to engineer encompassing communities. In the United States, some forms of religious association seek to organize all facets of life—family, school, work, neighborhoods, and even consumer networks—around communities of believers (Wilcox, this volume). Clearly, these patterns of attachment replicate homogeneity and reduce the experiences of pluralism in ways that cannot but undermine a democratic ethos. But patterns of self-segregation can replicate similar effects such as residential enclaves that select for residents of similar income, race, life-style, and political persuasion, and then combine with public or private schools with similar demographics. When cleavages overdetermine one another, experiences of pluralism become more rare, and the democracy of everyday life more difficult to achieve. No doubt this is one factor within societies where the key cleavages follow family, ethnic or religious differences, a pattern that can be found in some areas of the United States (see Egan, this volume). It is not that these societies lack associations, but that the kinds of associations they have are not by themselves sufficient to form democratic citizens.

#### **D. Distributions of associational attachments**

If associational attachments form democratic citizens, cultivate their participation in public judgments, and enable their voice and power within democratic institutions, then we shall need to know **who** has the kinds of associational ties that enable these advantages. If associational ties provide, perhaps increasingly, the life-blood of democracy, then joiners have advantages that non-joiners do not. Even if the mixes of associations in a society are, on balance, democratic, if they are distributed in ways that reinforce other social and economic cleavages then their aggregate effect may be, as it were, democracy for the few.

There are, of course, many kinds of associational ties we would not expect to be distributed equally—those that are both cause and effect of privilege. Elite social clubs, elite corporatist groups, gated communities, private schools, and the like reinforce (and



often have as their purpose to reinforce) inequalities. These associational ties more or less mirror inequalities of money and power, and democrats should and do seek ways to contain their effects. Of greater (theoretical) concern, however, are disparities in associational ties that are **not** inherently inegalitarian: ties to neighborhood groups, recreational associations, civic groups, political groups, parties, unions, and other organizations that might compensate for lack of power and money. Unfortunately, as the contributions to this volume by Rogers, Skocpol, Wolpert, Soss, and Boris, et. al. suggest, in the United States there is much evidence that these associational ties mirror cleavages of education, income, and race/ethnicity, so that civil society reinforces rather than repairs the inequalities that can undermine good governance (Pew Research Center 72-77; Verba, et. al. 1995, chap 12).

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Even a cursory theoretical survey such as this one suggests that the associational ecology of the United States is far from ideal; we can see relatively easily that good governance would benefit from higher densities of some kinds of associations (those devoted to public and social goods, for example), and lower densities of others (such as rent-seeking “special interests”). But we do not yet know enough about the nature of the associational terrain in the United States to go much beyond such generalization. To do so will be a complicated business, given the immense numbers and varieties of associations that constitute civil society in the United States. In the end, however, the very messiness of the issue probably means that there exist a multitude of paths toward good government within our increasingly pluralized and dynamic society—some partially realized, and many not.

## Endnotes

- <sup>1</sup> Much of this chapter, with the exception of Section I, is abstracted from Warren, 2000.
- <sup>2</sup> Seligman (1992) argues that advocates of civil society misunderstand the extent to which the concept depends upon the Lockean view of society as a contract among autonomous individuals. Since the Calvinist assumptions no longer hold, in Seligman's view, the relevance of the concept is doubtful. On the account I offer here, the concept depends less on Lockean social-psychology than on the Parsonian view that contemporary social relations are associative in nature (Parsons 1971). Because of the multiplicity of associative connections, however, we cannot generalize about the virtues of civil society.
- <sup>3</sup> Influence, in Parsons' usage, is "a generalized symbolic medium of interchange, in the same general class as money and power. It consists in capacity to bring about desired decisions on the part of other social units without directly offering them a valued **quid pro quo** as an inducement or threatening them with deleterious consequences. Influence must operate through persuasion, however, in that its object must be convinced that to decide as the influencer suggests is to act in the interest of a collective system with which both are solidary" (1971, 14).
- <sup>4</sup> This point is essential to Jürgen Habermas's analysis of the normative bases of constitutional procedures in **Between Facts and Norms**: (1997), esp. chap. 7.
- <sup>5</sup> Such a theory would center on the good of autonomy. Cf. Held, 1996, chap. 9, and Warren 2000, chap 4.
- <sup>6</sup> For development, see Warren 2000.

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Table 1: Locating Civil Society

Closeness of Social Relations	Means of Social Coordination				
	Power (legal coercion)		Social norms & communication		Money
Distant	States	Mediating associations: "political society"	Civil Society: Publics	Mediating associations: "economic society"	Markets
Inter-mediate			Pure associative relations		
Intimate			Families, friendships		

Table 2: Potential impact of exit on enabling governance effects

<b>Governance effects</b>	<b>High exit</b>	<b>Constrained exit</b>
<b>Developmental effects</b>		
<b>Efficacy/ information</b>	X	X
<b>Political skills</b>		X
<b>Deliberative skills</b>		X
<b>Civic virtues</b>	X	
<b>Public sphere effects</b>		
<b>Public deliberation</b>	X	
<b>Representing commonalities</b>		X
<b>Representing differences</b>	X	
<b>Institutional effects</b>		
<b>Subsidiarity</b>	X	X
<b>Coordination/ cooperation</b>		X
<b>Resistance</b>	X	
<b>Representation</b>	X	

Table 3: Potential impact of media location on enabling governance effects

Governance effects	“Pure” civil society		Political Society		Economic society	
	Vested	Non-vested	Vested	Non-vested	Vested	Non-vested
<b>Developmental effects</b>						
Efficacy/ information	X	X	X	X	X	X
Political skills		X	X	X	X	X
Deliberative skills			X	X	X	X
Civic virtues	X					
<b>Public sphere effects</b>						
Public deliberation		X	X	X		X
Representing commonalities	X		X			X
Representing differences		X		X		X
<b>Institutional effects</b>						
Subsidiarity	X		X		X	
Coordination/ cooperation	X		X		X	
Resistance		X	X	X	X	
Representation			X			



Table 4: Potential impacts of purposes on enabling governance effects

Governance effects	Types of Purposes/Goods					
	Status	Interpersonal identity	Individual material	Exclusive group identity	Inclusive social	Public material
<b>Developmental effects</b>						
Efficacy/information	X	X	X	X	X	X
Political skills	X		X	X		X
Deliberative skills						X
Civic virtues		X			X	X
<b>Public sphere effects</b>						
Public deliberation				X	X	X
Representing commonalities					X	X
Representing differences				X		
<b>Institutional effects</b>						
Subsidiarity						X
Coordination/cooperation			X		X	X
Resistance		X	X	X		
Representation			X	X		X

Table 5: Defining the Characteristics of Associations

Ease of exit	Medium of social reproduction	Orientation toward medium	Constitutive goods					
			Status	Interpersonal identity	Individual material	Exclusive group identity	Inclusive social	Public material
High	Social	Vested	Elite social clubs	Social clubs, recreational groups	*****	Groups dedicated to cultural tradition; fraternal orders	Cultural, knowledge-oriented, educational & recreational groups	Civic & environmental groups
		Nonvested	*****	*****	*****	Counter-hegemonic life-style groups & NSMs	*****	*****
Medium		Vested	Gated neighborhoods, private schools	*****	*****	Parochial schools, churches	Universities, academic research institutes	*****
		Nonvested	*****	*****	*****	*****	*****	*****
Low		Vested	*****	Families, Neighborhoods, public schools	Families, Small group mutual aid	Ethnic and racial identity groups	Public schools	*****
		Nonvested	*****	*****	*****	*****	*****	*****
High	Political (Legal coercion)	Vested	Elite political & professional groups	*****	Business lobbies, unions, professional assocs.	Patriotic groups	Mainstream mass media & foundations	*****
		Nonvested	*****	*****	Welfare rights & child health advocacy groups	New Social Movements, ethnic, racial, & religious advocacy groups, militia movements	Public knowledge, political process, & human rights advocacy, oppositional mass media & foundations	Environmental, public transportation, and public health advocacy groups
Medium		Vested	*****	*****	Political parties, corporatist bodies	*****	Political parties, corporatist bodies	Political parties, corporatist bodies RCAs
		Nonvested	*****	*****	*****	*****	*****	*****
Low		Vested	*****	*****	*****	*****	*****	*****
		Nonvested	*****	*****	Organized crime	Organized crime, secret revolutionary cells	Secret revolutionary cells	*****
High	Economic	Vested	Connoisseur's assocs.	*****	Self-help economic networks, consumer cooperatives	Ethnic, religious, or life-style separatist economic networks	*****	*****
		Nonvested	*****	*****	*****	*****	*****	Market-oriented environmental groups, public interest NGOs.
Medium		Vested	*****	*****	Firms; Unions; Industrial research institutes & networks; Professional assocs. non-profit gov't contractors	*****	Unions engaged in "social investing"	Quasi-public market-oriented NGOs, Gov't corporations, non-profit gov't contractors
		Nonvested	*****	*****	*****	*****	*****	*****
Low		Vested	*****	*****	*****	*****	*****	*****
		Non-vested	*****	*****	*****	*****	*****	*****

Table 6: Associational kinds with low potentials for constituting public communication and deliberation

<b>Examples of associational types</b>	<b>Ease of exit</b>	<b>Medium of social reproduction</b>	<b>Orientation toward medium</b>	<b>Goods of association</b>
Families, Small group mutual aid	<b>Low</b>	<b>Social</b>	<b>Vested</b>	Individual material
Families, neighborhoods, public schools	<b>Low</b>	<b>Social</b>	<b>Vested</b>	Interpersonal identity
Ethnic & racial identity groups	<b>Low</b>	<b>Social</b>	<b>Vested</b>	Exclusive group identity
Parochial schools, churches	<b>Medium</b>	<b>Social</b>	<b>Vested</b>	Exclusive group identity
Gated neighborhoods, private schools	<b>Medium</b>	<b>Social</b>	<b>Vested</b>	Status
Social clubs, recreational & sports assocs.	High	<b>Social</b>	<b>Vested</b>	Interpersonal identity
Groups dedicated to cultural traditions, fraternal orders	High	<b>Social</b>	<b>Vested</b>	Exclusive group identity
Elite social clubs	High	<b>Social</b>	<b>Vested</b>	Status
Civic & environmental groups	High	<b>Social</b>	<b>Vested</b>	Public material
Firms, unions, industrial research institutes & networks, prof. assocs., non-profit gov't contractors	<b>Medium</b>	<b>Economic</b>	<b>Vested</b>	Individual material
Quasi-public, market-oriented NGOs, gov't corporations, non-profit gov't contractors	<b>Medium</b>	<b>Economic</b>	<b>Vested</b>	Public material
Self-help economic networks, cooperatives	High	<b>Economic</b>	<b>Vested</b>	Individual material
Ethnic, religious, or life-style separatist economic networks	High	<b>Economic</b>	<b>Vested</b>	Exclusive group identity
Connoisseurs' associations	High	<b>Economic</b>	<b>Vested</b>	Status

Table 7: Associational kinds with high potentials for constituting public communication and deliberation

<b>Examples of associational types</b>	<b>Ease of exit</b>	<b>Medium of social reproduction</b>	<b>Orientation toward medium</b>	<b>Goods of association</b>
Mainstream mass media & foundations	<b>High</b>	<b>Political</b>	Vested	<b>Inclusive social</b>
Welfare rights & child health advocacy groups	<b>High</b>	<b>Political</b>	<b>Nonvested</b>	Individual material
New Social Movements, ethnic, racial, & religious advocacy, militia movements (as public groups)	<b>High</b>	<b>Political</b>	<b>Nonvested</b>	Exclusive group identity
Public knowledge, political process, & human rights advocacy, oppositional mass media & foundations	<b>High</b>	<b>Political</b>	<b>Nonvested</b>	Inclusive social
Environmental advocacy groups	<b>High</b>	<b>Political</b>	<b>Nonvested</b>	Public material
Market-oriented environmental groups, public interest NGOs	<b>High</b>	Economic	<b>Nonvested</b>	<b>Public material</b>
Unions engaged in "social investing"	Medium	Economic	Vested	<b>Inclusive social</b>

Table 8: Associational kinds with mixed potentials for constituting public communication and deliberation

<b>Examples of associational types</b>	<b>Ease of exit</b>	<b>Medium of social reproduction</b>	<b>Orientation toward medium</b>	<b>Goods of association</b>
Public schools	<b>Low</b>	Social	<b>Vested</b>	Inclusive Social
Universities, academic research institutes	<b>Medium</b>	Social	<b>Vested</b>	Inclusive Social
Parties, corporatist bodies	<b>Medium</b>	<b>Political</b>	<b>Vested</b>	Individual material
Parties, corporatist bodies, RCAs	<b>Medium</b>	<b>Political</b>	<b>Vested</b>	Public material
Political parties, corporatist bodies	<b>Medium</b>	<b>Political</b>	<b>Vested</b>	Inclusive Social
Counter-hegemonic life-style groups & New Social Movements	High	<b>Social</b>	<b>Nonvested</b>	Exclusive group identity
Cultural, knowledge-oriented, & educational groups, recreational groups	High	Social	<b>Vested</b>	<b>Inclusive social</b>
Business lobbies, unions, professional associations	High	<b>Political</b>	<b>Vested</b>	Individual material
Patriotic groups	High	<b>Political</b>	<b>Vested</b>	Exclusive group identity
Elite political & professional associations	High	<b>Political</b>	<b>Vested</b>	Status