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Civil Society: Who Belongs?

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Introduction

George F. McLean and *Robert Magliola*

The Problem

It seems characteristic of these years to say that the age of big government is passed. This could refer to the communist utopia of state planning which assured work for all, or to the "New Deal" vision, born of the great economic Depression, that it was the task of the government to assure the basic needs of all, especially the neediest. Both have been followed by a general rejection of the sense of inclusive responsibility for the welfare of a every citizen.

Some, such as Hannah Arendt, would say that the failure of the great modern revolutions lay in their taking up the insoluble social questions of the distribution of wealth, rather than focusing simply upon assuring participation in decision-making regarding the commonweal. But, for essentially social beings, civil participation and basic well-being appear to be so intricately interwoven that present trends toward the exclusion of many groups—in contrast to the inclusion of all—bear the most ominous implications.

The phenomenon appears pervasive in our times. Genocide, which had been thought to have been put behind us at the end of the second World War, has come back to haunt middle Europe, as well as ethnicities and tribes in other regions of the world. Immigration has become massive in scale, leaving everywhere both residues of the problem of assimilation similar to that generated by slavery in the past and a corresponding threatened sense of homeland. In the technologically and economically most advanced regions populations become increasingly divided between an ever smaller technically sophisticated group which is able to benefit from technical and economic development and the large majority which is being moved to the service sector. An increasing number is becoming less able sufficiently to share in the benefits of progress to be able to endow their offspring with the abilities required to partake in the new opportunities. Indeed, divisions in the broader global context seem to multiply and deepen.

Whether from pride in one’s culture or from fear of others, whether from poverty or from wealth, the matter of belonging has emerged as a central issue of our times.

The Challenge

Seen in the above terms the challenge is not only a matter of political structures and economic dynamisms; more broadly it concerns the basic social sense of a people as a whole. The political structures will not be adjusted unless there is a sense that they need to include groups presently excluded. Nor will the economic structures be improved while those they exploit are viewed as less than full members of society, indeed, as less than fully human, in complete persons or rejected human groups. Political and economic change require a broader social sense of others not simply as alien, but in their full human dignity as persons and groups who rightly should participate in society with its responsibilities and benefits. This is the basis for civil society and a civil culture.

This broader reality of civil society is characterized both by solidarity within groups and by a subsidiary relation between the groups. This maximizes freedom by leaving local decisions to local groups, rather than transferring their responsibility to higher, less involved, "decision making" bodies. But if solidarity is not to mean exclusiveness and if subsidiarity is not to mean subjection

and exploitation then they must be based upon full participation by all persons. Hence, the emergence of concern for civil society points to participation—to the question "Who Belongs?"—as a basic, even prior, issue which today is in need of urgent attention. This, in turn, involves issues of universal human dignity, of the essentially social nature of the human person, and hence of the basic right of every person and group to participate in the life of society.

Fortunately, insistence upon sameness, upon tailoring everyone to the same Procrustean bed, has come to be recognized as crudely insensitive and unjust. The new awareness of cultures tends to be joined to a new degree of awareness of diversity; this, however, can be perceived not only positively but negatively. In a time of mass migrations this can be deeply unsettling to the host people's sense of peace, stability and security, experienced in terms of an identifiable home and homeland: the right to remain can be no less than the right to leave.

From this flow a number of anguished questions for civil society:

- Can diversity contribute to, rather than destroy, solidarity? - Is there a way in which communities can retain their solidarity while opening to others in a pattern of subsidiarity which promotes, rather than destroys, the cultural identity and humanizing roots of the community?
- Can diversity and equality be wed?

This volume brings together representatives of different regions and multiple disciplines in an attempt to face this first challenge to the redevelopment of civil society in our times: namely, the basic issue of inclusion or participation in society. On what bases and in what structures is it possible both to recognize and celebrate the unique character of all persons and groups and to promote cohesion within a broadened sense of the common good.

Part I, "Paradigms," presents four papers offering diverse theoretical models of society, and relating to the concept of 'civil society' in divergent ways.

Chapter I, by William A. Barbieri, "Multiculturalism and the Bounds of Civil Society," describes five competing views of the nature of groups and group rights, linked to five competing principles of 'constitutive justice': (1) The Closure Principle, (2) The Culture Principle, (3) The Choice Principle, (4) The Coexistence Principle, and (5) The Cosmopolis Principle. Barbieri argues that a just and workable theory of constitutive justice has yet to be articulated, one which mixes and modifies the five current views so as to recognize human beings are at once universal, communal, and voluntaristic.

Chapter II, by Charles R. Dechert, "Community, Culture and Power: Civil Society, Marginality and Social Creativity," argues that small associative groups ('civil societies' in this sense) are not incompatible with the common welfare, and indeed, in the long run strengthen it. Dechert proposes that American hegemony in the contemporary world can be a force for the good if it is checked and balanced by the United Nations and a global ethic.

Chapter III, by Sebastian Velassery, "Constitution of a Rational Society: a Kautilyan Text," explains the Indian tradition's understanding of social structure, which is taken to be based on Dharma, the true nature of the universe. Using Kautilya's *Artha'sasthra* as his key text, Velassery shows how the western concept of 'civil society' does not suit India: Mahatma Gandhi's 'self-governing, relatively autonomous communities' seem analogous in some ways to 'civic associations', but are founded on the Indian Dharmic notion of organicism, the parts serving the whole in the service of Truth.

Chapter IV, by Carol M. Dupré, "Diversity and Its Conundrum: History of the Psyche, Portent of the Sign," represents the post-Nietzschean current in European Continental thought, tracing—from Freud through to Lacan, Lyotard, and Deleuze—the invagination of psyche and language. Dupré uses especially Deleuze and Guattari's influential *Anti-Oedipus* to deconstruct large social formations, and indeed, to put in question the notion of 'civil society' itself.

Part II, "Civil Society and a 'Common Humanity'," fields three papers, from Africa, China, and Eastern Europe respectively, which propose that the only route to global justice is universal recognition of a humanity common to all human beings everywhere.

Chapter V, by Sémou Pathé Gueye, "From Exclusion to Communication: A Plea for Political Tolerance," argues that informed communication among all members of a society is the foundation for consensus and an ensuing social justice. Civil society, when committed to rights common to all human beings, can thus prevent the exploitation which has characterized both the Western powers and indigenous African 'national governments'.

Chapter VI, by He Xirong, "Contemporary Chinese Immigrants and Civil Society," reports on the 'civil societies', usually private associations, founded by recent (post World War II) Chinese immigrants in various host countries around the world, among them Spain, Australia, and the United States. After describing the hard choices made, according to circumstance, between assimilation and segregation, He Xirong postulates that the traditional Chinese philosophy of complementarity should harmonize all humanity: "As long as people keep on finding the same from the difference and adjusting the different by means of the same, both diversity and equality may be wed to each other."

Chapter VII, by Viorica Tighel, "Social Change, Civil Society and Tolerance: A Challenge for the New Democracies," itemizes the several ways in which the "Western" concept of 'civil society', perforce rendered "fashionable" in Eastern Europe after the collapse of Marxism, has been appropriated by ethnic tribalism and economic cliques. Disagreeing with Gueye's confidence in "communication" (because it too can be "conflictual"), Tighel says that the only solution is sustained inculcation of tolerance rooted in a 'common humanity'.

Part III, "Civil Society and Africa," collects four papers detailing the misappropriations—by indigenous privileged factions—of the Western concept of 'civil society' during the present post-colonial period.

Chapter VIII, by Edward Wamala, "The Nature, Role and Challenge of Civil Society in Selected African Societies: A Key to Who Belongs," first demonstrates that traditional African societies—while not having 'civil societies' in the Habermasian sense (non-governmental network of private associations)—did function successfully by way of a communitarianism whereby "everybody belonged." Wamala goes on to show how tribal factions, economic cliques, and the military have misused the concept of 'civil society' since the withdrawal of the colonial powers. He emphasizes the role of African intellectuals as the vital key in designing a better future society, since the important question has really become not 'who belongs?' but 'what kind of civil society should Africa have?'.

Chapter IX, by Makokha Kibaba, "Ethnicity, Nationhood and Civil Society in Kenya," emphasizes how the requirements attached by the IMF, the World Bank, and other foreign donors as a condition for the granting of financial aid actually became counterproductive in Kenya. Kibaba shows how Western-style civil societies and a parliamentary system have been coopted by a

privileged African elite. He urges the necessity of civic education and proposes a ‘coalition government’ as a way to harness inter-tribal warfare.

Chapter X, by Sémou Pathé Gueye, "The Perversion of Democratic Pluralism: The Difficult Road to ‘Citizenship’ in Africa," takes inventory of the reforms Africa must effect in the contemporary period, emphasizing mainly two: (1) Freeing the concept of democracy from Euro-centrism, and (2) Freeing the concept of cultural particularity from selfish ‘tribalism’. Gueye continues his call for ‘consciousness-raising’ via free and open communication and civic responsibility.

Chapter XI, by David Kaulemu, "Civil Society: The Politics of the Concept," maintains that the collapse of Marxist regimes in Eastern Europe and a number of African one-party states led to a misguided extremism in the opposite ideological direction, Western-style ‘civil society’ and bourgeois democracy. Private ‘civil associations’ have exacerbated tensions between private capital and trade unions, and between indigenous business people and white business people. Kaulemu argues that African states require regional cooperation and a minimum of outside (non-regional) interference.

Part IV, "Civil Society and the United States of America," supplies very revealing case-studies in the clash between economic and religious value-systems, and between ethnic and extra-ethnic interests.

Chapter XII, by Rosemary Winslow, "Between Two Circles: ‘Host’ as Metaphor of Identity in the Language of Inclusion and Exclusion," studies the conflict (1990-) in downtown Washington, D.C., between Luther Place Memorial Church, which received a Federal grant to finance housing for the homeless, and the Logan Circle Neighborhood Association, which fought the presence of poor people in "its" neighborhood. Winslow deploys rhetorical theory, and specifically the ambiguous use of the word "host," to analyze how members of the Logan Circle Neighborhood Association often compromised even their own religious values for the sake of economics.

Chapter XIII, by John A. Kromkowski, "The Reconstruction of Civil Society: Principles, Process, and Pedagogy of Community-Based Approaches to Ethnic Variety and Convergence," describes the politics of the American government’s "official" classifications for "minority" groups during the 1970s and thereafter. The classifications often have had the sad effect of setting various races and ethnicities against each other. By omission and statistical distortion, the rules marginalize many disadvantaged groups, especially those of East European and South European origin. Ethnicity rather than being over-emphasized as in most of the rest of the world, has been subjected to the forces of the market, the legal-political sector, and large bureaucratic corporate institutions. Kromkowski argues for a more equitable balance of the ethnic and the extra-ethnic.

Chapter I
Multiculturalism and the Bounds of Civil Society

William A. Barbieri

Preliminaries

The 1995 referendum on independence for Quebec, as alarming as it has been for many North Americans, is only a particularly conspicuous example of a contest enacted daily around the globe. A glance at the *New York Times* on any given day is likely to reveal a grab bag of stories involving the struggles of various social groups to redefine the shape of the societies in which they live. Often—for example, in South Africa, or Chechnya, or the former Yugoslavia—what is at issue are boundaries between societies. More often, however, it is boundaries within societies that are in dispute. These are the gradations of membership, the distinctions of status, the delineations of identity that divide the groups within a society and stamp the lives of those who belong to them.

Consider these cases: In Germany, a sizable immigrant minority seeks improved access to citizenship, state-supported bilingual education and protection from right-wing, anti-immigrant violence. In Israel, Palestinian citizens of the Jewish state push for an equalization of state funds for Jewish and Arab communities, for affirmative action in hiring and government, and for cultural autonomy. In the U.S., the controversy of the week may concern hiring quotas, gerrymandering to favor minority candidates, the inclusiveness of the Western literary canon, the rites and rights of Native American religious groups, Afrocentric education, exclusively Hasidic school districts or a host of other topics.

These are all problems of multiculturalism: they are, that is, problems posed by the presence of cultural diversity within social and political orders that combine, usually uneasily, a commitment to individual equality with attempts to preserve a particular national identity. Multicultural issues typically pit against one another competing views on a distinctive set of concerns, involving the meaning of equal treatment, the fairness of compensation for past injustices, and the rights of groups to maintain their identities in the face of dominant majority cultures. They turn, in short, on questions of justice, and for this reason they demand the attention of those disciplines concerned with morality and ethics.

In addressing the problem of just arrangements for a multicultural society, we are right to focus on questions about equitable distribution, equal treatment, fair representation and the like.1 Often, however, we overlook a crucial, logically prior question—namely, who belongs to "society" in the first place? We neglect to ask: Distributions within what boundaries? Equality within which community? Representation for whom? The problem of multiculturalism—of justice in the political community—ineluctably thrusts us back upon the broader question of the justice of the political community. According to what criteria should the boundaries of community be demarcated? Who ought to count as a member, and in what ways? Of whose common good ought we to speak? On this deceptively obvious set of questions regarding what I propose we call structural or constitutive justice, the entire Western tradition of political thought surprisingly is strikingly reticent.

That who counted as an Athenian was not a particularly troubling question for someone like Aristotle is, perhaps, understandable given the cultural and geopolitical climate in which he lived and thought. That a Rawls or a Habermas does not come squarely to grips with this question,

however, calls for some explanation. How do we establish who is eligible to join us in the original position, or within which social context does the discourse of communicative action take place? It appears that ancient assumptions about the givenness, indeed the naturalness, of the body politic continue to assert themselves in contemporary theory, in the form of a largely uncritical acceptance of the institution of modern nation-state citizenship as the basis for defining the scope of distributive justice, civil rights, political equality and other important values characterizing the civil society.2

But our post-modem context makes it impossible to overlook that political communities do not simply grow on trees. They are rather, we could say, products of a sort of genetic engineering in which collectivities are molded through the manipulation of borders, migration patterns, national identities, economic relations, fertility and a range of other parameters. Polities are, in short, shaped by people; not always in a coordinated fashion perhaps, but through purposive human action nonetheless. Moreover, this action is free.3 The ethical significance of this is immense, for it means that the outlines of societies, and the divisions within, fall within the sphere of moral responsibility. That the construction of social boundaries is not always carried out in an explicit or intentional manner is not in itself grounds for saying that we are not answerable for the results. The mistake we make in taking the shape of the society in which we find ourselves as necessary or given, and hence immune to moral criticism, is akin to the mistake we make if we fail to hold polluters accountable for the unforeseen environmental consequences of their actions. Where it is possible to expand our knowledge of our agency and its effects, we become negligent insofar as we fail to do so.

It is courting unnecessary ambiguity to say simply that "people" or "we" are the agents who constitute society. At present the human and social sciences remain somewhat impoverished when it comes to describing the exact nature of collective action or communal agency.5 Still, our knowledge of the subtle and less than subtle ways in which we structure our societies has been sharpened in recent decades by thinkers across a variety of disciplines in their work on nationalism, on the formation of racial and ethnic identity, on the construction of citizenship, and on many related topics.5 At the same time, critical work carried out in conjunction with social movements on behalf of women, workers, ethnic minorities, and other groups has developed insights into the webs of relations through which hierarchy and domination arise and are maintained.6As a result, we have at our disposal the tools for a rough understanding of the social agency through which we shape ourselves as peoples, nations, lands, cultures and societies. And this is all that is required to ground an ethical inquiry into the formation of our political communities.

Constitutive Justice

Who belongs to the community? And in what ways? From the premise of our accountability for the shape of our polities flow the basic questions of constitutive justice, among which we may distinguish external and internal issues. The external issues ("Who belongs?") deal with the scope or outlines of communities: How are borders established? On what basis is membership awarded? How is migration handled? Is the size of the population regulated? And so on. Internal questions ("In what ways?") bear on the character or constitution—in two senses7—of the community: Do all belong equally? Who has a voice? How are power and resources distributed? Is belonging understood in individualistic or group-related terms? Where is the line between "public" and "private"? In societies that are not culturally homogeneous—and it is difficult to think of any that truly are—the internal dimension of constitutive justice often takes the form of the question of

multiculturalism. Broadly speaking, this is the question of the extent to which the structure of a political community should take account of cultural diversity. Ultimately, of course, the internal and external questions are two sides of the same coin.

If we understand civil society not as a "space" distinguished from the state and the economy within a given political community, but as a mode or set of roles accessible to all members, then the shape of civil society is a matter of both external and internal issues of constitutive justice. In the contemporary discourse of civil society, the external question of membership—of who belongs to the civil society—has been largely neglected. The internal question of multiculturalism, however, has been recognized as a burning issue of the day. In large part this is due to the way in which multiculturalist debates accentuate the tension between two important values for civil society, unity and equality. The aim of nurturing a cohesive national civil culture of a sort that can provide a basis for effective democratic politics often collides with the commitment of the modern civil society to egalitarianism and inclusiveness.8

There are several levels at which the ethical question of multiculturalism confronts us. In the first instance, we face a variety of applied normative issues. Some of these concern substantive matters—language rights, employment, education, cultural autonomy—while others are procedural in nature. Debates over these issues necessarily lead us to a theoretical level concerned with the definition of key terms such as culture, group rights, communal agency and oppression. Ultimately we must address those tantalizing meta-ethical questions having to do with the nature of equality, the ontological status of individuals and groups, and the problem of criteria for adjudicating among competing normative conceptions of community.

Where, then, should an analysis of the problem of multiculturalism and constitutive justice begin? In my view, the most sensible place to start is with the context of discrimination, oppression and marginalization that gives rise in practice to demands for the recognition of diversity and group rights in modem societies. We should begin, in a word, with injustice.9

In-Justice

As slavery, the Holocaust, ethnic cleansing and many like episodes have shown, injustice toward social groups is closely correlated with what might be termed "in-justice"—the notion that moral claims to just and equal treatment are bounded by the confines of an in-group. In-justice is premised on, first, the exclusion, and secondly the subordination of those who do not belong to the in-group. It is fruitful to view the unjust treatment of groups in terms of three interrelated types of subordination, which I call ethno-national discrimination, socioeconomic inequality and formal disadvantage. These forms of subordination, it turns out, are bound up intimately with the basic processes through which modem political communities constitute themselves.

Ethno-national discrimination is fueled by the process of nation-building through which polities attempt to establish a unified communal identity. The standardization of language, the creation of national symbols and the writing of a collective history are some of the tools of choice here.10Nation-building depends heavily upon the enhancement of distinctions between a dominant cultural identity and other competing ones, and so it aims at cultivating a preference for members of its own group over outsiders, who become cast as the "other." We may call this phenomenon chauvinism, or—when, as often happens, it is linked with race—discrimination. In Germany, the word for it is "*Ausländerfeindlichkeit*," and foreign residents there may become acquainted with it in a variety of ways—in the attack on the train, in the refusal of admission to a nightclub, in the disproportionate likelihood of being charged with a crime, in the poor prospects of career

advancement. Palestinian citizens of Israel experience in comparable ways their exclusion from their country's (Jewish) national identity.11 The United States, strictly speaking, is not in its composition a nation state but rather a nations state; even so, it is marked by an ongoing struggle to define a core "American"12—an identity ignorant of the rest of North and South America, an identity with a capacity for exclusion reflected in the phenomenon of hyphenated Americans, in the nativist politics of a Pat Buchanan or a David Duke, in markers of racial consciousness from Derrick Bell to The Bell Curve.

Socioeconomic inequality, while related to discrimination, is driven largely by the dynamic of state building—the consolidation of an integrated economic and administrative unit under the authority of a central political power. State building benefits from, perhaps even depends upon, the exploitation of some class of people viewed as not fully belonging to the society in question. Not incidentally, this role often is played by specific cultural minorities. Post-World War II German society has profited greatly from the existence of the so-called guest-workers who have filled the bottom rung of the social hierarchy in employment, education and housing. The same can be said of Israeli Palestinians, who, with their relatives from the territories, provide a vital source of cheap and mobile labor.13 Yet those communities are provided inferior social services—or ignored entirely—by the state. While the U.S. has a long history of subordinating different immigrant groups—witness the old N.I.N.A. signs—it is safe to say that non-immigrants—blacks and Native Americans—have most consistently occupied the bottom spot on the totem pole.

Formal disadvantaging of groups, finally, occurs in a systematic process of legal and political subordination accompanying what I have come to call, in distinction from nation and state building, *civitas*-building. The category of citizenship carries with it the basis for making qualitative distinctions between the citizenry and other residents in a society. In Germany, the sizable minority of resident Turks, while indistinguishable from their German neighbors in most respects, are ineligible to vote and subject to a separate system of laws applying to "aliens." While members of the Palestinian minority in Israel, in contrast, enjoy citizenship, enough legal and political constraints exist to cause them to insist, with good reason, that they are second-class citizens.14 The U.S., meanwhile, entertains a range of anti-immigrant measures, such as California's Proposition 187, that would perpetuate the exclusion of the country's least privileged resident population.16

Discrimination, inequality and disadvantage work together to constrain and incapacitate certain groups in the civil society, to the benefit of others. If we accept, on democratic or other grounds, the proposition that the forms of subordination that result from these processes are unjust, we are faced with the question of how to alter the dynamics at issue. Responses to this challenge are necessarily informed by the types of agency involved in each process.16 Because ethno-national discrimination is fostered largely through discourse and symbolic action, combating it is a subtle, complex and hazardous business, as the stigmatization of "political correctness" in the U.S. has amply illustrated.18 Socioeconomic inequality is likewise hard to address directly, for it is generated through extremely complicated and diffuse patterns of interaction. The most promising line of attack focuses on political and legislative strategies of inclusion; for politics is the arena of social agency par excellence, and through it the ethno-national and socio-economic spheres may be influenced indirectly. Accordingly, the campaign against subordination finds its main arena in public policy debates and those aspects of the legislative process that may be brought to bear on the problems of multiculturalism.

Public Policy Debates

The status of minorities in contemporary Western societies is in large part determined, and hence may be revised, through political decisions on a range of issues all having to do with the structure of the political community.

Chief among these is the area of immigration and naturalization policy. States today are able to control both the size and the status of different groups within their territories by regulating admissions: to the territory, through immigration policy, and to full membership in the society through naturalization policy. For historical reasons, Israel and Germany both have laws which grant a right of immigration to members of the dominant national group who live abroad. Israel, indeed, relies upon immigration to maintain its Jewish majority. In Germany, many have argued, a less stringent naturalization policy would do much to ameliorate the subordination of the Turkish minority.18

A second crucial issue is the franchise: Who gets a voice? Germany excludes its non-citizen residents not only from national elections, but from local ones. Universal suffrage, meanwhile, only goes so far in ensuring fair representation, hence the ongoing dispute in the U.S. over redistricting plans that aim to build-in a measure of parity for minority groups.20

Of comparable significance are problems of distributive justice. How are we to counteract the deeply entrenched socioeconomic subordination of groups? In order to counteract group-related inequalities in employment, education and housing a spectrum of compensatory strategies has arisen, ranging from the rather modest notion of affirmative action to the considerably more sweeping concept of quotas.20 While Germany and Israel have not yet warmed much to such measures, voices are growing in their support. In the U.S., of course, affirmative action had a well-established, though now controverted, record. The more ambitious approach to rectifying historic injustices embodied in the notion of quotas, on the other hand, has found the individualistic soil of the U.S. less than hospitable.

Civil rights legislation constitutes a fourth important venue for addressing constitutive injustice. Legal measures prohibiting discrimination based on an individual's membership in a minority group provide an influential means of opposing subordination. In this area the U.S. has an extensive body of civil rights laws. Germany, however, has been reluctant to follow the example of other European countries, such as the Netherlands, that have enacted anti-discrimination laws; in Israel the passage of civil rights guarantees has been bogged down in constitutional disputes over the relative significance of religious authority and democratic politics.

Another major area of contention concerns group rights in regard to language, education, cultural practices, religion and regional autonomy. For many, the heart of the issue of multiculturalism has to do with the protection of various aspects of group identity against either assimilation to a dominant identity or erosion at the hands of the culture of individualism.21 In Germany, Turkish residents seek the right to cultivate their language, to practice their religion on equal terms with Germans, and to revise curricula that instruct them in the history of their "Teutonic forefathers." Israel's Palestinians increasingly seek a sort of cultural autonomy which would grant them greater control in matters of education, language and culture.22 U.S. issues include, for example, bilingual teaching, Afro-centric education, tribal sovereignty and the rights of minority religious communities.

National symbols, finally, also provide a noteworthy locus for mediating belonging in a society. Whether central tools of nation-building, such as the flag or the national anthem, are inclusive of minorities or not is a common issue in discussions of multiculturalism.

Principles of Constitutive Justice

Debate on these concrete issues tends to elicit a range of attitudes toward the basic multi-culturalist proposition that the constitution of society ought to give cultural diversity its due. These attitudes differ in their understandings of the proper scope of justice, in how inclusive they are, and in their understandings of equality.23 Most importantly, they differ on what is perhaps the most compelling issue raised by multiculturalism, namely, the nature of groups and group rights.24 The main competing positions on these issues may be linked with a set of distinct principles of constitutive justice.

The Closure Principle. This particularistic view holds that political communities should be organized in accordance with "natural" boundaries based on ethnic or blood ties, a shared history and a common ascriptive identity. In the West, this notion of an essential link between birth into a historical community and political membership has found influential exponents in Hooker, Coke and Filmer in the British common law tradition; Bodin and later Bossuet in France; and Herder and a whole succession of theorists of the nation in Germany. Advocates of closure generally assume a single group's historic right to a specific territory. Often, the community is conceived of as a single organic entity with a life of its own. Membership is determined by birth, and exchanging one's community is ruled out. The purpose of political life is to preserve the group, and great emphasis is placed upon homogeneity. Distinctive minorities, it follows, may and indeed should be removed. The closure principle lies behind the phenomenon of ethnic cleansing, behind the cry of "Ausländer' raus!" and behind the efforts of Jewish extremists to expel all Palestinians from *Eretz Israel*.25

The Culture Principle. A similarly particularistic but less exclusive view holds that the legitimate unit for political self-determination is a collectivity of persons united by a common culture and sense of mutual commitment. Historically, this idea, which harks back to the Greek polis, has had notable advocates in Burke and a long line of republican thinkers from Cicero to John Adams. In de-emphasizing the significance of blood ties in favor of cultural assimilation, the culture principle assigns a basic value to individual choice and commitment.26 The political community, it is held, should consist of a group of like-minded members who band together to nurture their common identity and who reserve the right to accept or reject new members. Arguments for this view often combine an invocation of the right to self-preservation of the group with the claim that cultural homogeneity is a precondition for a viable democracy. Minority groups have a choice: assimilate, be excluded or leave. This continues to summarize the official line in Germany.

The Choice Principle. This view maintains that the individual's right to freedom of association should serve as the fundament of any political community. This perspective, while essentially modern and liberal in character, is grounded in a strain of thought on consent stretching back to the Sophists; it also has important roots in the work of Locke and Jefferson. Group identities are incidental in this view, and group rights are not recognized. Membership in society is contingent on each person's willingness to belong and to pay the requisite price in terms of commitment or allegiance.27 It follows from this that each should be able to choose not only which organization to belong to, but also the extent of his or her membership and participation. Hence, increases in rights and privileges may be attached to increasing costs in terms of time of residence, military

service or other contributions to society. Given that all people do not insist on full involvement in the communities in which they live, this view may lead to layered polities containing a variety of different levels of membership, in addition to multiple or divided memberships. Cultural diversity should be neither hindered nor encouraged. To a large extent, contemporary European societies, with their "guestworkers" and other permanent residents, reflect this model.

The Coexistence Principle. A fourth view proposes that the polity be shaped to fit those who live, work and participate over time in the life of a territorially defined community. Prominent in the historical pedigree of this notion are certain strains of Roman law, early modern formulations of the *jus gentium* by natural law jurists such as Vitoria and Grotius, and the ideological legacy of the French and American revolutions. This perspective emphasizes the importance of one's role as an integrated legal and economic actor in a functioning, structurally cohesive social entity. Such participants are held to constitute the political community and are regarded as its members, subject to their approval. Consequently, birth or long residence in the society, not membership in a racial or cultural group, is taken as the basis of belonging. No one cultural identity is thus accorded dominance; established subgroups are tolerated, perhaps even entitled to maintain their group identities on equal terms with one another. This view is presently embodied in some measure in states with *jus soli* citizenship policies such as the U.S. and Canada.

The Cosmopolis Principle. This approach to political organization insists that humans ought to be recognized as belonging ultimately to a single universal polity. Cosmopolitanism, typically associated with groups at the left end of the European political spectrum, can claim antecedents in, among others, the Stoics, Kant and Marx. All persons, it holds, have an inalienable right to political participation; hence they are entitled to be represented in any deliberations which affect them. In this radically democratic conception what is decisive in determining who counts are the bounds of the effects of political decisions. This perspective, in its logic, transcends the traditional state system, supporting the case for trans-national forms of representation and the idea of a "global civil society."28 The attitude it embodies toward multiculturalism is one of active support; the right to cultural membership is on a par with the right to political membership, as is the right to migration. "Open borders" and minority protections are frequent commitments urged by cosmopolitans.29

Prospectus

How to adjudicate among these competing principles of constitutive justice remains an open question. One place a critical strategy may begin is with an assessment of the empirical claims brought in support of various normative stances with respect to the shape of political communities. For example, do democracies really require cultural homogeneity in order to function? If so, of what sort? On questions like these, experience must be our guide.

At the same time, the matter of the internal coherence of competing conceptions of community cannot be ignored. Can it make sense, for example, to insist that the boundaries of self-determining political units should be defined according to the freely disposed wills of individuals, when individuals tend so notoriously to disagree over affairs of politics? No less than other forms of moral discourse, arguments about constitutive justice may be required to answer to the canons of logic and reason.

Beyond this, it seems to me, the vying perspectives may be faulted insofar as their underlying conceptions of persons—their political anthropologies—are implausible or unconvincing. We are not the atomistic, autonomous individuals presupposed by the choice principle any more than we are the situated components of an organic group in the way assumed by the closure principle. We are rather, in different, constitutive ways, at once universal, communal and voluntaristic beings, and this is something that a convincing notion of constitutive justice will have to recognize. In my view, the widely endorsed notion of human rights may provide a basis for a compelling argument to the effect: (1) that political societies are obligated to grant full membership to their established residents both as individuals and as groups, and (2) that this will generally necessitate "multi-culturalist" arrangements which acknowledge and protect certain group rights. But that is an argument for another day.

Notes

1. Iris Young, however, cogently notes the dangers involved in relying too heavily on a "distributive paradigm" in talking about justice (1990, 15-38).

2. A notable exception to this is Michael Walzer's work dealing with membership in the political community (1983, 31-63). For some criticisms of his view see Brown 1981. Robert Dahl also devotes some attention to the problem of criteria for inclusion in the polity (1989, 119-31).

3. This freedom must be understood, I would suggest, as of a contextual nature. For a theological understanding of the role of human agency in the making of society, see Davis 1994.

4. Some promising efforts in this direction are Giddens 1984, Honneth and Joas 1988 and Gilbert 1992.

5. Anderson 1991, Gellner 1983, and Hobsbawm 1990 produce influential treatments of nationalism; representative analyses of race and ethnicity and group identity are, respectively, Goldberg 1993, Barth 1969 and Tajfel 1981; on citizenship, see Tilly 1975 and Brubaker 1992.

6. The contributions of feminist theorists—e.g., Fraser 1989, Bartky 1990, Benhabib 1992—have been especially useful here. See also Foucault 1979 and Walzer 1993.

7. The thoughtful essays in Calvert 1991 are organized around Thomas Paine's proposition that "the constitution of the people, their character as citizens and as a society, is 'antecedent' to the government formally established by a written constitution" (xi).

8. On the egalitarianism of the civil society see Cohen and Arato 1994, 18f. For an attempt to reconcile this tension see Habermas 1995.

9. On the matter of the epistemological priority of justice or injustice I tend to agree with those who see injustice as prior: our reasoning about justice is grounded in our experience of unjust treatment and not vice versa (cf. Wolgast 1987, Shklar 1986).

10. Levin et al 1993 gathers together a range of reflections on the significance of various aspects of nationhood. Critical perspectives on nationalism include Kristeva 1993 and Matustik 1993.

11. The Israeli Arabs' experience of "otherness" is examined in Dominguez 1989, 153-188. See also Kimmerling 1992.

12. Useful on this topic is Moore 1986. On the U.S. "culture wars" see Hunter 1991.

13. Portugali 1993.

14. For detailed analysis of legal discrimination against Israeli Palestinians, see Kretzmer 1990 and Peled 1992.

15. Karst 1989 and Shklar 1991 are excellent surveys of the history of *civitas*-building in the U.S.

16. Smiley 1992 grapples with some of the problems involved in assessing moral responsibility in complex social interactions.

17. Cash 1995 presents an analysis of the manner in which ideological constructions of community have shaped the political conflict in Northern Ireland.

18. I make this case in a forthcoming book. See also, e.g., CohnBendit 1993 and Schmalz-Jacobsen et al 1993.

19. An excellent treatment of this issue is Thermstrom 1987.

20. Fiss 1976 is an incisive source on the question of affirmative action as a collective right.

21. On the nature of group rights, Garet's Sartrean interpretation (1983) is particularly illuminating. Taylor et al 1992 and Kymlicka 1995 ably pose many of the theoretical issues surrounding the notion of group rights. Several essays addressing this issue in the Canadian context are collected in Baker 1994. See also Sanders 1991 and Mills 1994.

22. Ozacky-Lazar & Ghanem 1990, Bishara 1993.

23. On equality, see Turner 1986 and especially Rae 1989.

24. On group rights see May 1987 and Van Dyke 1985.

25. Reflections on modern manifestations of the logic of closure are collected in Ignatieff 1993.

26. According to Tamir 1992, this makes it possible to speak of a liberal nationalism.

27. A defense of the centrality of consent in matters of immigration and citizenship is provided by Schuck and Smith 1985. 28. Bauböck 1994 makes the case that transnational forms of membership are both increasingly feasible and morally desirable.

29. Carens 1987 treats the moral logic behind the idea of open borders. See also Beitz 1983.

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Chapter II

Community, Culture and Power: Civil Society, Marginality, and Social Creativity

Charles R. Dechert

Any survey of contemporary society must assign a place of eminence to the concept of freedom, both individual and societal: that is, the assured, often juridical right to allocate personal and societal resources to the achievement of a variety of ends, a set of goals (to be achieved in whole or part) conceived to maximize or optimize individual satisfaction and/or the imputed welfare of the collectivity. Liberal societies view individual and collective freedom as not incompatible. Indeed the broad exercise of liberty by individuals, small associative groups and local communities is conceived as a significant element of the collective good, the common welfare. Totalitarian and authoritarian societies tend, in varying degrees, to define the collective good in terms of power, the capacity to impose a vision of good defined by a society's decision-maker(s) and the resources at his disposition: in the classic "realist" characterization, "interest defined as power."

Operationally Rousseau's *volonté générale* became the will of those who control the institutional structures of power, not least the media of mass communication that structure the social perception of reality and define the range of operative alternatives. For over two hundred years every modern nation-state has borne within itself the germ of totalitarianism, the comprehensive control of its subjects/citizens whose lives, authority, consciousness and conscience are subject to the guidance and control of public activity. In France, the *école normale* was the St. Cyr of the civic order, and public school teachers the creators of a new, modern and state-centered consciousness. World Wars I and II were made possible by the comprehensive control of persons, the economy and the collective consciousness by the organs of state power in every separate one of the belligerents. Ideological differences in this European civil war were submerged in the terrifying spectacle of omni-competent states in mortal struggle. Even the United States, the paladin of freedom and democracy, had accepted the principle of state omni-competence in the American civil war when the delicate balance of federal and states' competencies was forever overturned in favor of the former.

Since about 1960 in the United States there has developed an emerging consensus on the vital role of institutions mediating the relations between state power and persons. Moynihan and Glazer's seminal *Beyond the Melting Pot* has been followed by a vast number of empirical studies and analytic evaluations of *The Rise of the Unmeltable Ethnics* (o use the title of Michael Novak's book on the subject). Small towns and neighborhoods, work groups, churches, voluntary associations and families are increasingly recognized as providing the fine structure of society, the foundation of the civic culture, the source and sanction system of social order.

Globally since WW II there has been an increasing recognition of the claims of ethnic and national identity which, by the end of the 20th century, have become the most salient feature of the global sociopolitical picture. Simultaneously there have emerged supranational organizations which, by renouncing the older absolutistic claims of sovereignty, have succeeded in achieving such levels of functional integration in the sphere of economics and military defence that the nation-state as known since the peace of Westphalia (1648) has been transcended. The European Union is an emerging reality; France and Germany have rediscovered their common heritage and

the whole continent from the Atlantic to the Urals is, since 1989, beginning to come together as a "Europe of Fatherlands."

Back and forth the shuttle, a fabric, a web is being woven—above all in the area of communications; the typical element is a "website" on the "internet." Perhaps the nearest approach to a sociometric "map" of the global community would be a matrix identifying source and destination of telecommunications.

It is interesting to recall that during the "cold war," when there was the real possibility of the superpowers' mutual destruction of their national (and supranational) command and control structures, the American adaptive response envisaged a devolution of authority (including control of nuclear weapons and the armed forces) to regional authorities whose identity would not be revealed until necessary to prevent their being targeted in any initial attack. The broken macro-social fabric would be sewn together again after local and regional initiatives had made provision for the continuity of life: food, shelter, medical care, public safety, utilities and basic services, education, communication and transport, agriculture, industry, commerce, and local defence. In some sense this approach to social survival reflected the theory of living systems, with its explicit recognition of a hierarchy of open systems varying from cells to organisms and by extension to a hierarchy of omni-competent communities capable of survival at increasing levels of productivity, efficacy and well-being due to increased functional differentiation and the concomitant synergies, and enhanced efficiency of their human elements: families, neighborhoods, cities and countries, regions and provinces, states, multi-national empires and continental unions and ultimately the global community encompassing potentially all men. Each of these levels of community is characterized by inter-communication and interactivity and is sustained by the shared benevolence and beneficence of its component communities and its individual human elements. This conception, ultimately of the essential unity of the human family and its eventual self-recognition as a community, reflects its common origin as posited in the biblical tale of Adam and Eve and the paleontologists' discovery of a common human female ancestor, in the Christian notion of a mystical body, and the Enlightenment's secular hope that "all men shall become brothers."

But Christians and Enlightenment European liberals and indeed all men are acutely aware of malice, of evil, of adversarial relations that know no constraints on means. Witness the two world wars and countless cases of criminal violence, moral outrage, homicide and genocide in this most violent of centuries. "Evil" as a palpable reality has become identified in the American public mind with Nazism (replacing or enhancing the WWI propaganda image of the Prussian Junker), more recently with the Khmer Rouge, and even more recently with the criminality of Lenin and Stalin, the Cheka and the KGB. Criminal predators, terrorists, genocidal Africans and Turks, amoral Japanese militarists and their minions, violent police provocateurs and brutish internal society forces, liars, thieves, the fraudulent, sexual predators, drug dealers and the criminal underworld give a human and institutional face to evil as malice and maleficence, disaggregative and sociopathic, destroying the bonds of trust, of community, of mutuality and good will.

In the presence of overwhelming forces of disaggregation, communities must devolve to the lowest level capable of effective response and self-protection. This is, perhaps, why at a subconscious or preconscious level the social battleground in contemporary society is defense of the family as the most basic community. The United State is recapitulating in a more extended and protracted manner the effects of family breakdown experienced in the Soviet Union in the first twenty years after the 1917 Red revolution that encouraged easy divorce (and abandoned children), universal adult employment, public sponsored birth control and abortion. By the mid-1930s the USSR felt compelled to introduce the death penalty for predatory teenagers. An entire cohort of

ill-disciplined young adults was destroyed in Soviet penal battalions in WWII as they provided the first wave in infantry assaults on the Germans, across minefields.

The richer and more humane American society has watched tranquilly as first the Negro family experienced dissolution in the early 1960s, to be followed by a more general family dissolution across ethnic and racial divisions. By 1995 some 75 percent of American urban Negro children were born to unwed mothers and over 25 percent of all children born in America, roughly the level of Negro illegitimacy in 1963 when Daniel Patrick Moynihan produced his study of the Negro family (which was decried as a bigoted, racist assault on an ethnic minority). We have seen the future in America's urban underclass and it bodes ill for national and cultural survival in the presence of external adversaries (actual or potential) that can maintain or develop a higher level of social cohesion, or in the presence of internal minorities whose realism and social cohesion can successfully face off the social disaggregation fostered by the policies of a central government backed by the police power and a professional, mercenary military establishment.

Increasingly in America we speak of culture conflict, the clash of cultures, an impending civil war. Only this past Sunday, Nov. 3rd, 1996, the Washington Post published reviews of two new books: *The Coming Race War in America* by Carol Rowan and *The Coming Race War?*, by Richard Delgado. American Christian fundamentalists are being identified with murder and terrorist violence. The survivalist movement of the last generation, looking toward local self-preservation in an all-destructive nuclear war, has given way to local and regional armed and violent "militias" that would defend America against an abusive national bureaucracy, extortionate tax-collectors and U.N.-inspired conspiracies to deprive America's common man of his traditional rights and political culture.

Federal authorities increasingly use *agents provocateurs* to find evidence of local and international terrorist conspiracies to bomb buildings, bring down aircraft, support traffic in arms and drugs, abuse youth and defraud government.

Culture wars? Some definition seems appropriate; the Free Congress Foundation's 1987 publication *Cultural Conservatism* suggests the following:

What is culture? It is the ways of thinking, living and behaving that define a people and underlie its achievements. It is a nation's collective mind, its sense of right and wrong, the way it perceives reality, and its definition of self. Culture is the morals and habits a mother strives to instill in her children. It is the obligations we acknowledge toward our neighbors, our community, and our government. It is the worker's dedication to craftsmanship and the owner's acceptance of the responsibilities of stewardship. It is the standards we set and enforce for ourselves and for others: our definition of duty, honor, character. It is our collective conscience.

In brief "culture" is the social component of personality—and such culture exists not only at the national level but is built into local and regional communities, into national and transnational churches, religious grouping and sects—and even into corporate bodies within these religious groups. Note the characteristics, the commonalities in behavior, mode of address and *forma mentalis* that distinguish the German, Polish and Irish Catholic churches; that differentiate the Franciscan, Benedictine and Jesuit orders within that same Catholic Church.

In the *Folklore of Capitalism* Thurman Arnold points out that business corporations have diverse "corporate personalities, widely divergent cultural identities. Sears, Roebuck & Co. for many years (perhaps still) recruited new management on the basis not only of ability level (general

factor) and acquired skills but on a broad range of personality variables, including interests and values associated with successful integration into and performance in the 'company team'."

I would suggest that as the world becomes increasingly articulated and the range of formative influences on individuals becomes vaster (formal education, parental influence, personal reading and exposure to the media of social communication, travel and an ever broader range of interpersonal relations ranging from face to face contact to amateur radio to the internet) more and more persons have, and increasingly shall have had, a unique cultural formation. Have you ever considered the possible combination and permutations of courses available in a modern university that might be accepted to fulfill even first degree level (A.B.) requirements? Couple this with the individual's unique family formation; his religious, ethnic, community and national loyalties; his personal, aesthetic and professional interests; his employment and corporate loyalties—and the unique identity of each person is strikingly clear. The range of community, associational and corporate appurtenance puts each person into a unique-liaison relation amidst this multiplicity; he is marginal to the extent that he serves a unique set of liaison- relations, that he exists on the boundaries defining a multiplicity of groups and their characteristic cultures. And this marginality is a source of creativity; it establishes the possibility of making new sets of conceptual or operative relations among and between a range of groups and their respective cultures.

There is a paradox here; as the overall society matures and becomes more articulated there is a corresponding growth in individual autonomy, 'formedness', maturity and singular identity. Adam Smith saw in the division of labor, efficient functional specialization, the key to economic growth and productivity. Political development is increasingly viewed as the rise and articulation of a multiplicity of groups and interests that can participate effectively in social decision-making. In brief, civil society, the autonomous individual, the corporate productive unit and public authority are, or ought to be, synergic in their pursuit of the common welfare.

Many of the same factors that are encouraging the emergence and articulation of civil society are also bringing on its anti-thesis, an increasingly complex, sophisticated and articulated global criminal cabal. Ease of transport and communication, personal mobility and the dissolution of transit controls, increased international trade that enhances the possibilities of passing contraband, electronic fund transfers and a multiplication of markets, permissive banking practices in mutually competitive mini-states, religious and ideological movements seeking recruits, arms and money and amenable to any and all alliances—all of these are conducive to the creation and articulation of groupings seeking power, pleasure and profit at any cost and without regard to the social consequences. The dysfunctional economic and political institutions of the Soviet bloc are being replaced by mafia-type associations that join the unscrupulous and opportunistic elements of the *Nomenklatura* with KGB thugs and the criminal class to produce the new Russian elite. The Italian Tangentopoli scandal sees a convicted former Prime Minister in exile and another on trial. The global black market in weapons now includes Plutonium and weapons grade Uranium 235. Drug production and transport encompasses both civil authorities and criminal syndicates in Bolivia, Peru, Colombia, Mexico and the Caribbean, in the Middle East, and in Southeast Asia. In Nigeria nationally chartered banks and entire ministries engage in global financial scams breathtaking in their sheer audacity.

The capital city of the United States has been governed by an utterly corrupt political machine in a working alliance with a large and incompetent bureaucracy and skilled legal and financial manipulators who treat Washington, D.C. as a spider's prey to be sucked dry leaving a city with schools that do not teach, impassable roads, undrinkable water, irrepressible crime and violence where only criminals and police (public and private) are armed. To reverse the famous comment

of the Webbs regarding the U.S.S.R.:"I have seen the future and it does not work!" Only a combination of honest officialdom, an alert and concerned public, and public security forces acting in a disinterested manner on behalf of the public welfare can provide the necessary advantage to the forces of social construction in the presence of an ever present slide into chaos, entropy and disintegration, in Washington, D.C. and in the world.

Organized crime has long existed; what is a state without justice but with a band of criminals? "La Vie" was the term used in the last century to characterize an international freemasonry of pimps, prostitutes and petty criminals living on the margins of society. More respectable were the marginalized revolutionaries like the Carbonare or the Sicilian lodges that welcomed Garibaldi and could be instrumentalized by Piedmont and the House of Savoy to unify Italy into a unitary, modern liberal state. The Latin American lodges were instrumentalized by Britain to destroy the Spanish Empire in Latin America while the Yorquist in Mexico city were an instrument of American policy in Mexico from the third decade of the last century. The Mexican Revolution and the hegemomy of the P.R.I. were arranged by Dwight Morrow as American Ambassador to Mexico and representative of the financial and social elites of the United States in the 1920s.

Implicit in this discussion of civil society's encounter with the negentropic forces of social life is the need for organized force. I suggest that long-range civic order results from the interplay of the state (government), civil society and the military/police power as an institution. In Russia today there is increasing recognition that the armed forces are perhaps the only national institution that retains a degree of legitimacy and overall popular support, hence the increasing popularity and political influence of General Lebed. Despite reservations (particularly regarding the role of the security police), General Pinochet of Chile is given considerable credit for the re-emergence of Chilean civil society and representative political institutions.

Political scientists and social theorists might do well to consider the institutional and constitutional role of military and police force in our emerging global society at every level of community and with reference to the maintenance of order in functional areas like commerce, banking, markets and investment, and associational life. Recent German concerns about the subversive potential of the Church of Scientology suggest that even association life requires public scrutiny and debate.

Quis custodiet ipsos custodes? Many years ago I suggested that the problem associated with a recommended U.N. global Police Force was the role of the Police Chief as custodian of a unique globally effective force. In practice the U.S., with external support achieved by negotiation and consensus as to roles, missions, and force levels, has become the World Policeman. Its stated objective is a two-war capability; one war to fight and win, the second to stabilize and win later. In some ways this recapitulates the Western European experience under the Holy Roman Empire. The Empire could exert overwhelming force anywhere but not everywhere. Its power was restricted and controlled by a moral consensus and when the moral authority of the Catholic Church (the papacy) was directed against an Emperor's decisions he was hard put to make them effective as he confronted the opposition (moral or military or both) of lesser communities and political authorities within the empire. The Federalist principle of balancing ambition with ambition, power with power, may well make a benevolent and constructive global community possible. As consensus emerges, foreshadowed and initiated by the U.N.'s Universal Declaration of Human Rights, both limited force and the weight of moral consensus can be brought to bear. It would be foolish to underestimate the impact of the Helsinki Accords in limiting the abuse of force by a desperate and dying Communist Party elite in the U.S.S.R. The People's Republic of China is actively sensitive to accusations of human rights violations. Even Switzerland must respond to

accusations of financial abuses of persecuted Jews and its financial and banking relations with Nazi Germany in World War II.

The cry that Japan or North Korea or any other political community (even little Cuba) can say "no" to the hegemonic power of the United States is a clear indication of an emerging consensus that force, threat and economic coercion are subject to moral constraints. It must be hoped that these moral consensuses will maintain some notion of good order that avoids a widespread, even global, descent into criminal anarchy and chaos.

Chapter III

Constitution of a Rational Society: A Kautilyan Text

Sebastian Velassery

Indian society provides complexities that are challenges to theorizing. It consists of traditional realities, legacies of Islamic and British institutions and practices. These and yet others form the rock-bed of contemporary Indian society. The relation between these components would offer interesting instances to explore Indian society. In this regard, India becomes a more appropriate instance to discuss the 'modernity *versus* tradition' debate.

This paper attempts to examine the historical and cultural specificities of Indian societies in the Indian political tradition, which includes both theoretical reflection and political practice. The strategy adopted for this purpose is to decode a seminal Indian text—Kautilya's *Artha'sasthra*. It argues that Kautilya's *Artha'sasthra* emphasized political practice based on the age-old Indian concepts of "Dharma" and "Varna'srama" and thus establishes the possibility of an authentic social-community existence. At the base of this social-community existence is a social moral order—Dharma1—which is an omnibus concept with manifold shades of meaning. Accordingly, in the Kautilyan society, people of all varnas2 and a'sramas3 were free to engage, based on shared understandings of economic and societal normative structures. Varna'srama, though a socio-pedagogic and ethnico-economic term is fundamentally a political concept. It is an indispensable category in an organic world-view which should not be confused with the organic theory of society.

Civil Society and Kautilya's Text

Does the notion civil society—a domain of interaction distinct from the state and protected from state interference—figure in Kautilya's text? An answer to this intriguing topic may emerge only at the end of our discussion, so let us find out the questions that the text itself may be claimed to ask and answer. The first important question raised by Kautilya in BK 1 chapter 1 relates to the nature of his work. Two points may be noted here: (1) Kautilya's Artha'sasthra was a compendium of almost all Artha'sasthras. (In the Indian tradition, the discipline of politics is called Artha'sasthra, suggesting that societies prosper materially under a system of political administration as well as that a political administration can do its job under an efficient system of production and distribution. (2) The aim of the ancient teachers in composing Artha'sasthras' was to help in the acquisition and maintenance of wealth. This way of putting the matter eliminates the need for such questions as who acquires the earth, how he/she acquires it and why does he acquire it. It also eliminates the issues of legitimacy—whether there are any illegitimate ways of acquiring and maintaining the earth and what are the moral limits to the acquisition of earth. Legitimacy, again, is a moral concept. It points to what governments/kings ought to do to be right. Legitimacy, then, should be measured not in terms of active will of the people, or even some fictitious general will, but in terms of a perceived dissociation of the government's/king's action as well as cultural values.

Kautilya does not ask questions about the basis of the king's authority and legitimacy or of the obligation of the people to respect it. The authority and legitimacy of the king in Kautilyan wisdom means, the political power of the state—of which the king along with the country, the fort,

the treasury, the army, ministers and allies form an element—is a part of the constitution of the society built on Varna'srama Dharma which in turn, is an aspect of the general concept of Dharma governing the universe. As the presence of Dharma was hardly ever questioned, the rest of the set up stood in no need of justification. The authority and legitimacy of the king is derived from his recognized function in the society as the protector of the social order. Protection plays a vital but pervasive role in the Artha'sasthra idea of kingship. It is repeatedly said to be the king's foremost duty. The royal protection includes two activities: (1) Conquering foreign territory and defending his kingdom against invasion; (2) Inflicting punishment as the king preserves the social order.4 Protection also includes upholding religion and preserving the four castes, the four stages of life and the occupations prescribed by their (people's) spiritual duties.5

Kautilya discusses political values under the label of the duty of the king (Rajadharma) rather than the rights of the citizens. It undergirds the idea that the governed were reckoned to have legitimate claims on the attention of the state, even if they cannot be called rights in the modern sense of the term. Such an understanding has two corollaries: (1) that the concept of a society as a tenuous aggregate of independent self-contained individuals held together by self-interest (as in the Hobbesian picture of society) was not an issue in the Indian political and cultural tradition as articulated in Artha'sasthra; (2) that Kautilya does possess a superior notion of society where groups and persons participate with their responsibilities for the welfare of the society. The second position has an enormous moral and intellectual advantage in so far as it enables and empowers to re-examine and re-define a tradition which is constituted by what is called "Dharma."

In BK 1, chapters 2 to 4, the theme is "The End of Science," i.e., the purposes and functions of sciences. Kautilya here mentions the views of the school of Manu, the school of Brihaspti, and the school of Usanas, but rejects all of them to state his position. Kautilya mentions four legitimate sciences. They are (1) Anvisaki or broadly philosophy (metaphysics), (2) the three vedas (trayi)—Rig, Sama and Yajur, (3) Varta (Agriculture)—cattle breeding and trade and (4) Dandaniti (science of government). The school of Manu is rejected on the ground that he mentions only three by subsuming Anviksaki under the Vedas. A philosophical mind may hold the view that Kautilya is setting up a rational inquiry which is distinct from the Vedas. More specifically, he was concerned with the relationship between Anviksaki and Vedas. It may also be said that Kautilya is suggesting that the truth of the Vedas can be questioned by Anviksaki and this truth may be said to emerge out of a dialectical interaction between the traditional Indian concepts of 'Sruti, Smrti, and Achara (what is directly revealed, what is heard and what is practiced). It is also possible to hold that the function of Anviksaki is separate, but not equal to that of the Vedas and that its function is to clarify the truths enshrined in the Vedic knowledge.

Kautilya rejects the school of Brihaspti because it held that there are only two sciences—the Varta and Dandaniti. The school of Usanas is rejected because it reaches the climax of epistemological parsimony, reconciling only one legitimate science, the science of government.

According to Kautilya, the sciences have the goal of providing knowledge concerning righteousness or right conduct or moral principles as well as wealth. But what is the function of Anviksaki? There is no clear hint in the text, but it may be taken to mean different functions implied in different metaphysical systems—the Samkhya, Yoga and Lokayata. Does each one of these systems generate its own specific set of rules regarding righteousness and if so, do we have a metaphysical pluralism generating cultural and political pluralisms? If the answer is "yes," then the classical Indian political tradition would appear to be more liberal and participatory than the most modern political and ethical cultures. The Vedas are said to teach what constitute righteous acts and what unrighteous acts. Do they perform this role through mere stipulation of rules of

conduct or through rational argumentation? If the Vedas also perform a reflective function in identifying a righteous act, then how do they differ functionally from philosophy? Perhaps, the answer is that the Vedas provide a transcendental/intuitive knowledge which when backed up by reflective, rational knowledge (anviksaki) provides the knowledge of what is right conduct and what is not. The Varta provides knowledge about the ways in which wealth can be acquired. What about the science of government? It is supposed to yield knowledge about what is expedient, inexpedient, potency and impotency.

Artha'sasthra is, therefore, not just concerned with wealth production but also with strategies and tactics involved in acquiring physical power or coercive power in a broad sense. Does it mean that Kautilya excludes from the science of government issues of morality, of righteous acts? Certainly he does so, but to say this is misleading unless one adds the qualification that here government is conceptualized only as a means and a mechanism and therefore morally disengaged but not morally indifferent. As a means, it needs justification and legitimation by ends which are set by Anviksaki in conjunction with the Vedas. The autonomy of government is only in terms of its status as means, but in relation to ends, it has to be subordinate. That is why Kautilya accords Anviksaki the highest place as the "most beneficial to the world." According to him, one's duties in terms of the two orders of the Varna and Ashrama are absolute. Any violation of duties would end in the end of the world itself because of confusion of castes and duties. Kautilya does not merely call upon the individual to do his duties but he also suggests a system of more concrete and this-worldly punishment in terms of yet another level of duty—the duty of the king to enforce a social order founded on the Varna'srama scheme. Therefore, the individual is ultimately bound by the system of duties as interpreted and implemented by the political authority of the king. Accordingly, the Kautilyan regime is conceptualized as the one in which naked and pure physical force is used according to explicit or implicit rules and norms sanctioned and legitimated by a religious moral authority located simultaneously and in some tension in the transcendental ('Sruti) and social-communal (Smrti and Acara) domains.

Kautilya formulates the question of the organized society and government in terms of "discipline" (Vinaya), linking it to duty. He draws a distinction between two kinds of discipline—natural and artificial. Natural discipline is that which is naturally followed by a person who is docile enough or has the temperament to accept and follow rules of discipline. Discipline here focuses on those who are possessed of such mental faculties as obedience, hearing, grasping, discrimination, inference and deliberation, but not on others devoid of such faculties.

Considerable confusion and ambiguity surrounds Kautilya's off-quoted statement on the king, which runs: ". . . In the happiness of his subjects, lies his happiness; in their welfare, his welfare; whatever pleases himself, he shall not consider as good, but whatever pleases his subjects, he shall consider as good. . . ." There is no serious problem with regard to the notions of happiness or welfare of the people. But what about the notion of good? The question is: Does Kautilya consider the notion of good as a subjectively held category whether by the king or people and hence there can be no objective good transcending the subjective perceptions of the king or the people? Is Kautilya here liable to be credited with the notion of populistic democracy of the modern variety?

Society in the Classical Indian Tradition

Now let us sum up the status, understanding and formulation of a society in the classical Indian political tradition as articulated in its most important text on politics. It is possible and quite consistent with the text to argue that the question of a civil society as a domain of interaction

distinct from the state and protected from state interference does not figure in Kautilya's text. It is also true that the question of democratic participation such as to elect a government, become a candidate for the governing function or enjoy a legally secured right of opposition as of the present Indian context does not arise for Kautilya and hence to facilitate the inner strength and growth of democracy does not figure in his discourse at all. But it would also be quite logical and consistent with the text to argue that the very suppression of the possibility of such a notion is itself an implicit position on a different notion of society.

In the latter case, one can say that the idea of participation can be formulated in more than one way and that the Kautilyan tradition of theory and the political practice reflected in it conceptualize a notion of society in which participatory democracy is a structurally and essentially limiting category and therefore in striking contrast to the modern notion of participatory democracy. The Kautilyan form of society is valid to the extent that it accommodates all Varnas and A'sramas.

Secondly, the Kautilyan tradition of political theory defines theory in such a way that it is theoretically different from the modern liberal notion of theory. In the political tradition of Kautilya, there can be no such theory that can be theoretically constructed by a god. The theory is subject to or implicated in practice through the mediation of 'Smrti and Sadachara. In other words, the Indian classical political tradition conceptualizes the relationship between theory and practice in such a way that neither theory nor practice exist and function independent of some less time-bound, if not timeless category. One may then ask the question: under what structural conditions can such a theory of theory function? The answer is that this is possible only in highly integrated communitarian societies in which the elite and the ordinary folks (Brahmin and 'Sudra) accept unquestioningly the authority content and message of 'Smrti and where the Sadacari (exemplar) can be located and recognized without any conflict of interpretation and evaluation. The society in this political tradition is a society that internalizes through disciplining one's disposition to perform his function and duties and the sum total of performances by all members of the society leads to orderly community existence. In short, the classical Indian political tradition is society-centered as it subordinated state and government to the societal mandates. This is the idea of the active involvement and participation of a group of people as a community in the conduct of various institutions and organizations they belong to in their day-to-day living and this may exist in a system where the government at the center is paternalistic. The picture of the Indian society that one gets from the political treatises and the law books is that of a full-fledged caste society where all kinds of functions—intellectual, religious, political, military, commercial and menial—were being carried on by hereditary groups, each functioning according to traditional laws, according to laws specially made by the group itself, such as a guild, or according to local customs and organizations such as caste and village councils, in inter-dependence with one another but without much interference from outside agencies including the political authority itself. The various groups of the society thus enjoyed a large measure of internal autonomy, within of course their own limitations, and the main functions of the society were carried on in a decentralized manner according to the customary laws of caste over which the king had no authority.6

So far we have been trying to articulate, among other things, the distinctive nature of Artha'sasthra with its idea of social democracy. Our reflection has taken us to the Hindu ideals of four Varnas which was taken to be Dharma, that is as the lawful order of society in the Kautilyan text. The idea was to make the individual realize that the performance of one's own good leads to the good of the society. Such a societal order, along with its required social economic and political aspects, has to follow from Dharma itself. Thus the presence of Dharma in the universe, underpinning the right functioning of things, sometimes thought of as their norm and sometimes

simply as their nature, was taken for granted in ancient India, not only by the Hindus but even by the Jains and Buddhists too. The Varna order recognizes an organic vision of society where all functions are recognized as essential parts of one order.7

The idea of varna distributes the source of power in society at different places; those who have the highest status—brahmins—were denied the political or economic power, and those who have the political power—ksatriyas—did not control the sources of wealth and those who produce wealth—vaisyas—were denied both highest prestige and political control. Thus if the 'Sudras were required by "sacred law" to be the servants of higher castes, the higher castes were required by the same law to look after 'Sudras and their families as a matter of duty, infringement of which, according to Kautilya, was a punishable offence.

The organic world-view posits unity at one level and relativism-pluralism at anther, and this means that the pluralities of the differentiated phenomenal world have their validities, but only relatively to certain purposes and interests which constitute their proper framework of reference. (Unity and plurality-relativity thus constitute two sides of the same coin, the organic world view.) It further says that the pluralities, being the manifestation of a non-dual reality, are interrelated as elements in a differentiated totality.8 Therefore the Indian philosophers' claim that the metaphysical concepts of oneness and plurality imply in social philosophy the view of society as an organism. A society is not a collection of individuals loosely joined by self-interest but an integral unit like an organism made up of many different but interrelated and mutually dependent parts. Their interests are ameliorative, not antagonistic because they have basic needs and goals in common. Interdependence and harmony are therefore natural. Each part or group contributes to and receive from the whole. The good of one is tied up with the good of all.

Dharma and the Place of the Individual in Society

In the earlier part of our deliberations, we proceeded from the hypothesis that the concept of Dharma and Varna'srama was the basis of the Kautilyan conception of polity and society. We have outlined the way in which Dharma asserts the individual and social dimensions of a society. In the ensuring part of our reflections, let us examine more closely to see something of its structure and continuity in operation. Some of the problems which appeared are seemingly profound irritants to any methodology proposing such a conception of society for modern times. However, our interest in understanding the Kautilyan tradition is centered on Dharma as a dimension of mundanity. The issue therefore is this: How are we to understand the placement of the individual in a society which is rooted in Dharma?

Two topics present themselves for such a task: relevance and participation.

Relevance

There are things in the Kautilyan tradition which I believe are relevant today. Take the doctrine of 'varna' for instance which underlies the notion that all functions of society are interrelated and interdependent. The issue is the *what* of relevance, the make-up of values and the functional unity they express. Here we may make a distinction between that which is *taken* as relevant and that which *is* relevant. The "taken" is that which becomes part of an interpretive context; the "is" of relevance points to the society's insertion in a social reality. To the general question, "What relevance does Varna or Dharma have for modern life in India?", the answer quite unsentimentally stated is—"If you wish to understand the reality of the Indian nation, her people,

her culture and society in terms of how they define themselves, then you must attend to what they take as relevant." Otherwise, you will end up with an analysis of surfaces.

Kautilyan wisdom created an orderly society through an open recognition of the differences among Varna, where everybody can find his own place within a pluralistic structure. This unequal social order had at the same time included the idea of the responsibility of the privileged towards those who are not so privileged. Such an idea of responsibility is based on the concept of Dharma and is rooted in terms of the internal relations among the people. Thus political administration was thought of as "the duty of the king" and this is embodied in the hierarchy of responsibility rather than privilege.

The frank acceptance of inequalities of various sorts in a society—status, need, function, material wealth—where the brahmin would serve the 'sudra just as much as the 'sudra would serve the brahmin, despite their unequal status and capabilities, seems to be more relevant to the present conditions in India than the doctrine of equality developed in the West. This doctrine, by extension retains its importance in the ethical sphere too. Ethically, each individual then is entitled to a fundamental consideration as a person who fulfills his purposes and not the purposes of other human beings, however, excellent they may be. Thus each individual becomes a "purusa" whose identity achieves self-expression. It can happen if the society and its interdependence of privileges and responsibilities in a hierarchy of values are accepted in the present-day society in place of the individualistic idea of sheer competition and its political component, the reservation for government jobs on a caste basis.

With the understanding of the Kautilyan conception of society, let us examine the formations of civil societies in order to understand the assumptions that these are the sources of transformations in society and that these in turn may create a suitable condition for the development of human creativity and fulfillment. Here we proceed from the fact that in the present Indian society, the process of transformation has been accelerating, which makes substantial way for a process in which ever wider sections of the society could assert their individual identities in social life. In many rich capitalist countries where the features of the industrial society are fully developed and established the notion prevails that these countries have found adequate sources of economic growth to ensure increasing material welfare and that the basic social changes have essentially materialized. But parallel to this conviction, there has been a growing awareness that the capitalist countries do not manage to satisfy man's internal needs. Hence, the affluence attained through the material well-being is not a sign of the sound system of a society and that the society tends to deviate from its true ends, entailing a new kind of enslavement of man. If it be man's self-fulfillment that should constitute the main source of the formations of civil societies, and enable each person to make a decisive contribution to the social transformation ushering in a new prosperity to mankind,—then the industrialized nations give us a poor picture. We may agree then with Baudrillard, who characterizes 'Americanization and post-modernism' as involving negative emptiness, a harrowing emptiness. If the metaphysic of civil society depicts the ultra-modern sensibility of the West as the 'the freedom of individuals, institutions and organizations', then this Western model does not fit onto Indian soil (or at least is not at all relevant to the present India).

India is a vast country with at present 26 states and 8 union territories. It is a country, again, where people speak different languages and have different customs (including even different ways of dressing). Given the present conditions of India, the war-cry of the 'non-interference of the state' would eventually accelerate the domain of powerful individuals and multinationals and they would make themselves the new Sadacaris or exemplars who would in turn dictate terms. They would dictate terms not only for the working class—or, to borrow a Marxist term, the

"Proletariat"—but even for the state itself. We surmise the growth of so-called 'civil societies' in India would achieve only the disintegration of the country as a political unit.

Historically, the best illustration of this unique combination of exclusive power monopoly and relative insignificance of a government was enacted and established in India in the 19th century—the European government of a non-European country—British India. The British government in India was absolute; while it was carefully scrutinized by parliament in London, there was no one in India to whom it was in any way accountable. It had a monopoly on power which went far beyond anything seen in the West itself; a word from the viceroy and the most imposing native Prince, supposedly the hereditary, absolute sovereign over 30 million people, could be quietly deposed or exiled to a remote island.

It was also the most active government with the widest scope of control. It organized and operated, except for religious worship, whatever community activities there were, throughout the entire sub-continent,—police, justice and education; all means of transportations and communication; irrigation, flood control, forestry, agricultural improvements, surveying, disease control and hospitals. It dug wells, built cities, determined land boundaries and arbitrated between religious denominations. It collected and published the ancient literature of the country, both Hindu and Moslem; and it restored and protected her ancient monuments. In a nutshell, British India was the first welfare state, even before the term was coined a century back.9 But this British India was not *India* and was not constituted within India's authentic internal relations; in short, British India was not a society as the repository of traditional norms and values.

The above deliberations point to one thing: i.e., the formation of civil societies, and their organizations and institutions, will be bent on satisfying the private interests of private people. Hence, the answer to the relevance of such institutions falls along the same lines, as it entails rapidly creating new autonomous power centers within the body politic.

Another aspect of the non-relevance of civil societies in the present Indian context is the mushroom growth of political parties which are bereft of national ideals, national program, national convictions and national principles. Most regional parties in India—and we do not want to name them—are sectarian in character and the so-called ideological parties have become the centers of unprincipled anachronism, creating crisis in the basic concept of politics, such as sovereignty, national state, balance of power, government by law, parliamentary control, etc. Resultantly, corruption is the dominant trait of all political parties and leaders. The atmosphere in the country became depressing and demoralizing when the series of corruption cases became public. So many movements have been waged in the past against the corrupt leaders. They have helped one set of leaders replace another and the other set then becomes equally corrupt. So many storms have been raised in the country over the issues, but all of them combined could not reduce corruption, let alone eliminate it. Given such incapacities, how can the present Indians reconstitute themselves? How can they avoid entopic *dissensus*? Is it possible at all that formation of a 'civil society' can help?

The most important aspect of the *non-relevance* of civil societies in India is its philosophy and world-view. The Indian world-view, which may be called the organic world-view is supposed to mean that the society is an organism and the individual members of the society constitute its parts, which implies that in any conflict between the whole and the parts, the whole counts more than the parts do. The organic world-view is not a theory about society in particular—the Hindus have an organic view of society as well, but that does not say anything about the whole being more important than the parts, as the Hindu idea is not based on that of a system—it is a view about reality whereby reality is viewed as one infinite and unconditional being. But this one reality

expresses itself in the phenomenal level as plurality in many different names and forms which have therefore to be recognized as distinct realities at their own level. In this organic world-view, units of societies which cry out for particular sectarian interests do not supply adequate principles and institutions for social and political integration.

Indeed, India needs a political theory that will give her effective government and substantial liberties and freedom of the citizen against government. The present requirements for the Indian Republic are new institutions of local government and in a free society these have to be institutions of self-government. What is required and relevant therefore is rational self-reflection regarding institutions, law and their development. To show how such is possible, it is necessary to understand what is meant by participation.

Participation

What I have called participation may be made clear. It is the engagement of the individual in the reality of social life. What is sovereign is the "instituting subject." In recent times, Mahatma Gandhi represents a sharp answer to this conception. Gandhi condemns parliamentary government in no uncertain terms. He condemns the representative parliament as not only coercive, operating on the principle of the rule of brute majority but also as sterile (since it can do nothing on its own initiative and requires the executive to enact the good) and a "prostitute" (since it sells its conscience to the ruling majority).

According to Gandhi, it is the *telos* of man to be self-governing and therefore man can only live effectively in small self-governing, relatively autonomous communities. Gandhi considered the village to be the ideal, able to meet all its primary needs and a good many secondary needs through its own self-exertions. For such needs as cannot be met by self-effort, neighboring village communities should voluntarily federate to form the Taluka community and set up the Taluka Panchayat: Likewise, Talukas may federate to form district community with its national Panchayat.

As opposed to a powerful central government directly elected by the people, Gandhi saw Panchayats which delegated powers upwards as more in keeping with the self-governing nature of man. Since the highest tiers of government would be created only when necessary, and entrusted with only such functions as were beyond the capacity of the lower tier, Gandhi called his system organic and compared it to a series of concentric oceanic circles at the center of which was the individual ready to sacrifice for the village (the outer circle), the villages ready to sacrifice for Taluka, the Talukas for the district, and the district for the nation.

Gandhi advocated such a communitarian, participatory political system because not only does it accord with the *telos* or self-governing nature of man, but also because a participatory system alone can be self-sustaining, that is to say, the qualities necessary to support it are generated by the very act of participation itself. Such a participatory system—democracy—recognizes the self-developmental character of man and enables him to gain in self-esteem. Whereas Mill10 and many behavioral philosophers like Carole Pateman and Peter Bacrach saw democracy as a means of exercising control over government, Gandhi understood it as governance itself. Dahl11 and Schumpeter12 view political participation in instrumental terms and argue that for man, time is a scarce commodity and that participation means forgoing some other activity; for Gandhi, participation is not a cost, but an activity of self-understanding. In the Gandhian view, man is a political animal and political activity which means self-governing is natural to him in the sense that it is a self-sufficient activity done for its own sake. Being self-governing is intrinsically

worthwhile because it realizes man's natural capacity as a political being. One cannot delegate this activity.

When Gandhi advocates the Varna system but rejects untouchability or when he accepts the subordination of the state to society but does not reject the state or when he attacks machinery as a violation of Ahimsa13 but also accepts machinery that can be shown to be more conducive to Ahimsa than to Himsa in a given situation, he is trying hard to harness the ideal to an objective reality, not to compromise but to *realize*. This meant, for Gandhi not compromise with everything but only with what was regarded as secondary and inessential to the ideal. So far as the essentials were concerned, Gandhi advocated the ultimate sacrifice of one's life. The Gandhian struggle was based on two principles—non-violence-involving the ultimate sacrifice of one's life, and no compromise on basics but reasonable compromise on inessentials. It is in this sense that Gandhi held that religion cannot be separated from politics, and religion here meant Dharma which formed the basis for the distinction between the essential and the secondary. What is significant here is that Gandhi applied tradition to the new situation. He must have departed from situation. He must have departed from tradition but only far enough to accommodate the objective pressure of what we may call existential modernity, that is modernity as a set of concrete life conditions, which should be distinguished from modernity as an ideology accepted consciously whether after critical reflection or not. The first kind of modernity is inescapable to anyone living in a certain place at a certain time. The second kind, ideological modernity, is subject to critical reflection to a greater extent, and in fact, it provides some space outside existential modernity from which one can see alternatives to it. I suggest that Gandhi has accommodated existential modernity without succumbing to ideological modernity. The moral order that one sees behind the Gandhian position is close to the traditional/classical position. The society Gandhi postulated exercises autonomy and performs utilitarian calculations but the utility it calculates is the moral good—Dharma.

The discussion of relevance and participation was offered as an attempt to display some of the features of the individual's point of access in the traditional Indian notions of Varna'srama and Dharma and their continuity in operation. Every philosophy of social reconstruction must build on certain assumptions regarding human nature. The philosophy of government we subscribe to depends in good measure on our view regarding the nature of the governed, that is man. Assuming man to be innately selfish, wicked and lustful, Kautilya could easily argue that in the absence of Rajdharma and Dandaniti (theories of sovereignty and punishment) the big fish would eat the small (Matsyanyaya). Dharma defined as Rajnam Ajna in Kautilyan language, i.e., as command enforced by sanction directs the individual to normative regulations. Whether Dharma be taken as equivalent to the dictates of a moral sense or as the deliberate order issued by an authority with threat of punishment in case of violation, it is clear that Dharma is like Danda. The state can be recognized positively by Dharma while Danda maintains its vitality from behind.

To some measure, I have pursued in this paper the connections of the Kautilyan conceptions of society with the traditional Indian notions of Dharma and Varna'srama. In relation to these notions, it remains for a fuller exposition to explore how much the program I have explained diverges from the norms of the psychological valence now wired into the motivational springs of Indians in general and their ethical behaviour in particular.

Notes

* R.P. Kangle, ed., *The Kautilya Artha'sasthra*, (Bombay, India: Bombay University Press, 1963). All citations in this paper are from R. Shamasastry, ed*., Kautilya's Artha'sasthra* (Mysore Printing and Publishing House, Mysore, 1967, 8th ed.).

1. Dharma is a complex concept in the religio-philosophical literature of India. The word is derived from Sanskrit language root "'dhr"—dharati means to hold fast, uphold, bear, support, keep in due order, etc., thereby meaning 'to be that which maintains the universe in due order'. This concept stands for ethics, religion, morality, virtue, spirituality, truth, good conduct, and so on. It also stands for natural and positive laws, the moral code, the various distinct duties of individuals, etc. All the various systems of Indian thought emphasize the observance of dharma as a conditio sine qua non of internal purification leading to eternal bliss.

2. Varna is not class, race, caste or even tribe. The varna system in Indian thought is the ideal social stratification of the ideal society. Varna also means color. The four colors of the four varnas symbolize the four gunas. Sattva as white goes with knowledge and symbolizes purity. The Rajas is red going with longing and attachment. The Tamas is black, symbolic of ignorance. Sattva predominating in the brahmin makes him symbolically white and Rajas in the Ksatriya red. As partly Rajas and partly Tamas, the vaisya is yellow and the 'Sudra, being possessed completely of Tamas, symbolizes blackness.

3. A'srama literally means a place of rest. There are four a'sramas and each a'srama or institution provides scope for satisfaction and expression of the needs of the inner self of man. The four a'sramas or stages of life are (1) Brahmacarya a'srama, or the stage of studentship; (2) Grahastha'sarama, or the stage of house holder; (3) Vanaprastha a'srama, or the stage of forest dweller; and (4) Sannyasa a'srama, or the stage of renunciation.

4. U.N. Ghoshal, *A History of Hindu Political Theories* (Oxford University Press, 1927).

5. Shama Sastry, *R. Kautilya's Arths'sasthra*, *op.cit*., chap. IV.

6. Bowes Pratima, *Intellectual Tradition* (Allied Publishers Pvt. Ltd., 1977), p. 127.

7. This idea of an eternal cosmic order that pervades all of existence is to be found in the concept of "rta" that ocurs in the Vedas.

8. Bowes Pratima, *op.cit*., p. 69.

9. Peter F. Drucker, *Landmarks of Tomorrow* (New York: Harper and Brothers), 16, lst edition, p. 204.

10. J.S. Mill, *An Essay on Government* (Indianapolis: Bobbs-Merill, 1955), p. 48.

11. R.A. Dahl, *Modern Political Analysis* (Englewood Cliffs: Prentice Hall, 1970).

12. J. Schumpeter, *Capitalism, Socialism and Democracy* (London: Allen & Unwin, 1950).

13. Ahimsa (non-injury) implies positive good will and kindness to all beings. One practicing ahimsa exercises self-restraint and abstains from greediness. Gandhi recognized ahimsa as the basic virtue. It is said to be the basic moral duty and the mother of all virtues.

Chapter IV
Diversity and Its Conundrum: History of the Psyche, Portent of the Sign

C.M. Dupré

Who, then, is this other to whom I am more attached than to myself, since, at the heart of my assent to my own identity it is still he who agitates me? . . . In other words this other is the Other that even my lie invokes as a guarantor of the truth in which it subsists. — Jacques Lacan, *Ecrits*

The Question of a Civil Society

What are the ingredients for success or failure of a civil society as a quasi-politic and well-functioning body in today's divided world? Generosity, sympathy and good will are fundamentally regenerative and essentially directed from one individual to another, which is why the rudiments of a civil society nearly always exist. But good will in itself, as an initiative for a larger, formalized civil society, can become transformed at its center. The result of a transformation of meaning-intention to a modality of organization and participation wires it more directly to a possibility for failure. Fracturing and disappointment are more severe at this level of conformance, reflecting inadequacy at several other levels. What becomes transportative in a diverse group, if it is not functionally inclusive, is usually a carefully distilled mechanism, based equally upon a simplified surface agenda and the conversion of wills. This is why purposeful schemes are necessary and often necessarily inflated, for and by the collective effort. Early consensus, compromise, or the third preformative agenda of falling under a single-minded leadership, can signal a premature conceptualization, an answer to questions not yet evident or properly formed, a deductive insinuation substituting for the issues of a growth process. Diversity actually exists in the smallest group as well as between larger groups, and diversity is not a simple matter of obvious differences. Consensus, compromise or capitulation to leadership can run counter to diversity and the heartbeat of individuality; a reified, holistic structure disabling individual voices is a formula naturally and necessarily contested—or likely to be contested—by civil society.1

If balance is to be sought and if balance occurs from time to time, it comes about despite both separation of identities and commonality of purposes. When commonality is observed as a normative conditionality, rather than a human condition, separation is enforced and domination becomes the issue. By the same token, difference or the larger diversity is not a category in itself or even a state available for categorization, but a psychic reality with its own freedoms and limitations.

Psychic identity as a diverse composite of parts—including the bipolar structure of all subjectivity—cannot be a simple product of historical or cultural determinism; although recent reductive techniques require this or else the punitive 'alienation of the individual'. Psychic identity is never so tamed, not singular enough to fit within easy divisions as nominalized 'approximations to truth' to be set against, rather than to include, the so-called Detribalized and Marginalized. A monotonal 'background' given today's multiple realities becomes a fiction that denies its own fiction: by the same token, denying both possibilities and depths of contribution from the creative, the illusive or Other difference, the cognitive and supportative ingredients that make up human nature.

On the other hand, ideally, the sign is a pivoting locus for both polarities—interior-exterior—or a specifically human and symbolic juncture of experience: of the real and imaginary, of desire and disappointment, belief and disbelief, compassion and fear. The sign is a connection between the individual subject and the world, also a fulcrum for creativity, criticism and difference. In some putative sense a civil society is meant as a rotating fulcrum, a signal forming intermediary for populations and their governments when the 'checks and balances' are not checking and balancing, when minority counts exceed majority counts or when the common denominators of 'peaceful coexistence' or the original declarative documents of the nation come into question. Globally, the societies under question are not so much in upheaval or spirited by stark revolution as they are rising up from torpor, rising up from a catatonic restriction that unconsciously evolved, was not fully consciously erected. These are societies averse to political machinations and afraid of organizations and plots, preferring instead choral societies, soccer matches, game shows, book and film discussion clubs. Membership rites and exclusion were part of retreat, protection, complaint and cultural captivity.

Restoration projects geared to a normative axiological program were meant to endure but not to exceed or excel, at least not beyond certain tacit or explicit boundaries. Creative projects were demoted and good minds put to pasture, made marginal or designated, in some mysterious way, dangerous. Edicts arose that there would be no more Beethovens or Michelangelos. A disguised fiefdom offered security at the gates, armored their moralities, quantitatively guaranteeing immobility and division based upon every imaginable detail, both binding and perpetuating through the auspices of diversity. The only cure was the disease itself. Ethnic diversities, exploding with the population and with immigration patterns, have increased the need for commitment to modular 'devisements', for peculiar 'fits', for membership and affectation. The construction of a body from its parts is an engineering feat worthy of attention; we have seen it in practice before. (See Czeslaw Milosz: *The Captive Mind*.) If the construction or embodiment of a civil society becomes a selective process and a type-cast event, especially by measuring advantages and instilling dialectical advantages of a collective atmosphere, its success will only be measurable by its means.

Civil society could fill a gap between the government and the people but, as Jacques Lacan advises, a gap constitutes desire that evolves naturally from the particular as it relates to and is effected by symbolic articulation. The articulation, that may become a formulation of signifiers or rhetoric and as such exterior, contains a patented systemic for response from the precipitates and their individual psychic realities. Psychic realities are deep undercurrents never fully in alignment with surface structures, language traces or the layering of semantic intricacies. Its systems are deeper than cultural attributes or compositional artifice whether planned or accidental.

Sign and Psyche

Before we can have a civil society we will have to understand the sign and accord relevance to its objective in the psyche. For instance, as John Searle says,2 any institutional action must have relevant deontic forms—powers, rights, obligations, duties—all of which fall under the heading of the symbolic. He goes on to say that neither 'inclination' nor 'disposition' are linguistic or institutional; then as a matter of course, he sets up a separation between the deontic and human behavior itself, the latter stigmatized and discarded as "conditioned and habitual."3 As for the psyche, he has yet to see it explained. Therefore it has no importance. But Searle admits in the end that "all intentional states are either actually or potentially conscious."4 He also admits to the real

fragility of collective institutions, especially when "function is assigned in collective acts of intentional imposition"; then the subsequent use of entities (the originary signs) in question "need not contain intention of the original imposition."5 But it is here that we see the division taking place between the "non-mental" and the "mental" or between "brute physical facts" and "mental facts" or as we progress, the "intentional" and the "non-intentional". Along this line, the crucial split appears between the "singular" and the "collective" or social fact.6 Searle is interested primarily in the symbolic functions and status-functions of social facts which he believes are independent from the psychological states of the participants.7 In one line he cites Chomsky's theory of innate possession of language, Fodor's 'Language of Thought' as deeply unconscious; then in a breath mentions Freud, who "speaks glibly" in reference to unconscious states, "without explanation, so that we've no clear idea what we're talking about." Nonetheless, it is exactly this cancellation of the psyche, or the manipulation of the psyche by the sign, subsequently eradicated by the institution (pointed out by Searle and others), that underscores the problem of a viable civil society.

Civil society seeks a more adequately shared community life in accord with or contained within its diversities. But the two ends of the stick—the psyche and the sign, comprising directives for the praxis of real life—must be analyzed.

The Sign

The sign is defined as a token, an indication; a convention or arbitrary mark; a figure or symbol used as abbreviation for the manner of words it represents. It is a motion, a gesture. It is a means of conveying information, direction, warning; or it is in some respect an advertisement for a thing, a system, or an idea. As a symbol, in word, phrase, or image, it is used as a complex of associated meanings with (separate) inherent value. It also derives meaning from the structure in which it appears. To signify is to make known by signs, speech, or actions. It is to signal something of importance or consequence. On the other hand, and more negotiable it would seem for social use and therefore more open to question on a psychic level, metaphor is defined as an application of word or phrase to an object or to a concept which it does not literally denote—in order to suggest comparison with another object or concept. Metaphor can contribute to opinion, arbitrariness, even belief, as it enhances either on the side of similarity or on the side of difference especially since it cannot require or specify a perceptual cognitive process. The sign, symbol, mark, concept, metaphor, metonymy, signifier, including collective representations, are representations. They are applications and expressions that affect us on every level of life, but by assuming perspective indicatively or coercively, will often result in no-contest and dramatic foreclosure at the innermost level of the psyche.

The principle questions to be directed to the propensities of sign are: Is sign reductive or not, is it either or both? When is the sign a source, actively encouraging recall, discourse and creativity; and when is it inactive, repetitious and debilitating?

The sign in Searle's book, *The Construction of Social Reality*, becomes the factor X. Factor X represents the system—the government, the club or organization, the named 'intentionality' of the institution, such as a 'civil society'—while Y is the 'imposed agentive function'. Searle tells us that "this is why there are functions of policemen and professors but no function of humans as such". Agentive functions connected to the sign are never "discovered but assigned" and the "assignment of function is to immediate purposes and uses . . . rather than naturally" developed. The X term is authorization, it is arbitrary, it is policy by convention, it is criteria. The Y term is

performance, rule, function, status, labels. Each institution requires the essential "existence of symbolic devices . . . that symbolize something beyond themselves."8 But note that Searle's thesis is that X as a conventional marker, while not stemming from anything natural or from the psyche's intent or meaning, symbolizes only a deontic status, and Y has status by convention.9 He says there is a capacity to attach sense to a symbolic function that otherwise does not provide it. Not having an intrinsic sense is the "precondition not only of language but of all institutional reality."10 The status of X exists only if people believe it exists but there is no structural feature of a sign element that determines the function (that is, the deontic activities of the agent).11 Yet, X and Y in combination are the same thing; in fact, they are representation, a standing-in-for, which equals intentionality. Searle indicates that sign and function, X and Y, are "largely self-identifying in the category of institutional facts."12

Other signs begin as indications, tokens, conventions, structures such as "indication of escalating war", a "token of the horrors of child abuse", a "convention of retributory acts", the "structures of domination and subservience." They become, after repetition, force of statement or opinion abbreviated into sign in the public domain. Obviously paradox and difficult questions are relegated into this system as are a reduced concept of a nation or national traits, a general idea of a specific government, an assessment standing in for a fact or a state of affairs.

The sign's pervasive current inhabits each psyche. There it is digested and acted upon, or perhaps the complexes it represents remain unresolved within the maze of conscious states, often estranging a subject from reality.13 This happens either from a distance or in the midst of battle where actual events become unbearable. The natural world superimposed upon by language assumes that both reality and the signaling system of language correspond in an idea or mental image. A second thesis admits that language is a separate realm, both their 'meanings' and 'referencing' systems are separate. While the natural world and language are both highly diversified in reality, that is by self-description, the divisionary rules put in place to describe difference—in sign, concept, system, and by evocation of metaphoric values—remain exterior to self-description; of the object or even of language itself. As for the psyche, according to Henri Bergson and Gilles Deleuze, "difference arises from [the] very core [of being], from the 'explosive internal force that life carries within itself.'"14

The Psyche

This 'internal force' is capable of on-going commentary and criticism based upon unlimited involvement of psychic structures and layers of mental experience making up the individual and its compounded history. The stages of inner commentary react in unmitigated ways as well as in qualified ways regarding recognition: with and against signs, for and against patterns and symmetry, propositions or statements, rules, collective or individual status and functions. It can entail an instinctive critical attitude. The internal force, comprised partly of intuition and integrity as much as willingness and probity, memory and cognition, is a wholly natural force containing the possibility of gaining adequate social measurement—prelinguistically-linguistically—as both directed and centered. Uniquely and simultaneously it is forced to confront contradictions within itself as well as outside in culturalistic narrative shifts in which it participates, and alongside articulated theoretic versions of fittedness, underscoring the condition, for instance in:

1. the direction of a global society . . . creating new kinds of inter-dependencies—intertwinings that outstrip subjects, their interventions, their intentions, rendering earlier conceptions of social self-organization obsolete (Luhmann).

2. the fantastic unbinding of cultures, forms of life, styles, and world perspectives . . . penetrating one another in the medium of mutual interpretations . . . producing an overwhelming pluralism (Derrida).

3. . . . an invisible dialectic between the egalitarian tendencies of the age and those new unfreedoms . . . (Foucault).

4. if it is definable at all, the nonidentical would be defined precisely through the fragility, the very dis-abled-ability of its integrity (Adorno).15

Therefore, the psyche is both spectator and seems to be a helpless participant of these events, mourning the fact that it cannot direct the events itself: it is enmeshed in a larger body, encased in the edifice that does indeed seem to dictate with a tidal force. This is the dis-abled-ability of the psyche in touch with itself yet highly frustrated. The network of interdependencies that outstrip the individual and the psyche do indeed threaten the prospects of a civil society. The sign that represents ability in the face of actual disability changes the concept of truth, alters expressions of pluralism to falsity—assigned, imposed—and the inevitable rhetoric/semantic misrepresentations. The latter misrepresentations diminish the capacities for internal dialogicality, especially by treating individuals as if "they were unitary and internally homogeneous."16

The psyche is not a spurious reference. It makes up the mental or psychological structure of a person, an ontological component "especially as a motive force" manifested in part by language, the goals of long-term memory, and action. More importantly, it comprises the deep-seated realm of the mind prior to expression where assessments, balances, logical referendum and choices are based upon a range too involving and excessive for daily tasks and interactive behavior or assessments of the ego, where day to day exigencies are fairly humdrum. The psyche emanates from organic sources, according to Freud, which aim to remove tension although the tension is operating even at the source of psychic drives. The unconscious (or the psyche), retaining in memory the objectives of defeat, is the "drive for integral satisfaction, which is the absence of want and repression" and as such represents "the immediate identity of necessity and freedom."17 This produces the dual drive in all levels of consciousness including the upper levels of awareness; and that drive is at the same time independent and cohering. Common belief says that conscience is a social-ethical domain protected by the rules of behavior, yet the compounded intricacies of purely mental and preconscious states far exceed those rules and can produce such a panoply of unresolved issues and under-riding anxieties that any structural panacea becomes superficial to its real weight. Psychic awareness is no fool and forms of psychic repression are, in an historically progressive sense, again, worth confronting in sociological terms.

Claude Lévi-Strauss was not the first or last to work through an analysis of the fundamental structure of human thought. He investigated the narrative structures of myth that he found to be determined not by society alone in its passage of mythic content, but by the structure of the brain or the psyche and "built upon the inclusion and exclusion properties of classification."18

Conundrum

A principle part of the task here in regard to the conundrum of diversity is to determine the configuration of its puzzle parts. Diversity has multi-leveled and overlapping appearances. If (1)

diversity—in complexity and division, in its difference and double-determination—consists in relating with the Other, enlarged by difficulties of access contained in that reference itself, then, on the other hand, it seems (2) there exists a diversity—complexity, division, double-determination—of equal weight, importance, difficulty of access, found inside the singular human psyche and therefore entering into assimilative roles in group identification: being absorbed. If both these problems exist, then the distortion of either for the sake of the sign, X, is the axis point of conundrum. In other words the problem begins with reference.

I am suggesting that the conundrum lies in the manner in which we speak of diversity as the separation and the designation, rather than something which is a natural containment of division (as it is in active sign and psyche). In this sense it must enter into psychological aspects as determinates of social bonding as well as separation in spheres. If culture is battle-dress (as its said, "culture is the only defense against the gun"), so too is the psyche. The disarmament depends upon relinquishing the hold on complexity, allowing it to exist, replenishing its capacities for difficult truths.

In some diabolical way perhaps, the diversities mirror the condition of human mentality and ‘devisements’ of social structures. In order to consider these mirroring aspects, another look at Freud’s writings, and subsequent rephrasing and criticism of Freudian theory, is interesting in terms of Lévi-Strauss’ narrative structures of myth. Freud’s theories took root in the psyche; most inadvertent acts became "Freudian."

Freud highlighted the divisions of: the unconscious state (UCS) or ‘hidden’; preconscious state (PCS) or the ‘verge of language formation’; and conscious states (CS) or the ‘use of sign and language’. In addition to the three proposed conscious stages, we can consider the network of ordering principles that weave into the plot of conscious levels by way of symbol, sign, signifier, and other linguistic paraxials of metaphoric movement.19 These two strands, of the psyche and the sign, are two types of multiplicity containing both the complexes of diversity and the levels of human accumulative awareness, which is to say, they operate on all levels, affecting from the basic level of UCS (the psyche) up to and ultimately culminating in individual-group needs and desires (desire equated with productivity or a useful or fulfilling life). These two strands, with their "internal tensions and inconsistencies" are the "key reason why . . . personal identity and the politics of collective identity are so inextricably linked."20 Connections such as these permeate not only individual lives and identity formation, but symbolic gestures, tokening, unreliability, misleading information: all have greatly contributed to anomie and fatalism in the bases of response. This has led to a contemporary sort of revolution: a revolutionary pause—more an intradermal disquiet or disaffection—of deeply felt disenfranchisement. I believe Freud accurate in thinking both the exclusionary ‘forces’ and counteractions by some form of force are contained and developed in the unconscious modes of the mental system (including precognitive terms in the storage of long-term memory), by and large unwittingly, via the culprits of fear and lack.

In rooting out the culprits that may be partly conditioned, partly psychologically developed, and alternating with reality conditioning, often in a prelinguistic manner, that is to say both exterior and interior effects, we can begin by considering the difficulties of relating. The human processes of drawing lines of division, of establishing sides or camps, begins and is encouraged by many factors early in life and throughout the most vital stages of adulthood. Such divisions and subdivisions are sometimes attributed to physical space, or ideologies, also recognition, distinctions, and fears (most often defensive) on all levels of attempted exchange. It has become tautological to note the gamut of societal ills in retroversion, continued or reproduced lack; also caricatured, reduced, simplified features of national histories, families, relationships, history of the

person. These advertised histories are full of orderly misconceptions, carefully catalogued and serviced.21 Experiencing this network is a painful reality given a life-span, when a person is denied response, criticism or interpenetration of the separation of spheres, heteronomous and autonomous. Tautological connotation, just as the limits set by paradox do, in a certain sense claim to settle arguments that within a logical space, which is only a space in time encased by a skin of conundrum (in Wittgenstein's terms, the family of games: rules, rhetoric, tension, strife) that continues to roll on. But the ball of logical space rolls off and onto different stages, with revised scripts. As the curtain rises again, we sense that the stage direction will be somewhat more complex. And flux may mature to become transformative.

General problems of change, inconsistency, disagreement, non-commitment, fracture on one side of the 'culture wars,' versus structure, custom of normatives, hegemonic paradigms, national boundaries on the other, were both too severely caustic whether philosophic or politic, stirring up otherwise quiet terrains of caution or indecision linked with interest in process. On-the-scene reports looked for division in psychic friction equally with its containment in sign; not an artifice so much as a barely concealed truth—in the words of Freud, repression (the term 'repression' is alleged to have lost its functional valuation)—in expressions. Psyche and sign connect daily functions integrally; the interwoven mind-matter, interwoven thought-action or on an immediacy level of psyche-action: they link these extremes paradoxically, intertextually, in one sense as determinate, with boundaries, while in other senses as indeterminate, in the disappointment within limitation. The two require a conversant reading transportable beyond rhetoric of prediscursive advantage, to the potential processes in the psychic store that link with and interpret the emblematic, to relieve the failing pressures of conundrum and conformity, to relieve social and psychological ostracism; to become applicable to an advanced civil society.

Phrase Converted to Sign

By which we can also see that it is with the appearance of language the dimension of truth emerges.

. . . The slightest alteration between man and the signifier, in this case the procedures of exegesis, changes the whole course of history by modifying the moorings that anchor his being. —Jacques Lacan, *Écrits*

Language attempts to describe in a time-related manner, like an 'aesthetic center of consciousness'—riveted yet exploring, circumvolving, and relationally complex—into the properties of sign. It notes relevant markers, inclusive of precedents, often approached in diacritical subtlety: descriptive sign (for instance a civil society) acts as the recipient for both a filled narrative formalization (what might be known of the thing) and an unsatisfied historical representative of juncture (what it might presently be). The creation of sign can be precipitous, formative in repetition, receptive as a vehicle for filling, representative of something that does not exist or will possibly exist. It deals as much in probability, given human nature, as it does with creation by inference. It can fall under a 'labeling of deviance' as Freud suggests or, at the other extreme, indicate supernatural connotations.

In the interstice between *socius* (the local social level) and *civitas* (the civic structure or state), description hopes for declarative and formative weight, but can become ephemeral due to its role and its placement. As sign, the descriptive summary, in order to be effective in the public sphere, tends toward separation from the private sphere, from identity formation, from the singular

personhood, from the psyche or from conscious awareness and lastly, from nature or freedom. Often, it is compelled by a linguistic turn which would disjoin it from foundations and pose an external relation to the ‘concrete’. Phrases develop in this nomothetic ‘creative space’ (often that of consensus) to channel and surround, to organize or discredit: sign acts as a ‘safety valve’ or sieve for its complex or enigmatically designed components. Unconscious or insensitive as its development may sometimes be, it can in a similar fashion replace historicity or inherited beliefs, inherited mores or aesthetically valued objects with facsimiles or repetitions, incrementally with less and less real value in comparison to the intractable originals. Reification irons out the fabric, smoothing its flaws, its argot and characteristics; normalizing or neutralizing its obscurities and difficulties. For the sake of refinement, description and sign are more often than not reductive. Meaning is absorbed in the process. Distillation is operative even when open flexibility would seem necessary to development. Examination of phrases is of little significance if solidification into sign is imminent. If, when the sign is in place—at individual, local, state, and global levels—attempts to examine its structure-function are met with defeat, it will be accompanied with the notion that the sign is faulty or that the sign must remain a mysterious metaphor or at best, act as a conduit for the rigors of social behavior. What could serve as connection in the sign can become a disconnect.

A multi-levelled ideal is a sign—the "marketplace of ideas"—seeking through challenge and disagreement viable patterns of thrust and discernment (John Mills’ view was that good ideas directed to truths would be invigorated by challenge). While most discussion lately has been directed to "consensual successive approximations,"22 consensus itself may be exaggerated where "shared rationalizations designed to foster group illusions of invulnerability may substitute for the careful sifting and winnowing of ideas."23 Academic concentration in the past tended to be disciplinarily focused, where evolving truths were subject to justification or dependent upon an economic viability; in each area the arising phrase has a value as it ‘fills out’ usefully. But there is a strict separation between playful and unplayful uses of narrative. In the serious mode phrases, metaphors, names, signs, become inscriptive ("inscribed on the body" or "imprinted on the psyche"24) rather than situated theoretically, assumed as propositional, or open and speculative. As inscription leans toward ‘law’ in the sign, subjective processes are not overworked. Or, given the indications, we can assume certain "mutable instincts" that evolve with historic modifications, specifically in terminology, phraseology and the sign.

Spinoza’s earlier thoughts about sign now clearly illustrate the processes of the psyche. He said sign evolved from kinds of knowledge designated as 1. imagination, opinion, revelation; 2. reason; and 3. intuition. (Physiologically, intuition is now noted as functioning in the prefrontal lobes.) The imagination produces indicative signs ("common notions and composable relationships"), opinion and revelation produce imperative signs ("no corporeal encounter, but merely opaque mandates"). The field of imagination, because of its material causes and relationships, enters into what Gilles Deleuze designates as a "curious harmony" between the imagination and reason, and what he calls "common notions" in necessity, presence and frequency.25 This takes us back not only to Searle’s thesis of structure, but also to Freud’s theoretic analysis of the ‘compulsion to repeat’—which centers on suppressed material (testable by degree on the "thresholds of consciousness"26). The uncanny of the hidden requires a repetition of sign, as if the needle is stuck. In his study of Freud, Marcuse tells us that memory is the "decisive mode of cognition" where betrayals of promises and potentiality exist. The liberation of memory "explodes the rationality of the repressed individual."27 And for Deleuze, any ‘harmony’ that comes to be is in social use of the rationale of the imaginary; which must occur with sign since

that is the way it must be filled—unless it is filled in Searle's way: assigned agentive functions to X.

A current sign of conundrum is "culture wars," known also as the "struggle for interpretive power,"—occurring, maneuvering, across a wide spectrum of interpretable materials. It deals in the currencies of sign, directly affecting the topic of civil society. The struggles are said to be ideologically based—or that the style and rhetoric may be central—even as expressed or mimicked throughout social strata. The 'currencies' do battle between such ideological oddities as 'dumbing down' and 'elitist posturing'—each obviating the other prophylactically into neutrality rather than difference. Paralleling this disagreement is magnification by 'societal norms' or a 'universal definition'. The first, according to "reasoned and empirically based discourse" (democratic, discursive) is opposed to the latter with its guidelines "from on high" (authoritarian, paternalistic, nationalistic, etc.). Nonetheless, outside past rigors of dichotomy, cancellation, and recently past favor for normative entrenchment, is a dissipation into more fragmented elements and compositional changes evidenced in the results from current cross-sectional statistics, and a demonstrative people's needs—the prevailing attitude—for a meridian of communicative entry that could provide a broader, more realistic grounding, for civil society.

This prevailing attitude calls for closer attention to an entry into a widened, sustained discourse. The goal intends future exposition of the sign's meaning or non-meaning, either stabilized or in movement; shows the extent of human investment in complex linguistic associations in close association with the struggle in the human psyche; gives graphic testimony to a new mood or 'mentality' given through and received by the varieties of access. This represents a tremendous shift in awareness. In sympathy with the difficulties of this plan—if civil society is to help mend the conundrum of diversity—lies an honest reworking of textual material forming a linkage of false lack and erroneous requisites moored in the themes of societal neuroses. Necessarily, the historic specialty of neurotic lack that grew focused in Freudian interpretations of conscious states and the Oedipal complex, bears heavily on the structures of psyche, society and state, still superimposed by symbolic orders. Today these are more assessable,—for instance, viable social theory is assessment; it unfolds as a critique of ideologies, subjective error, misinterpretation, conjunctive improprieties, anti-corrective designations: what Adorno called "socially necessary false consciousness," and Habermas defined as "the dogmatism of life-practices."28

Verbal Freedom

When considering a civil society we are dealing with issues through expression, of a revolving diametric of public opinion, of an evolving, searching democratic process. We have come to a point where seeking the fairness of content is natural, and can be brought about only through rigorous discourse. In this discourse access is sought through verbal freedom which is never substantiated by a uniform voice, uniform idiom or uniform expression.

As we can see, the gain and wreckage of 'culture wars', even 'partisan loyalties', are viewed in their simultaneous affects: when one or the other seems dominant, there is still leakage—one sort being the unseen elements Searle calls "the hidden, latent powers taking over" as part of "the function of maintaining a system of power relationships in society,"29 and another, contradicting that, of individual psychic wariness and dissatisfaction. The domination of transitory ambivalence hidden under the rigidity of sign can have dire consequences. Mental processes are skewered, made anxious by shifting ballast, the paradox between reality and sign. An example is enigmatic

strengthening of doubt, while pointing at the victimized. These paradoxes appear constantly in new forms of commentary: as oblique shadowing of the real. Doubt turns into broader skepticism where a ‘fatalistic order’ betrays exclusion by ‘inscription of the psyche’. Doubt is fused with tension; for instance metaphor provides a double edge, increasing tension as it swells with implication. Without providing relief from tension-doubt, the semantic content itself seems entirely dependent upon immediate cultures and attitudes, but also, on other levels there is need for historical sources, even etymological roots. In the semantics of metaphor (as occurring in the psyche and sign, and the complexes of diversity) there is deletion and addition, a sprouting of branches of reference that will bend and break as they are "descriptive of the change of association."30 When perception enters this formula, it aids suspension of temporal processes as it creates in the gaps of indecision and indeterminacy. Perception offers suspension from repetition in narrative and a permission for the "emergence of mastery,"31 given the terms of order in events. Otherwise, misuse of fragmentary abilities of language are powerfully instrumental—the word, the phrase, the activities of the sign proposed as ‘law’, and as an ‘order of abstraction’ [Lacan]—breaks communication and knowledge of the Other into ineffectual shards.

Although in ordinary language use there are degrees of order and degrees of a lack of order, including chaos, there is also an ‘essential continuity’ which tends to reflect context. This continuity is managed to a large extent by learning and forgetting within the panoply of psychological references, projection, and protection of the inner self and beliefs so that continuity is rivaled by separability of levels and limits from each other.32 This means that learning can also be forgetting. There is a supportive dimension in that the social processes of language use are always significantly categorical, organizing throughout the levels of learning, working and socializing. The molding of language proficiency or lack is interesting especially since it has at stake so much else: thought processes, categorization, contextual exclusion and limitation of instincts and imagination. Consider, for instance, the imbalance in literacy skills: approximately 22 percent (40-44 million) adults in the U.S. are functionally illiterate,33 including many high school graduates; roughly 95 million U.S. citizens cannot read a medicine label or compose a letter. Accelerated educative means could replace the astounding misfortune of this incapacity, effecting a leap from delimited autonomy and the counterpoints of privileging—both of which threaten motivation for a civil society—which would register revelatory steps toward inclusion. In other words, the consistency and texture of ‘freedom’ does not spring into existence without preparation, encouragement, and protection.

As education has begun to include appreciation for diversity, it needs to also consider diversity’s many applications including appreciation of conscious language use as opposed to raw use independent of meaning. The disabilities in conscious articulation come from restriction in stratified givens, restricting meaningful access where expression is nothing more nor less than required demeanor. If language competencies are geared toward perception, developed by systematic distancing from the self (afforded by language),—and thereby accepted—, it would constitute a positive movement toward an enhanced social well-being.

Illiteracy is concomitant with the unquestioned superscription of sign, halting social flow as it halts cross-fertilized articulation and desire. If we think in terms of globalization guided by freedoms, literacy is all-important. In future-oriented development versus capitulation to trends, recognition of lack contained in bounds, economies and exclusions of the sign, is a recognition of false necessity.

Metaphor and Tension

Expression is an ordinary happenstance but expressive content is most often found in innovation or combination: in increased facility and interest, and heightened temporal commitment (the '*Sinn und Zeit'*). But redrawing lines by metaphoric intonation, by causative and desiderative predicates, introduces tension which can be manipulative, self-serving or flat-out condemning. Psychic perception is especially wary of and susceptible to tension. Metaphoric tension built into narration by way of repetitious use for instance, such as Freud's "Uncanny" theory of mnemonic elements, elaborates with an involuntary compulsion to repeat, retracing an already made journey without enlargement, assessment, or capability.

Verbal freedom is attained through conscious awareness of the peculiar status of the non-representational human-made product of language with the signified (the metaphor or concept) as always provisional, revisionary and extensive. Perceiving cyclic natural movement increases potential in the world of exchange; whereas perceptive lack increases division while decreasing understanding between each rung of vertical class structure or horizontal mark of ethnic affiliation, between identifying tokens and litanies of membership, between stations of media-textual absorption—the Other of sign systems partitioned off in various guises.

In the contemporary world the provisional signified and its signifier are plentiful, complexities are over-simplified and loudly-advertised. Linguistic slippage and change, allusion and experiment, symbolic implantations and metonymy in escalating revaluations are part of contemporary life. Short-term memory storage (STM) is the 'site specific' where this bombast takes place: in other words, that which is called the active region of mind, the conscious state. In contrast, long-term storage (LTS), of goal-related information and beliefs, is minimized if not entirely neglected because of the STM activity.34 Even so, there is conflict. Generally, people are compelled to go in two separate directions at once: subtending solidity and immobility of the sign, and counterwise to demand its subversion in rapid exchange, causing a shift away from logical progressions. 'Double determination' was introduced by Freud as a hysterical symptom stemming from opposing wish-fulfillments from separate mental systems which meet in outward expressions. Double determination can be applied to numerous areas of contemporary life, solely within the realm of psyche or recognized as exterior determination infecting the psyche.

In fields of tension "signification is never closed or satisfied"35 but extending in definition, changing shape by juxtaposition, altering through affect, reacting to effect. In the same sense, of narrative movement, a 'same-but-different' metaphor for society is inadequate in its stasis where the metaphoric tension itself, based on perceived similarities, will work to reject the contingent or that which is not assimilable. Narrative plot tends to increase tension incrementally in the 'difference and resemblance' mode. Rising expectancy preceding any reading (scholarly or literary texts, stage plays, other arts) seeks psychic-intellectual stimulation while rejecting repetitive satisfactions as truncating desire where the domination-subordination concordance leaves its imprint. Symbolizations and representations form the system arching over semantic meaning and imaginative impulse, transcending the subject by 'dogma' and the 'socially necessary false consciousness'. This continues to be a pivotal point of contention, the 'limit' at which we find spin-off and refusal and breakdown, and the only point from which we might progress from locked 'alter-positions' in a Postmodern denouement. One could say that the 'post' as still connected to the 'modern' represents only a partial movement and a prolonged negation.

History and Portent

Deleuze and Guattari's *opus magnum* was published in English in the 1980s; earlier and later writings, particularly of Deleuze, were published in English in the 80s and 90s. Many contemporary works on cultural-social issues and intellectual history, critical approaches to global problematics, refer again and again to Deleuze and Guattari. Their *Anti-Oedipus: Capitalism and Schizophrenia* is disturbing in its thesis of the condition of the human psyche resulting from the repetitive subconscious upheaval of social (and psychological) unfittedness and repression. Drawing from the *Anti-Oedipus* is central to readings leading to Freud and in Freud and Lacan, tracing an intrinsically disjointed 'Idea of Civilization' (see note 15), linked rather inequitably with the statistical studies of today's critical sociological theory and, paralleling this, the acuity of today's critical social theory. These readings contribute to a viable program for civil society given the connectives, divergences, differences, fragmentation, alienation in cultural and educative issues under examination. An exclusion of the *Anti-Oedipus* would eliminate an important critique. Its inclusion, however brief here, offers insight into the pitfalls of living contentedly juxtaposed in a 'constellular' manner: 'constellular' advantage regards other's dire positions and untoward movements while carefully tending to the possession of exclusionary lines.

The *Anti-Oedipus* is a diatribe or polemic with an outrageous scenario, now set to music upon the occasion of Deleuze's death. Enthusiastic musical 'Rave' groups in Germany and England recently recorded "In Memorium: Gilles Deleuze" with the label "Mille Plateaux" and 'Folds and Rhizomes' by "Sub Rosa," both of which utilize the compositing of theoretic-linguistic phraseology.

Deleuze's influence on contemporary youth, globally, is undeniable and the message seems clear. Sociologically and philosophically in tune with our era of sign sensitivity, Deleuze's writings reveal a careful grasp of the concepts that misrepresent difference and the actual denied riches of societal pluralities. Heuristically, his writings encourage expression; in Deleuze's works a political framework is developed advocating a "pluralism of organization" rather than "a pluralism of order" which is by and large a working away from traditional forms and loyalties toward reforming culture, by combining "Western individualism with distinctly indigenous cultural content."36 Development is problematic interiorly as it tries to displace themes of ethnicity, nationality and other static entities with the heuristic content of inner and outer tension. Discussion of the ruling sign under which the psyche is captured relates to itself and others within linguistic structures meeting on an "outer edge of the natural world." It forces the questioning of social and cultural entities. The topic of double diversities, even at height and depth extremes, needs consideration as we begin to refurbish a newly emerging, inclusive and communicative world meaning.

Paradox

Gilles and Guattari demand an immanent interpretation, a mode of analysis that respects the internal norms and values and the complexity as it is given of the reality to be interpreted. [. . . and keeping in mind that] the personal is the political.] —Madan Sarup, *Post-Structuralism and Postmodernism*, [University of Georgia Press, 1993, pp. 93-94.]

History's givens are consistently being awarded greater dimension by progressive applications of paradox. Sarup says, "Human beings are truly free or really human only in and by effective negation of the given real." Camus' *The Rebel* stated: "In our daily experience, revolt plays the same role as the *cogito* in the area of thought, it is the first evidence of self." With regularity, 'Free

Humans' push against parameters that guard separation between the orderly and the parenthetical, the rational and irrational, the block of reason and the *outre* peripheral, the answer and the rephrased question. The target is often paradox where disparity and discrepancies (*écarts*) are found among distinction/divergence/difference (the pivotal, too timid crux of both ethical and religious concern), also a stickler in education. Paradoxical indicators of the sign subvert and hide the hard content that informs decision-making, and dims awareness thresholds. The indicators thwart thoroughness and convergence and selection processes. Although there are no cognitive instructions for the inner workings of a sign, it should contain the diverse, meaningful material for making interconnections, for provisions, for allowances for sorting out problems, for real, very basic entry into the complex of understanding positions of self, society and natural world.

This premise holds as long as language is connected to the natural world. As Paul Friedrich says, "paradox is basic to language as it increases complexity."37 Through intense refinements and arabesques, language manages to contain diversity within itself, as paradox. It is not so much a world removed from the world, where the sign system is the only truth, but rather, it questions the terms applied to nature and natural phenomena—and to itself—by immanent interpretation. Without this it loses its life and is hardened into reification.38 Only inflective movements through paradigms, conventions or the signs that encase them, reveal operative functions and whatever is contained by the cultural codes. The *Anti-Oedipus* attempts this feat by incorporating theoretic strands and the bright beads of signifiers like so many ornamental embellishments to be worn in a kind of aesthetic irony, a private ecstasy.

For either the artistic machine, the analytical machine, and the revolutionary machine will remain in extrinsic relationships that make them function in the deadening framework of the system of social and psychic repression, or they will become parts and cogs of one another in the flow that feeds one and the same desiring machine. . . .—Deleuze and Guattari, *Anti-Oedipus* [137]

Within paradigms, or in paradox, we find vestiges of 'debt management' over thoughts, actions and desires infecting the human psyche—the private, inchoate, primitive, substantial, resistant, yielding, and subjective formations—undermining the intrinsic value of the living being.39 Today's youth clamber through the scaffolding of paradox, which is to say, they involve themselves in this maze as transients; and becoming transformation itself, freewheeling, they traverse its inner mechanisms. They claim to take up the leading role in the Anti-Oedipus. The subjectively desiring, inchoate, forming person, works psychically through the auspices of paradoxical sign systems,

always breaching the coded wall or the territorialized limit that separates them from desiring-production . . . the one is always defined by subjugated groups, the other by subject-groups . . . [so, where can there be] a real investment of the sociohistorical field, and not a simple utopia? In what sense are the lines of escape collective, positive, and creative? What is the relationship between the two unconscious poles, and what is their relationship with the preconscious investments of interest?—Deleuze and Guattari, *Anti-Oedipus* [367]

There is little denial of the importance of the psyche especially as a moderator of the instincts, secondly and of equal importance is a subjective as well as unconscious or "preconscious investment" in interaction with community, society and culture. Although this interaction is a very active thing, with differences and contention, there is also, in the psychic holding, a deep and natural basis of moral sensitivities.

Analysis and Social Construction

The contents of the unconscious with all their disappointing ambiguities give us no reality in the subject more consistent than the immediate; their virtue derives from the truth and in the dimension of being: Kern unseres Wesen are Freud's own terms. The double-triggered mechanism of metaphor is the very mechanism by which the symptom, in the analytic sense, is determined. Between the enigmatic signifier of the sexual trauma and the term that is substituted for it in an actual signifying chain there passes the spark that fixes in a symptom the signification inaccessible to the conscious subject in which that symptom may be resolved—a symptom being a metaphor in which flesh or function is taken as a signifying element. —Lacan, *Ecrits* [166]

These roots, of analysis and in terms of social construction, can be thought of as immediate in the sense that they are foundational if, and only if, they are not distorted by the confederacy of sign and the signifying system. This much is clear.

Consider Freud's point: that the normal state in modern societies is neurosis, as exemplified in dream and collective guilt; amounting to, finally, a critique of cultures, "especially our present one."40 Deleuze and Guattari follow Freud yet argue at length that Freudian psychoanalysis is an ongoing example of "interpretation as impoverishment" in which the human subject has been "founded on lack" and the "gaping hole in the structure" furnished in regard to the father (power), living on a "path of resignation". The subject is diminished by analyses, presumed and accepted guilt—while the real and hidden human desire is in self-producing in positivity of production, and this despite the usual goal apparatus. Analysis in general hones in on classifying individuals in groups, tacitly providing cells of success, registering 'normal' states and deviance. The result is dwindling motivation, eventual desperation and finally, self-contempt on either side of the drawn lines. "Oedipus is a factitious product of psychic repression. Repression cannot act without displacing desire."41 The ability to think and act outside the domain of the "Triangular Oedipus" or the "Inscribing Socius" has been replaced by inaction of a disengaged spectral 'community'. What happens when a subject's life is superscribed in Freudian terms is that the lived complexity becomes blanked out; rigidified by the Freudian "family romance" repeated ad nauseum, further reducing the notion of vitality and showing a straight pulse line on the screen. Freudian interpretive reductiveness positioned cognition as mere self-preservation with no more ability than facile adjustment to (rather than alteration of) reality, limiting thus impoverishing complex human material. It infuriates the Anti-Oedipus.42 Just as the Oedipal complex is the structure of the human unconscious as ogre, its axiomatic parallels the structure of the symbolic as confinement. According to Deleuze and Guattari, Oedipus as controlling agent of correctness managed economic flows ultimately providing the capitalist system with its two forms of human life: in neurosis and in schizophrenia. Their biggest frustration then is Freud's negligence of the problem of capital and its global institutional, systemic gain while placing guilt in each human psyche at higher degrees with the maturity of a society. "Scope and intensity of instinctual repression obtain their full significance only in relation to the historically possible extent of freedom."43 The interpretations of Deleuze and Guattari reached an extreme44 in order to underscore their thesis, the problematic subject-community, the political dynamic of groups and institutions—in other words, the bound and unbound, the neurotic or schizophrenic. Their approach is unsettling in regard particularly to analysis and interpretations that become entrenched, and in order to shed light on the social bond as it appears in a capitalist social system. They said this bond must be "purely contradictory".45 The economy is an autonomous abstract edifice. Our contemporary,

John Searle, agrees fundamentally with this thesis, adding language and sign also, as autonomous. The economy both binds and separates society's members, making the subject into an object of production and rivalry. (In this way Searle and the institution can do away with the psyche as well as any natural force.)

Deleuze and Guattari also found autonomous capitalism opposed to the symbolic where they believed that human subjects are most able to make ties, develop and relate. Divisions then occur in the subject, the psyche of suppressed desire, suppressed reality orientation, and forced aggression in a competitive structure. "The 'aggressive instinct' is not so natural after all, however pervasive in our social and psychological life."46 Aggression has been acquired; the winner-loser banner is in defection of humanness.47 For Deleuze and Guattari's 'Schizo' there is "no other way of reacting to this blocking of all his investments of reality, the barriers erected by the Oedipal System of social and psychic repression"48 than to dissociate.

Dissociation should not be misconstrued as mere acceptance, a welcomed calm; it is an "inability to resist the process of colonization" in the wake of globalized surplus-value giving rise to the existentially bereft. The newest process of colonization gauges the "value of activities and relationships which have neither economic worth nor societal utility", in itself "symptomatic of 'the production of a world without sensory values and a hardened sensibility, which hardens thought in its turn.'"49 Societal dissociation is a ressentiment involving "pre-empting one's objectification by self-objectification", which means "strategically withdrawing the initiative, intelligence and goodwill which capitalism degrades but cannot dispense with."50

At this point in time, which is like no other, a new civil society has more at stake from the ground up, from a cognitive-subjective-ontological level, and possibly a level of 'public philosophy' such as those now active in France—than in political manufacture, a uniform *Gemeinschaftlichkeit*, gerrymandering judicial criteria or cultural fetishes—before it has a chance to succeed.

Biological, linguistic, material and political approaches to understanding structures (or their disintegration) neglect the sphere of the psyche which actually conditions social behaviors, much as the reverse is true.

Aristophanes' myth of origin in the sexless two-headed creature that is split in two then given contrasting sexual organs, summarizes in the male-female urge to rejoin into one again, and is a precursor to Freudian psychoanalytic theory and phallic lack. Another ancestral device is the Asian Hindu sign for the "non-dual Supreme Reality with two aspects: Siva (male) and Sakti (female) . . . [read 'strength' and 'acceptance'] associated with a number of highly unconventional practices [. . .] and siddham seed syllables (that overlap)".51 Various examples can be semiologically assumed as an exchange of a system of signs or the basic proposal of origin that language originates out of negation and by a curious turn, falsity. Within this proposal nestles the compunction of other-recognition, therefore access, desire, simultaneous with impending lack or loss: an exchange requisite in a stage of development. Its analogue is a 'knowledge of causes' and with certain/uncertain victories over the fear of loss. The 'knowledge of causes' explicated by Peter Gay52 (which may be read as defiance of the obscure terms of 'mystery', sign, or paradox) are coupled with the "circumstances of fear" to produce—or to herald—the "essence of the critical mentality at work." This necessarily includes, at this or any level of development, or departure, a reconnaïtre (to know again) and Se reconnaïtre (recognition of self and other yet again). The biologic or organic lack as the introduction to difference or diversity makes self-consciousness possible and the desire 'to be' a constant seeding and seeded knowledge concentrated in the Other as knowledge: where lack can adapt to a correlative. Overlapping represents a flow of energized

syllabics or a conceptual space where imaging connects, migrates, superimposes, gains transparency and so forth: disparity and disorganization within a logical space. Restated in Bergsonian terms it is ‘creative evolution’ or emanation stemming from multiplicity, change, indetermination and the unforeseen, where nothing is preformed. In Nietzsche’s explanation it is the becoming of being which is in pure multiplicity. For Deleuze it becomes, first, an interiority and consciousness, the pars destruens of critique, which first reveals everything of the values known or in some way knowable up to the present, before it takes up a form in the realm of extension, a freedom of and for multiplicity.

The Freudian Inheritance in Identity Formation

For Freud the unconscious Other of dreams and drives prescribes the form of internal conflict and fear (while for Lacan the unconscious is the discourse of or with the Other53). Freud developed literal readings of psychosexual signifiers that were not migratory but rather, stable unconscious forces. One allegorical reading he developed was the "Mystic Writing Pad" upon which one writes or draws on the upper layer that which is transferred from the second layer to the waxed tablet underneath. When the upper layers are stripped away the images disappear from the top but remain on the undersurface. The upper layers are replaced and the drawing-writing continues as the images mount indelibly beneath on the recording substructure. This becomes a pictographic script—a different but filled language—with images from the unconscious, with elements of the script of the unconscious (or dream) consisting of detailed items in changed or reverted order from the archives of the memory, without recognizable spatial or temporal sequence, and the preconscious transliteration (becoming verbal) which are the structural components of the system (these are the "determining effects for the institution of the subject"54):

1. Condensation (metaphor: substitution of one signifier for another).
2. Displacement (metonymy: circuited mechanism sustaining whole elementary language structure).
3. Representability (the technique which distorts an idea so that it can be presented as an image).
4. Secondary revision (psychic force that smooths over contradictions and creates an apparent connectedness)55

This shows movement away from and blocking the primary psychic forces, the internal motivations. (1) and (2) are the primary psychical process—free flow of libidinal energy—where we may situate the ‘birth of the unconscious’ and the fundamental laws of linguistics56 into (3) and (4), the guardian boundaries of speech, that Derrida refers to as "an immobile text."57 The division as illustrated does not obviate the need of representation of the psyche, though this point is confused, sequestered in misrepresentation, misunderstanding and closure offered by such terms as "paradox".

Freud’s scheme for the unconscious suggests that words in verbal text (or signs in painting, or the structure of a system) come to be by concealment and immobility (that is, repression) just as much as they might otherwise be by revelation. But in the same laws that govern the unconscious is the chain of "materially unstable elements that constitute language."58 This explanation arises in the interpretation of dreams and can be called a coherent system of illogic through which linguistic ‘transference’ becomes metaphor and metonymy. Metaphor and metonymy are a "double

play of combination and substitution in the signifier"[59] or a combination of words and images as representatives of psychic life (latent thoughts of the primary mental process which also produces schizophrenic language treating words as things), which become ripe targets for interpretation. In other words, there is an autonomous existence of the unconscious which cannot be purely correlative to conscious expression.[60]

In Freud's process of development rational discourse is almost always distorted by unconscious forces: instincts and drives. (For Lacan the discourse converts unconscious desire into the ontological 'desire to be' or the desire for wholeness.) Freud refers perforce to organic, biologic, physical causation: however, he does so in allegory and a metalanguage which Deleuze and Guattari will take up in turn (while Lacan refers to the symbol-sign, in theoretic discourse). Freud's Oedipus is devoted to embedding psycho-biologic repression aided by society and the family—since Oedipus is not created by the family or by society, rather by the unconscious—in a force to "defeat forces of desire . . . [which are] essentially active, aggressive, artistic, productive and triumphant in the unconscious itself." In this way Oedipus is an "application" with the seal of "family as delegated agent."[61] It is difficult for some children to position themselves and their desires into the hard angles of the Freudian triangular edifice, but, as 'partial object' they are certainly subjected to the 'law of unity' as lacking. Then, the "disjunctions are subjected to the alternative of the undifferentiated or exclusion." This child's numen is substituted by the so-called Fatalistic Order. Whatever is alienated in its needs constitutes inability (primal repression) reappearing as desire.[62] Deleuze and Guattari call this the 'desiring machine' and the concept is broadened to include, as schizo, the aspects impugned not by Freudian terms, but society. These are the aforementioned "active, aggressive, artistic, productive and triumphant in the unconscious itself", and these attributes (as discards) are finally withdrawn from Deleuze and Guattari's social misfit, the 'schizo', as a final sign of active desire. Desire is deadened and the 'desiring machine' runs headless, or nearly so.

The schizophrenic condition is posed as a final product of society—where the psyche and sign are out of alignment—the result of wholly repressive tendencies. Either this proposition is unthinkable, or the reader has some familiarity with the clinical terms of schizophrenia, in which case Deleuze and Guattari's outrage is applicable and can be understood. Given these considerations, establishing a "common good" or in "humanizing the roots of the community" where "human freedom is open rather than closed"[63] we know we need to widen the thresholds of inclusion, also, the thresholds of success. This is a postmodern concern where interpretation itself, at these countless testable points of intersection, is likely to become another aspect of domination, and where catch-phraseology is yet another noose stifling difference. What is at stake is meaning existing in the difficulties of overlapping reference and multilayered interpretation, and how one enters the spirit of these, increasing understanding to match the dense realities. To be open is to be open to the papillon innovation of design qualities in metamorphoses, to the interchange of variables that encourage democratic resurgence—waxing and waning—to the absorption from experiment and the experiential, patiently tested, impatiently retested, and ultimately refurbished. The unavoidable conceit, an after-history, presages greater responsibility. This, we are beginning to find, demands more carefully detailed and investigated, more fairly inclusive readings. Whatever is incorporated into a term can be plied loose with an effort equal to its evolvement, born of interest in its history as well as a velocity equal to its route into the future.

Freedom

Jean-François Lyotard says that freedom increases with the increase in number of the variables one can act on with determinism.64 "The material is the more determinable and masterable the more it is freed." This might apply tension equally to the subject and the social analyst since there is a structuration of subjectivity and the deep regions of the psyche that relate wholeheartedly to symbolic structures that, therefore, greatly determine individual freedom. Retesting includes a testing of limit; and if there is no support for particular individuality within the structure, as is often felt, then the subjects are nothing more than 'captives' of the context of the symbolic order.65 In the 'interpretive struggles', each and all sides are still bound to referencing and interpreting any 'master text', and deciphering Lyotard's method (with forerunners in Kant and Husserl) shows a prescience as

. . . every explanation, every precise elaboration of a causality, every determination implies a 'break of causality' in the very act of the explanation. When the physicist expounds a 'law'—or, as they say, an 'effect'—and offers it for verification, he sets the stop-watch to zero and encloses the variable he judges to be relevant in the supposedly uncrossable limits of an insulated system, i.e. one where other variables are considered not to be pertinent . . . [but] the determination of the effect demands its freedom . . . then one can understand that practical mastery over it presupposed its isolation outside the 'context', its freeing from that context, and that this freeing happened first in the perception and thought . . .—[*The Inhuman*, page 166]

Where the implications of context can actually negate value: in a reversal of traditional thought. In isolation from or removal from context a subject can be freed from confinement in that conditioned area, for instance, the surrounding edifice of poverty, child molestation, or inadequate education. To presuppose a 'free-ing' is an active basis for recognizing human value in any setting and to recognize value in existence at any point in the process of substance acquiring individualization. This also assumes that freeing is a freeing among others freed. In light of present societal conundrum, which some see as the thinning of morality and peace-keeping ethics, may in fact, if they exist in the person and not in the system, be caused by subsumption of the psyche's freedom. It becomes important to realize the subtleties in the turn of differences in negativity, of what a thing is not, versus negative results of powerful alienating forces.

What does Lyotard mean when he says that the material is more determinable and masterable the more it is freed? The question has been approached in successive sections of this paper and weighs upon the problems arising from disintegrative blame applied to the fulness of diversity or simple tribal difference; the dispossessed, the dwindling resources of home-seeking peoples and homeless peoples; loss of choice or the counterposed exponential explosions of choice; difficulties in freedom of thought, freedom or ability in speech, or a simple honesty; impelling real and threatened lack at all levels.

Lyotard states that every organization (i.e. matter into form) involves the tedium of repetition, as though 'imprinted'—whether it is actual repeating or possible (expected) repeating66 —yet the actual results of organization cannot be fairly or intelligently anticipated. Resting in any narrative support is a certain amount of opposition between matter and form, between the person (presence) and the ideal or conceptual formation (Theory of Forms). The moral question inserts itself here, where a morality is never fully insured by an order (such as 'moral order') of inscription on a minute to minute basis, that is, engaged in the real time episodes composed of confrontation, hesitation, gaps, defense, defeat, loss, orders, accusations, rules, leaps of faith, scientific curiosity or creative spirit, etc., that may escape the bounds of anyone's moral precepts. While the

organization or narrative form may offer a sort of ‘freedom’ nominally it never actually provides it because of its composition of guidance. As Lyotard says, the ‘manifold’ of the given acts as the banks of a river—in this sense a ‘sightless’ guide—helping or controlling the flow. This entails a "substitute gratification" which, in hoping to assuage unconscious desires, only aggravates malaise and underscores lack.

This receives some elaboration by Searle who says that institutional facts are imposing values on something they simply "do not regard as valuable."67 The relation of this process to consciousness is that:

1. since any institution is taken for granted, no one need be aware of its ontology;
2. agents are not aware of the form of collective intentionality by which function is imposed;
3. all this is accepted because of some theory which may not be true.

People may retain "false beliefs about what they are doing and why they are doing it . . . where the imposition of status function according to the formula becomes a matter of general policy, [and where] the formula acquires a normative status. It becomes a constitutive rule. This is shown by the fact that the general rule creates the possibility of abuses that could not exist without the rule . . ."68 and there is no guarantee that the institution will survive once the agentive intelligence recognizes these elements. It "has to bottom out in phenomena whose existence is not a matter of human agreement."69 Each institution (which would include a civil society) requires institutional facts that are ontologically subjective as well as epistemologically objective; in other words a connection between the available complex psyche and the available portent of the complex sign, including both their systems, cannot be severed. An institution will fail if it prescribes acceptance of any principle which runs counter to intuitive notions which would mean that the material is determinable and masterable when it follows its internal force, and this amounts to its truth or freedom.

Moments of Mastery: Nuance

Within the parameters of organization such as a ‘constellation’70 (ideally fixed and mobile, stabilized and providing for oscillation within limits) certain nuances begin to appear. Nuance is an instance of "escaping determination by concepts"71 whose escape is initially furnished by thorough syntheses attributed to ‘presence’ and where any limitations turn inward to be absorbed by the center of assimilative endowment, gaining dimensionally by the absorption. Important to this process is preservation of the stages of progress. In a similar sense, dichotomy or repetition turn inward, in the deepest sense, to be absorbed, recognized at the center as potential. Lyotard’s example is refined art or craftsmanship (specifically musical performance) when a specially honed or superior translation is different from any other, unrepeatable, but memorable and comfortable—presented in its final stage in isolation (in a certain sense removed by degree) from all the ingredients of matter, form, mind, subject, practice, repetition, expectation. Nuance is the surpassing of the form, surpassing the repetitive and the narrative, surpassing the binding agent understood as the "determination of a limit" (Lyotard, 157). Nuance is the instance when the supporting structure (years of practice and the cognitive potential of promise) that has held gives way to, or is received into, an entirety (filled experience, fulfilled promise of a gathering intellect or a levelled, psychic maturity) where freedom of decision, of action, gains a presence beyond the determination of a limit which is not a limit if it can be crossed or can liberate.

In this case, of nuance, the "liberation of memory explodes the rationality" including vestiges of the peculiar rationality "of the repressed individual."72

The symbolic is the heavily trafficked junction of body, psyche and language where the descriptive fields (and there are many) particularly of psychoanalysis and linguistics or semiotics meet73 or collide. But a forced drive possesses a coherence not found in the real and deeper needs of societies or the individual—as complex and self-divided in the varieties of dual schematics. These diversities help keep the upper orders, of conscious states, social systems, signs and symbols, on a feasible human track. This is the relationship of psyche and sign. "There is no linguistic field without biunivocal relations"74 and the webbing of values within levels of language and the parts of speech. Deleuze and Guattari say that this is a field defined by a kind of sign, a transcendence—even when it seems absent, without locus, when it is 'folding' in a seemingly "inarticulate material flux". But transcendence over diversity is meaningful only through recognition and appreciation of the contributory spheres of discourse. The facts of diversity and identity of the psyche are not to be taken as lesser identity than a public, political or organizational one. Evolving signifiers are part of a construction of meaning, in myriad forms of opposition, as they nullify and select, without oversimplifying, and as they work toward combinations. Through examination of the employment of sign and linguistic content—either inept or acquisitive and filling—we imply a break from assumption and from an overruling causality.

Meaning for a civil society now can fully recognize diversity's investment in sign, function and the ontological core from which difference arises. Meaning for a civil society cannot categorically remove the functions of institutional facts from natural agentive difference (the containment of division); a global society will fail if sign outstrips its subjects and their interventions, inventions and intentions, or disables the ability of integrity. It is adamantly suggested here that a workable civil society must nurture foremost the 'motive force' of the individual psyche in order to face squarely the 'motive force' of diversity.

The riches in diversity represent the ingredient most necessary for a civil society: the diversities in ethnicity, age and gender, foundations, imposed lack, excellence, beliefs and desires, expression or articulation and interest, fears, humiliations and hesitations, the accumulative mental activity used in negotiating these. The underlying human desire for productivity and a useful, fulfilling life, if ignored or canceled under any 'X' representative, offers no base for civility. Working through Spinoza's evolution of sign relevance we see that we might readily accept for contemplation such combinations as an insightfully imaginative Deleuze along with the accountant-like systematizing of Searle.

Notes

1. Weber, for one, was an 'individualist' who rejected the viability of an 'organicist' conception of society given in the manner of Durkheim, Marx or Searle.

2. John Searle, *The Construction of Social Reality,* Free Press. 1995.

3. Searle, p. 71.

4. *Ibid*., p. 130.

5. *Ibid.*, p. 126.

6. See Searle's diagram (Figure 5.1) on page 121.

7. In fact, there is considerable agreement about this. Yiannis Gabriel (*Freud and Society*; Routledge and Kegan Paul, London: 1983) says "in the social sphere a person has become an

extension of administrative machines, a functionary of impersonal apparatuses. The relations of production no longer appear as a form of domination of man by man . . . within contemporary bureaucracies domination is invisible, since the commands emanate not from persons but from offices." [p. 263]

8. Searle, p. 60.

9 *Ibid.*, p. 74.

10. *Ibid.*, p. 75.

11. *Ibid.*, p. 69.

12. *Ibid.*, P. 73.

13. *A General Selection from the Works of Sigmund Freud*: see ch. 2 (1911), Freud's "Formulations Regarding the Two Principles in Mental Functioning". He says "the most extreme type of alienation from reality is shown in certain cases of hallucinatory psychosis which aim at denying the existence of the particular event" but actually, everyone "does the same with some [difficult] fragment of reality."

14. See Gilles Deleuze, "La conception de la difference chez Bergson", p. 93, and Michael Hardt, *An Apprenticeship in Philosophy: Gilles Deleuze on* "*Bergsonian Ontology*", p. 14.

15. *Ibid*., p. 178.

16. Craig Calhoun, *Critical Social Theory*, Blackwell, 1995-95, p. 221.

17. Herbert Marcuse, *Eros and Civilization: A Philosophical Inquiry into Freud*. Beacon Press, Boston; 1955, copyright 1966, p. 18. Where freedom and necessity coincide is at the level of the unconscious, while it is tabooed by the conscious level.

18. Plurality and difference are characteristics of postmodernism (Sarup, 105).

19. Rather than thinking of these as 'sign, signifier, etc.', Freud and his followers used the term 'civilization' to denote the historic processes of socialization, institutionalization and repression of the psyche.

20. Craig Calhoun, *Critical Social Theory*, Blackwell, Oxford/Cambridge, 1995, p. 222.

21. See for instance Michael Adas' *Machines as the Measure of Men: Science, Technology and Ideologies of Western Dominance*, Cornell University Press, Ithaca and London, 1989—especially the chapter "Ascendency of Sci-ence, Shifting Views of Non-Western People in the Era of the Enlightenment," where Adas enumerates in detail the false views about Africans and Chinese by the *philosophes* and literati, handed down to the populace (both Europeans and Non-Westerners) as fact, especially as factual 'character traits' and infecting self-knowledge as well as knowledge of the other. This chapter is part of a workbook currently in use for understanding the power of misrepresentation in *Readings in Intellectual History* at Rutgers University.

22. See Robert Weissberg's "The Real Marketplace of Ideas" in *Critical Review: An Interdisciplinary Journal of Politics and Society*, Vol. 10, No. 1, Winter, 1996, p. 111.

23. Weissberg, *ibid*, p. 117.

24. These phrases were used by Jacques Lacan in *Écrits* and by Gilles Deleuze and Félix Guattari in their book *Anti-Oedipus* to which I will return.

25. See pages 101-103 in Michael Hardt's *An Apprenticeship in Philosophy: Gilles Deleuze*, University of Minnesota Press, 1993.

26. Reference: *Encyclopedia of Philosophy*, p. 189 "Psychoanalytic Theories of the Unconscious" subhead: 'Freud's problem'. The symptoms and inhibitions of the unconscious as a concept work into a dynamic theory with observable consequences. Testing shows that "the theory is testable. Earlier test versions indicate that the motive and distress were forgotten . . . there is a hypothesis about degree, that forgotten ideas are unconscious in differing degrees, because as one

idea becomes more acceptable to consciousness than it was, the idea next to it is less removed from the threshold of consciousness."

27. Herbert Marcuse, *Eros and Civilization: A Philosophical Inquiry into Freud*, Beacon Press, pp.18-19.

28. Refer to John Brenkman's excellent book *Culture and Domination*, Cornell University Press, 1987, p. 48.

29. Searle, p. 22: [. . . something that is] "secret, hidden, unintended."

30. See *A Cognitive Theory of Metaphor* by Earl. R. MacCormac, p. 110. MacCormac says "new metaphors change the language used by society, which in turn becomes stored in long-term memory, thereby changing human conceptual activity. Changes in culture can change the environment, thereby affecting the biological adaptability of the human organism" (p. 150.)

31. The phrase is from Peter Brooks, found in his "Freud's Masterplot" in *Yale French Studies*, p. 289.

32. See page 117 of *The Language Parallax* by Paul Friedrich, University of Texas Press, 1986.

33. Refer to William J. Bennett's *The Index of Leading Cultural Indicators*, (1994), p. 88, and also to The U.S. Department of Education, *Dropout Rates in U.S.*, 1991.

34. See Alvin I. Goldman's *Epistemology and Cognition*, Harvard University Press, 1986; pp. 206-211.

35. Laplanche and Leclair: "The Unconscious: A Psychoanalytic Study" in *Yale French Studies*, 48, 1972, pp. 118-75. Also see Lemaire: *Jacques Lacan*, 1977, Ch. 9.

36. See Craig Calhoun's *Critical Social Theory* (Blackwell, 1995) p. 268.

37. Paul Friedrich, *The Language Parallax*, p. 121.

38. Calhoun says that the "crossing of cultural boundaries may be significantly driven forward by capitalist expansion, but the reification of those cultural boundaries under the influence of nationalist categorical thinking is not simply the product of capitalism but of the constitution of capitalism within a world system of states." And we must ask what positive value comes from reification but thinly constructed categories, a kind of holding-pen. If the cultural vessels begin to fill again toward excellence rather than 'novelty', as they have, questions inevitably arise anew directed to the relativized qualities of modernity: How will new forms of excellence separate spheres of productivity and consumerism?

39. I should mention here that there is a summary of 'new philosophers' including Foucault who reject the traditional concept of (only) state power for power apparatus on every level, and "global struggles are recuperative, leading from one domination to another, while only local and partial struggles are truly subversive." See Sarup, p.104.

40. Yiannis Gabriel, *Freud and Society*, Routledge, London,;1983, p. 165. Freud addresses particularly religious delusions and idealizations.

41. *Anti-Oedipus*, p. 115.

42. Deleuze and Guattari give an example of precolonial tribal 'divination' as social analysis "in the course of which hidden struggles between individuals and factions are brought to light . . ." allowing maneuvering in relation to a "great number of situations." With the Ndembu, analysis was "never Oedipal: it was directly plugged into social organization and *disorganization* . . . the parents played the role of *stimuli*, and not the role of group organizers." Rather than evoking the name of the father the process opened to "all the names of history" (pp. 167-68).

43. Herbert Marcuse, *Eros and Civilization*, Beacon Press, Boston, 1966, p.88.

44. Deleuze and Guattari are considered to be post-structuralists with their roots in Nietzschean writings, along with Derrida, Foucault, Lyotard and others, with an antipathy to any 'system'.

45. John Brenkman, *Culture and Domination*, p. 177.

46. *Ibid.*, p. 178.

47. Andrzej Rychard (from Poland) writes in *Social Research*, Vol. 63, Summer, 1996, that the winner-loser slogan is oversimplified and those best adapted to the "norms of the market model and democracy" are not 'winners' in the transformation; that "privatized *nomenklatura* are much better off" than those who "promoted the fall of the former system and the building of the new." One should consider 'winner-loser' divisioning "with suspicion . . . reality proves more complicated." (Pp.465-484.)

48. Gilles Deleuze and Félix Guattari, *Anti-Oedipus: Capitalism and Schizophrenia*, University of Minnesota Press, 1994, p. 124.

49. Finn Bowring quoting André Gorz's *Critique* (p. 87) in "Misreading Gorz" appearing in *New Left Review*, no. 217, London, May/June 1996, p. 107.

50. *Ibid.*, pp. 109-110.

51. See *A History of Calligraphy* by Albertine Gaur; Cross River Press, N.Y., London, Paris: 1994, p. 148.

52. Peter Gay, *The Enlightenment: The Rise of Modern Paganism*, p. 100.

53. Jacques Lacan, *Écrits: A Selection*, p. 172.

54. Lacan, *Écrits*, p. 285.

55. *Ibid.*

56. See Laplanche and Leclair, "The unconscious: a psychoanalytic study" in *Yale French Studies*, p. 151.

57. Jacques Derrida, "Freud and the Scene of Writing" in *Yale French Studies.*

58. Lacan, *Écrits*, p. 285.

59. *Ibid.*

60. See Laplanche and Leclair, "The Unconscious: a psychoanalytic study", page note on p. 123.

61. Deleuze and Guattari, pp. 121-22.

62. Lacan, 286.

63. Some of the items posed in the challenge to the question of "Civil Society: Who Belongs?"

64. Refer to *The Inhuman* by Lyotard, Stanford University Press, 1991, p. 166.

65. See pages 38 and 199 in Margaret Whitford's *Luce Irigaray: Philosophy in the Feminine*, Routledge, London and New York, 1991.

66. Lyotard, *The Inhuman*, p. 153.

67. Searle, p.47.

68. *Ibid.*, pp. 47-48.

69. *Ibid.*, p. 55.

70. Constellation: this is an astronomical term that Adorno borrowed from Walter Benjamin that signifies a "juxtaposed rather than integrated cluster of changing elements that resist reduction to a common denominator, essential core, or generative first principle." See Martin Jay's*Adorno*, Harvard University Press, 1984, pp. 14-15.

71. Lyotard, p. 155.

72. Marcuse, *Eros and Civilization*, p. 19.

Chapter V
From Exclusion to Communication: A Plea for Political Tolerance

Sémou Pathé Gueye

The concept of "civil society" which this study brings to the fore is no novelty drawn from nothingness by modern political and social thought. One can find its traces already in Aristotle, notably in the concept of *kononia politike*.1 Implicitly or explicitly it has been present in all subsequent philosophical reflection on the question of the best possible political and social order.

How is the concept of civil society understood today and who can lay legitimate claim to it? Given that a number of authors2 have treated that question and shed valuable light on both its comprehension and its extension, some clarification is required and for at least two reasons.

The first reason is based on the fact that when a concept becomes fashionable, as is the case today with "civil society," it has a tendency to appear as an "*auberge espagnole*" where the client consumes only what he or she brings. It is thus that people today use the concept of "civil society" more or less according to their own convenience and often in contradictory ways. Thus, the concept becomes so fluid as to lose it operative nature as an instrument for theoretical analysis. The work of clarification in this case arises from the fundamental methodological requirement of rigor and precision in the use of concepts in any theoretical reflection.3

Another reason which makes a theoretical clarification of the concept of "civil society" necessary lies in the practical order, namely the crisis of politics4 which throughout the world, though in different forms5 according to the country, has deepened the aspiration of individuals to greater autonomy, responsibility and involvement in conducting their daily life. That crisis is also one of traditional "mediations,"6 notably political parties and labor organizations. What units and new organizations should one consider legitimate replacements of the traditional ones and which would be more able to take greater responsibility for the diversity of particular interests found in society, to harmoniously manage their coexistence and to the greatest possible degree permit everyone to realize themselves? That question and its unfolding necessarily implies a distinction between the different groups which claim to be civil society. These questions underline the pertinence of this problematic: "Who Belongs to Civil Society?"7

Nevertheless, we will take up the problematic in a notably different perspective. Beyond a simple concern for conceptual clarification, the interest devoted to "civil society" as it functions broadly in theory and politics since the end of the 1980s8 comes from what seems to be a much more fundamental concern. It is that of the conception of a self-reliant public space genuinely independent relatively to the state power and in which individuals in the diversity of their interests, aspirations and particular goals can coexist harmoniously and live that coexistence not as a loss of identity, but as a basis for mutual enrichment.

Indeed, one of the functions that the modern state assigned to itself was to be a mean of regulation of social relations, so that the conflict of interests of the different groups and/or individuals coexisting in the society will not end in a destructive "war of all against all." That regulative function of the modern state, and its claims of serving "general interest" and expressing a "common will" grounded the legitimacy of its existence and, eventually, of its coercive and repressive actions against individuals. That is also how it becomes a transcendental power above individuals and their private will, an extraneous authority which has drifted from a status of

guarantee of freedom and security inside society, to another overwhelmingly oppressive one. Contemporary elaborations on "civil society" could be seen, from that point of view, as important and quite rightful attempts to reduce state power to its smallest reality, and to open a new space for individuals, so that they could fully enjoy their freedom, autonomy and responsibility. By the same token, these elaborations carry the necessity of approaching, on another basis, the question which remains and even becomes more crucial of regulation. Our opinion is that "civil society" serves as an appropriate and legitimate regulative instance only if it can find in itself a normative principle which could be recognized and accepted by all as able to combine as harmoniously as possible the private and common interests. Tolerance (we prefer 'mutual acceptance') could be that principle.

So it is this question of tolerance, specifically of political tolerance, which will be treated here. Beyond common ethical considerations necessitated by the sociological changes of the world today (changes which strongly influence mentalities and behavior), how can one 'ground' the need for political tolerance? And what virtues can efficaciously reinforce political tolerance on the different levels of interpersonal relations in the political space, in the conduct of public affairs and in the functioning of entire societies? There are the questions to be examined here without pretending to be able to do more than sketch them within the limits of a single chapter.

The Change of Paradigms: The Painful Birth of a New World

The abortion of efforts since the second half of the 80s in the countries which had earlier attempted "real socialism" to try to reform themselves from within....efforts which can be seen to have collapsed with the end of the socialist system and the subsequent total domination of capitalism in the world....enables us hastily to label as null and void all the theoretical elaborations made during that period. However, within the limits due to their context and to the strictly political preoccupation — read politicizing — which sometimes supported them, certain of these elaborations derived from rich theoretical intuitions which with the passage of time and the equanimity it provides, we are now better situated to understand, explain and deepen theoretically. This is the case of the concept of a "new political mentality"9 which seems essential for correctly grasping the contemporary orientation of present day politics. This is the hypothesis of the present chapter, which we would summarize as follows: with all the historical, theoretical and psychological difficulties tied to this type of situation, we are entering progressively into a new era characterized by a change of paradigms,10 namely, from one of "exclusion" which has dominated our political outlook to one of "communication".

The former paradigm was forged in the context of the political and social combat of the 18th and 19th centuries, re-enforced and aggravated by the polarization which characterized the world since the birth of the socialist camp in the October Revolution of 1917 and during the "cold war from which the world has not yet totally escaped.11 It was a combative paradigm of "exclusion" which took the political field to be a battle field to be read in terms of conflict. The model positioned different protagonists, identified principally in terms of military metaphor of "camps," in a "war of trenches." In the best of cases the only possible peace between the "camps" can be an armistice or "cease fire"; in the worst case it is unconditional surrender with a "vae victis" by the victor as in the famous words of Caesar to Vercingetorix. Here political ideas and conceptions, as well as the values which provide their basis and legitimating criteria, function like "barricades" behind which people must hide in order to be able to protect their identity.

To change one's political ideas and conceptions is then more than a simple intellectual act. It is a manner of changing one's being, of altering one's identity — whence the biological metaphor of the degeneration often utilized with a negative moral charge manifest in terms of "renegade" and "traitor" used commonly in Marxist political literature.

In such a perspective, intellectual dogmatism and political intolerance not only became common but also sublimated in claims of doctrinal "purity" or authentic conviction.12 Violence is inscribed in political relations not only as natural (*homo homini lupus*), but as a legitimate means for resolving political contradictions. The Marxist theory of the conflict of classes finds there its real theoretical and ethical bases while discrediting every effort to change society by peaceful means without constraint on individuals. From that same ideology of violence founded on an unabashed will of power, colonialism and neo-colonialism operate as modes of aggression and exploitation of other peoples on the sole basis of "the law of the strongest" as well as the ferocious confrontation of the two superpowers in the cold war for control of the world. And it was not surprising that colonial domination proceeded under the disguise of a "civilizing mission" based on Euro-centrism and on the denial of the existence of other cultures.

Today on another basis the world tends to evolve toward much more communicative13 political relations between states as well as within states and between different political actors and societies. This leads increasingly to an understanding of political adversaries more as partners to whom one can (and ought) to listen through dialogue and negotiation rather than as enemies whom one must fight and destroy. What factors lead or can14 lead contemporary development toward such a "communicative" world?

Toward a More "Communicative World"

Among the many factors which can lead present developments toward a "communicative world" we would underline especially two, though these are not the only ones worthy of interest. On the one hand, there are the complex processes, which in different aspects are contradictory or ambiguous, called 'globalization'; on the other hand, there is the contemporary revolution in the means of information and communication called the "information highways" or the new technology of "informatics."

Globalization

Since the disappearance of "blocks" and as a prolongation of a slow process of development on the economic level of a capitalist world market, notably through multinational and transnational corporations, there has been a strong tendency toward unification in the sphere of international relations. The politics of structural adjustment imposed by the World Bank whose results are directed essentially toward unifying the economic and political behavior of states on a neo-liberal basis as well as the rules of the game in the context of the World Trade Organization, all tend toward the opening of the world economic space.15

Only an angelic view of things or insistence upon seeing things 'otherwise' could lose sight of the eminently contradictory nature of the process. In fact, whatever be presented under the misleading heading of "interdependence" or of "complementarity" in economies, globalization has in no way reduced the immense gap already dug on the economic level between the North which enriches itself more and more in a process which increasingly impoverishes the South. There is a contradiction between the immense riches created by humanity and the persistent aggravation of

the poverty in important parts of the globe, or even within countries known to be rich as is manifest by the scandal of the "homeless" in such countries; indeed there is a tendency to aggravate all these contradictions. Nor does globalization signify the construction of a world in which the behavior of different socio-economic actors would be automatically confirmed in peace. On the contrary, if one can consider as definitively eliminated the spectre of a nuclear holocaust, violence is not thereby eliminated in relations between states and between peoples. Many conflicts in all parts of the world, though cynically dismissed as conflicts of "low intensity", can be extremely murderous. Domination and exploitation are still going on and even taking more cynical and quite arrogant forms inside what is inappropriately called world "order" as well as inside societies, making struggle for freedom, equality and social justice more actual than ever.

But despite these evident contradictions of which we are far from having drawn up an exhaustive list, globalization is nonetheless a tendency in the direction of bringing together states, societies and peoples. It provides a material basis that is more conducive to a sense of belonging to the same world and to having to some degree the same interests in protecting and improving the existence of those in one's midst. Despite the immense gulf that sometimes exists between proclaimed goals and limited results achieved, the great conferences held in recent time by the United Nations (on poverty at Stockholm, on the environment in Rio, on women in Beijing) can be interpreted as signs of the emergence of a global conscience founded on an ever more shared sense of a common destiny of all the inhabitants of the planet earth. One can see also in this world mobilization (at least on the level of official political discourse) poverty becoming perceived as a global menace to the peace and security of humanity as a whole, or the degradation of our natural environment beginning to be considered as dangerous to the preservation of the bio-sphere and for the sustainable development. All of this bespeaks an emerging sense of universal "complementary."16

Certainly thus far these are only small fragile and wavering flowers in a world that still has much evil to escape: the shadows of violence, egoism and intolerance, even at times with signs of regression toward barbarianism as in the drama of Rwanda, and what seems to be preparing in Burundi, and in Europe in the case of Bosnia. But there are things in the dynamic process of globalization which open the prospect of a world with more solidarity, and hence a world more open to dialogue and mutual acceptance, a world with a tendency to evolve a "consensus" regarding interaction between people. Such "consensus" bespeaks renunciation of all form of dictates, a better capacity for listening, and a greater openness toward others.

The Information Highways

In treating the factors which constitute globalization we have presented the contradictory as well as the positive influences these can have on the relations between states and peoples as well as between individuals. This leads us to the contemporary media of the world of information able to promote better mutual comprehension and hence tolerance between people. The well-known term of MacLuhan,—the world as a "global village"—, is particularly effective although in this matter it is important to guard against an 'other-worldly' idealization. The dramatic contradiction manifest here requires relativizing the presumed benefits of the "communications revolution." The monopoly on the means of information and communication at the world scale and within each country, allows the forces who exercise it to produce and diffuse ideas and images according to their own needs and interests and to transform the rest of the world into passive receivers

bombarded all day long by ideas, values and stereotypes of behaviour not necessarily corresponding to their proper aspirations.17

What is globalized in these conditions is in reality the ideas, values and stereotypes of behavior diffused by the dominant minority directing the means of production and diffusion. Before this situation, people are notably disarmed and cultural identities are reduced to simple nostalgic fictions. This is true as well at the level of individuals whose aspirations for autonomy, freedom and responsibility are strongly contradicted by the manipulative action of the contemporary media. The "messages" produced and diffused by the media are not necessarily synonymous with people's real choices as to ideas and the values reflecting a greater opening of the spirit or a better understanding of behavior between peoples.18

Nevertheless, all this should not lead us to deny or underestimate the fact that the development of the "information highways" can overthrow earlier forms of cultural closure. There is a dynamic never known in the past, of diffusion and interpenetration of ideas and values, which has as necessary and evident consequence a convergence of political conceptions and behavior.

All that appears to individuals as an "iron curtain" erected between themselves and the world, or themselves and other individuals, or as enclosing their thought in rigid and definitive systems, becomes increasingly unsupportable. This suggests the possibility of more open and peaceful political behavior and the creation of a peaceful public and social environment in which everyone can live fully his or her individuality without feeling menaced by the presence of the other (or vice versa).

To agree to coexist with the other, even if he or she be a political adversary, to see the other not as "hell" (as is in the existentialism of Sartre), but rather as "alter ego", to assure one's identity and individuality in recognizing and accepting the identity and individuality of the others,—all these certainly constitute a difficult attitude because they require a capacity for transcendence and openness which is not had by everyone. Incontestably this attitude is more conformed to the democratic ethic than one which in the name of sincere attachment to one's own convictions rejects a priori those of others and thus erects intolerance and exclusion into norms of behavior. That feeds permanent aggressivity and violence in personal relations, and generates different forms of fundamentalism and totalitarianism.19

Moreover, for these reasons intolerance and exclusion can be considered as ethically irrational.20 On the one hand, this is because they cannot be universalizable norms of behavior in the measure that their universalization would automatically transform society into a jungle ruled by the "law of the strongest." This would constitute a permanent menace to the freedom and existence of everyone, and hence also to the freedom and existence of those who practice intolerance and exclusion. On the other hand, this is because those who practice intolerance and exclusion toward others are always little disposed to accept it on the part of others in relation to themselves. This indicates that they themselves interiorly consider it as unjustifiable and intolerable.

Consensus, Opposition, Otherness

The reasons related in favor of political tolerance are numerous, whether one looks to the trends in the evolution of the contemporary world or to the fundamental principle of Kantian ethics which would have one always treat others as oneself and never take man as a means but rather as an end. Some are interested also in the principles and limits of political tolerance, especially regarding forms of political cooperation based on "consensus."21 As the spirit of consensus

requires that the principles of convergence available within the political field are promoted to the detriment of difference which also can exist within the field, could not one find therein a risk for the democratic process itself? In fact, if everyone seeks to be in agreement with everyone, if no one opposes others, does not the political process risk losing what constitutes the very motor of its dynamism, namely, the existence of an active opposition able to provide true competition as is needed by every democracy worthy of the name? On the other hand, does not that competition itself risk being a pure facade once the alternation is no longer in play?

These questions are important, but what they truly challenge is only a static and unanimist conception of "consensus." Such a conception necessarily leads in the end to a political and institutional sclerosis in the measure in which one does not take account of what constitutes the basis or motor of the continual renovation and perfecting of political life, that is, the permanent and organized critique which can be had only through the existence of a true opposition.

But there exists another conception of "consensus" which integrates the notion of "pluralism" in which diversity is not only in the definition but also in the manner in which it is put into action on the political level. That conception of "consensus" takes account of the fact that however real and even profound the convergence on which it is built, this does not prevent that parties can remain different and can fully assure their difference. It derives from a discussion operating on a rational basis and oriented towards the end of achieving reasonably acceptable agreement, without any partner feeling him/herself to have committed moral self-betrayal or political suicide.

In effect, to agree on the minimum necessary for cooperation does not imply at all that one agrees on the rest, or that the rest must disappear. To be together in no way eliminates that each one have his proper idea on what could be for him a possibly better society and on the most appropriate means for getting there. This requires mutual recognition by the parties which cooperate, and a certain autonomy of thought and action, which by the peaceful confrontation of opinions in the context of that cooperation can assure dynamism in common action. While being different one can be united in agreeing to cooperate within agreed limits while still being opposed on the rest, and one can exercise that opposition without necessarily challenging the principle of cooperation.

This can seem difficult or even impossible if one continues to think of political relations not in terms of a dialectic of unity in diversity and diversity in unity, but rather in terms of the fixed reductionist logic of "for or against" and "all or nothing." Cooperation is equally difficult because it requires a particular attitude which is not had by everyone to combine harmoniously the desire of autonomy and a sense of co-responsability. This requires the capacity, not less rare, to subordinate when necessary one’s own convictions and aspirations to the needs of cooperation. It implies to be able to move from I to Us, from mine to ours.

Moreover, consensus understood in the dialectical and pluralist sense does not necessarily negate the need for an opposition within or *a fortiori* outside; it does not challenge the principles and needs of otherness. First of all the existence of a "consensus" cementing the convergence of a certain number of different *politiques* on the basis of political objectives which they share in common does not at all imply, as we have said above, that certain partners should not seek later to go beyond the consensus and hence themselves to gain some way to realize their own project for society, or even to accept, once they have gained power, to share again with their allies of yesterday or with others with whom they have discovered new convergences. There is no impediment in electoral competitions to parties exercising their freedom of initiative and action in submitting their proper project of society to the citizens, to verify if it be accepted or not. This advances the idea and need for otherness, that is, for alternation in politics and power.

The advantage of that conception of alternation, which does not exclude either before or after the possibility of cooperation by rival political forces, is that it lessens the import of the loss of power by reassuring the prior holders of power. It does this by removing any element of revenge and the feeling that in losing power they lose all. Often it is the fear of attitudes of revenge or the feeling (unacceptable with regard to democratic principles, but humanly comprehensible) that the loss of power signifies their political or social "death" which pushes certain people to use every means to maintain power, including the most dictatorial methods.

Tolerance and Political Efficiency: What Many Can Do Better Than One

"Consensus" understood in a dynamic and pluralist fashion, that is, as founded on the acceptance of diversity in the unity and of unity in diversity, does not challenge a priori the two fundamental demands of democracy, namely the ability freely to challenge the power in place, even if one be allied with that power (the possibility of contesting should be recognized and accepted within the terms of consensus), and that of being open to being replaced on the basis of the vote.

That is what we attempted to show above, but even in this case an important question remains, namely, the necessity for that agreement. What does it proffer? What is the utility when it goes so far as to take the form of cooperation between adversaries on the basis of and within the limits freely accepted by each of them together to govern society?

One can consider first of all that a monolithic direction of society with power concentrated to the maximum in the hands of representatives of a single party has every chance of being coherent, and hence of being more efficacious. Without doubt the question of coherence in the direction of the conduct of public affairs is of prime importance. In effect, a *politique* that is incoherent in its objectives and methods is not only condemned to be inefficacious, but—even more—engenders such permanent discontent that it succeeds neither in mobilizing nor in satisfying the people, but constitutes instead a factor of permanent instability and disaggregation.

Nevertheless the question of coherence, especially if approached through monopoly by a sole party, is far from being able to exhaust the problem of the efficiency of a *politique*. This can be learned from the experience of African countries. From their achievement of independence until recently most countries proceeded under the supposition that a better coordination of national energies in carrying out the imperatives of economic, social and cultural development would derive from direction by a "party-state." This in turn existed by the will of a Chief whose decisions were incontestable and who was designated "father of the nation." These parties controlled, without sharing, the essential political and administrative means. The result was largely disastrous: immense waste of capabilities due to incompetence, nepotism, misappropriation of public funds and corruption. It gave free reign to undermining the fundamental rights of citizens whose freedom were placed under close surveillance and harshly repressed when they sought in one or another manner to express themselves. Citizens lacked any way to control the manner in which power over them was exercised. The exercise of power against their will reinforced the inefficiency in administration, especially due to opacity of the procedures and mechanisms of power. Such a situation engendered a progressive discouragement and a demobilization of the population, which broke the dynamism of these societies. The cause of this situation was not an absence of unity and coherence, but rather the very unity of power, since power was exercised in a sectarian and monopolistic manner.

This is what makes pertinent in the process of transition of these countries toward a pluralist democracy, the correlation between *pluralism* as a form of political tolerance and "good governance." A pluralist democracy provides better condition for a more efficient and efficacious governance.22 This is due to giving to citizens the possibility to choose between different manners of being governed, to fully restoring their freedom to express their agreement or disagreement with the *politique* carried on in their name, and to evoking the formation of a public opinion able to clearly proclaim "the voice of the society" — notably the existence of different groups or associations united around the defense of the particular interests of these members. Because it then falls under the direct surveillance of society, the government tends to have greater transparency, rigor and probity in the administration and utilization of public goods and to pay more attention to the interests and concerns of the citizens.23

All this would be impossible without the democratic pluralism which is in practice today in most of the African countries. However, there remains considerable difference between what has been described above and the concrete reality "on the ground." One notes moreover that 'democratization' is becoming more and more to be a changing of society from above, that is to say by simple institutional reform which can easily be perverted,—undermining participation by the population and compromising the process.

But that aspect of the problem which we have treated elsewhere24 does not at all compromise the need for democratic pluralism and its value for the development of more efficacious governance. Pluralistic democracy engenders a sense of freedom and responsibility in the citizens and creates the possibility for them to participate in the daily affairs of the commonwealth.This liberates their initiative and energies, permits the exercise of the power of society *vis a vis* the state, and obliges the latter to render a regular accounting to the people for what it does in their name.

Democratic pluralism, as experience proves, can go as far as taking the form of a co-management of power, of "shared governance." Where it can be put into operation successfully in terms of the consensus approach treated above — provided that it be more than an "agreement among robbers" or a simple "division of the cake" — can also constitute a precious step in consolidating democracy and reinforcing political and institutional stability, as well as civil peace and national concord. It can constitute also the base for a greater dynamism of the entire society by favoring mobilization and orientation in the utilization of energies and of national capabilities, which sometimes are wasted on trying to resolve political contradictions without real effect, for the progress of the nation in tasks which are more essential to economic and social development. They can also constitute an important key to an improved morality in running the affairs of a country, once again on condition that the coalition be more than a simple "agreement among robbers."

Building Consciousness of Citizenship

For all the reasons expressed above, tolerance, namely political tolerance, gives better opportunities for a harmonious and peaceful coexistence inside the society. But one must recognize, by looking at political daily life, that relations between actors are not always, not even often, guided by such a principle of tolerance. Why is this the case? Is it possible, and, if yes, how to change that situation and to orient political mentalities and behaviors in a mere positive direction? We do not think that there is any panacea for that. But referring to some aspects of transition towards a pluralistic democracy in African countries (and even in some others outside of Africa, in Bosnia for instance), one could identify some roots and mechanisms of political

intolerance. Analyzing them might help to understand what to do against intolerance and hence, to implement political tolerance with all its consequences in relations between peoples.

What the experience of transition towards political democracy shows, mainly when, — as is generally the case — it happens in the context of relative socio-cultural backwardness, is that the insufficient maturity of civic consciousness can be used to pervert pluralism and to turn it against the whole society. This perversion of pluralism can take many forms. It can manifest itself through an unrealistic number of political parties with only homeopathic differences between them, generally created to promote individuals and/or groups only concerned by their own and sometimes very narrow interests and goals. That creates finally an atomized and artificially crowded political life which, as experience shows, is not necessarily synonymous with more freedom, responsibility and autonomy for the minority whose rights and prerogatives are in fact confiscated by the elites who lead political parties.

Prisoners of their own ambitions, these elites forget sometimes that the real end of pluralistic democracy is to give better opportunities to people for finding their own way to overcome the various challenges they face in their daily life.

To tackle efficiently such negative evolution needs of course more responsibility and responsiveness from politicians who must understand that democracy does not belong to them but to the whole people. Hence, they must carry their political struggle by means and methods able to respect and fulfill the legitimate aspirations of individuals for freedom, autonomy and security which can be granted only in a peaceful society. But it needs more efficient socio-economic politics able, by improving the daily life of people, to give to them stronger reasons to accept the defense of democracy. This means, in other words, moving democracy from the "sky" of political elites and their narrow interests to the "earth" of the real life, needs and aspirations of the majority of people who are not ready to limit "democratization" to a simple "cosmetization" of the body of the society.

Another form of perversion of democratic pluralism seems also to merit special attention. As we know and have said above, democratic pluralism opens wider spaces for the expression of particular interests of individuals and/or groups inside the society. This is a good thing insofar as we do not look beyond such a given opportunity to question the way it can be used. But experience also shows that some irresponsible politicians explore sometimes that opportunity in order to manipulate, for their own political purposes, ethnic, regional, religious and other cultural differences which necessarily exist in any concrete society. By this means, they finally pollute the social atmosphere and even sometimes engage the whole society in bloody inter-ethnic, inter-racial or inter-religious confrontations. Ethnics, races, religions and regions cannot really be considered as the real causes of all the conflicts which happen in their guise. The reasons why they can be so easily used to mobilize people against other peoples are to be found elsewhere.

The first reason seems to be located in the way democratization is implemented "from above," without sufficiently taking into account the endogenous norms, values and stereotypes of societies where it is being influenced. The result is a sort of heteronomy which appears between two quite different systems of reference and reflects itself through the ambivalent and sometimes ambiguous behaviour of the actors, namely the majority of people who react mostly on the basis of what they consider as corresponding to their own ethnical identity. We have here a very crucial theoretical and practical issue to deal with, which underlines the necessity of approaching democratization by a sort of synthesis of its universal aspects and values with what culturally people interiorize as expressing their identity. That implies of course freeing democracy from any Euro-centric connotations, but also freeing the cultural identities with which it must be synthesized from all that

is incompatible with the ideals of equality, freedom and justice. It seems that only in this way can democracy, by creating for itself favorable conditions for the dissemination of its values throughout the whole society, fully realize its "civilizing" potentialities. Otherwise, the distortions and weaknesses which can exist at the level of a political consciousness insufficiently impregnated by democratic values will continue to close people in upon a very narrow sense of their own identity. This would make highly questionable the building of a peaceful social coexistence, at a time when the tremendous socio-economical challenges which must be faced require coordination of the efforts, energies and capacities of the societies concerned. Hence, the first answer to the question, why irresponsible politicians can use efficiently ethnic, regional, religious or whatever socio-cultural differences, could be because of the deficient civic and political consciousness of the majority of the people.

The second reason is linked intimately to this. Many politicians consider, or act as if, politics is to *use* people, not to *serve* them. This instrumentalist conception of politics tends to transform supporters into simple "clients" deliberately confined at a level of political consciousness which impedes any possibility of a critical evaluation of their engagement which, hence, becomes quite irrational. Political obscurantism thus becomes a requirement of political manipulation, making it easy for irresponsible politicians to engage the whole sphere of affectivity of their supporters, including when necessary ethnic, religious or racial feelings for their own political purposes.

If we look at all the forms of perversion of democratic pluralism as analyzed above, we can see a common denominator — a deficiency of civil and political consciousness which does not allow the majority to raise their voice and really influence the course of political life. This makes them manipulable by any political adventurist. In fact democracy is not possible when the majority, which is supposed to be the authentic seat of political power, has not yet reached the level of political and civic consciousness by which they are not simple "clients" but citizens, not passive followers but active "subjects" of the democratic processes.

The move from political "clientism" to a genuine "citizenship" is impossible without a coherent and sustainable effort of political and civic education,25 which unfortunately is far from being the main concern of political parties. But it is necessary both politically and socially for at least two undeniable reasons (among many others). First, because it makes really possible, even if not always effective, control of the political power by people who are thereby more autonomous and responsible in their relations with the state. For that reason the contemporary problematic of "civil society" is taken fully into account by a genuine citizenship. A second reason, more related to the question of tolerance, concerns the concept of "belonging" which consciousness of citizenship helps to view in a more "tolerant" light.

Being citizens of the same country implies a new type of "identity" where artificial and voluntary boundaries are not erected inside society deliberately to render communication and mutual understanding between people impossible because they belong to different ethnic, regional and religious groups. Being "co-citizens" means becoming aware of some kind of "proximity" with others, sharing some kind of common identity with them, at least by the fact of living under the same constituency which guarantee (or is supposed to guarantee) for each the same legal duties and rights.

Citizenship, as we tried to show just above, implies necessarily the acceptance of others' presence not as a threat or change of identity, but as revealing your common nature and dignity as a human being embarked in the same "boat." Thence follows the ideas of "complementarity" and "solidarity." Perceived in terms of a consciousness of citizenship, individuality differs from the closed, autarchic and narcissistic identities modeled on the Cartesian cogito, whose existence can

be asserted only by negating the external world of others. This is an interesting first step toward a communicative consciousness. In a certain sense it is a form through which universality begins to manifest its reality in the transcending of the narrowness of pre-political identity. For that reason, it seems not to be an accident that the two founding texts of political modernity, the Universal Declaration of Human Rights of 1789 and the Universal Declaration of Human and Citizen's Rights of 1848, both put "human rights" and "citizens' rights" in the same perspective of "universality", implicitly referred to here as "mankind," as a normative basis of behavior between the nations and between persons including women. That is also what gives an ethical ground to political tolerance and beyond that to politics as such, whose aims, ends and goals can be considered as legitimate only when they have as their ultimate reference man, his dignity and his flowering. Saying that is not ingenuously to moralize and forget the hard world of "real politics." But the powerful effect of campaigns of "human rights" in mobilizing people throughout the world against all forms of totalitarianism and authoritarianism, which overthrew with surprising rapidity regimes which had been considered eternal, seems to prove sufficiently that it was not a matter of gaining "formal" rights. In fact what used to be considered as simply "formal" in such rights was precisely what made each person so deeply concerned by them. The mobilizing potential of the concept of "human right" derives from the adjective "human," which qualifies what every single man considers essential to his or her own definition.

Conclusion

We have treated here a simple but important question of ethics, engaging such fundamental concepts as those of mutual respect, solidarity and constant disponibility toward others. Without that, life in society can turn into an intolerable hell. But political tolerance, as we have attempted to show above, can be based equally upon contemporary changes and the way in which these seem to modify political behavior and mentalities.

The above virtues are the sole attitudes capable of establishing in society a climate propitious for the development of a truly "humane" life, that is, one with full enjoyment by each person of one's freedom and rights, an optimal expansion of capabilities and potentialities, the establishment of mutually enriching relations with the other, and the insurance of being protected against arbitrariness and violence.

The whole issue is to know if our world as it is today or the people who live therein can look at themselves each morning and say with head held high that we are doing all that is required to protect the most precious virtues and with them the hopeful prospects they entail.

However, being in fact engaged in an unlimited search for "having" which has a tendency to relegate the most essential ethical questions to second place, humanity today walks on crutches. At this historical moment humanity is losing its points of reference and fails to perceive the human in each person. Intolerance and exclusion are far from disappearing, so that at times behavior tends toward a return to barbarity. There is no reason to feel excessively optimistic.

It remains possible nonetheless — and there is no other option — to bet on humanity: not on the "wolf" that man tends to be for other men, but on the angel who sleeps within one, that is, on the possibility given to one for an awakening of one's reason so that the glimmering of the world of peace and love can develop and dominate the deep shadows of hate and violence. That is still possible, but we need to will it intensively and to work obstinately for it. In a certain way it is universal, that is, what constitutes the human in each of us and allows us to accept each other mutually as humans can work its way through the contradictory and still undecided dynamics of

the world. The universal ‘humanity’ which integrates our ideas and values and mixes our cultures, can progressively free history from the many factors of misunderstanding, open identity to difference, and little by little teach us to see belonging as different from being locked in upon oneself.

But we must repeat once again and emphasize strongly that this universality which is trying to emerge through all sorts of difficulties and contradictions will not assert itself automatically. The possibility of its realization still depends on people and their actions. These must be enlightened by a high sense of responsibility and a clear understanding of what could be considered today as the real challenges of our world.

Being in charge of our destiny, politicians are especially involved in this. The way they do politics and manage their mutual relations, at the international level as well as in domestic affairs, can give a positive or negative answer to the question of whether humanity will resolutely and irreversibly engage itself in the salutary way of peace through tolerance and mutual understanding, or take the suicidal option of hate, intolerance and violence.

The emerging consciousness of our common destiny on earth, might free politicians from the short-sighted logic of "all for myself, nothing for others," and teach them always to look beyond narrow particular interests. Saying this is *not* to moralize *naively*. Realistically, particular interests cannot be considered as a reasonable and viable basis for social and political relations although they are necessarily to be taken into account. For a policy based only upon the pursuit of particular interests cannot be legitimated by anything but force, because it renders impossible any effort to find an agreement through rational and reasonable discussion.

But to go beyond particular interests, which means moving from particular to general, from individual to universal, requires elevating actions and behaviors from the order of "facts" to that of "norms." This means putting them always into an ethical perspective, or, more precisely, to replace the ethics of force by the force of ethics. Of course, this is easier said than done, and even impossible to do as long as we do not overcome the Hobbesian conception of man as a wolf to other men. We have also to overcome the Clauzwiczian and Machiaviellian conception of politics acting, as Bachelard would say, like "epistemological obstacles" in the contemporary political mind. For Clauzewicz, as we know, politics is nothing but a simple prolongation of war in other forms and by other means; for Machiavielli, it is an expression of the will to power which is its own end and its own principle of legitimacy. Both see in violence the genuine essence of politics and, in the name of "realism," institute egoism, intolerance and cynicism into "norms" of political behavior. What we have tried to do in this study is to show how such conceptions, though still very active, are strongly challenged today by the growing aspirations for more civility and conviviality in political and social life. They are challenged also by underground changes which are affecting the world and which surely will modify our political outlooks and behaviors towards a better understanding of each other and mutual acceptance and respect. This program might seem to be a "utopia,"26 but it is rooted deeply in real human "potentialities." Their positive actualization requires a reasonable bet on a humanity which already has proven itself capable not only of the worst, but also of the best.

Notes

1. For the Aristotelian concept of *kononia politike*, see interesting comments in: Jean L. Cohen and Andrew Arato, *Civil Society and Political Theory* (Cambridge: MIT Press, 1990), pp. 83, 84;

and George F. McLean: *Civil Society and Social Reconstruction* (Washington: The Council for Research in Values and Philosophy, 1996), pp. 11-17.

2. The two books above mentioned are very well documented on the various elaborations of the concept of "civil society," tracing the history of philosophical and political thought from the Greeks to contemporary times.

3. That search for "purity" must not be understood in a metaphysical sense, as a search for an impossible "purity" of language. It is just a practical necessity for efficient communication which needs, at least, a common understanding of the meaning of the words which are used.

4. By "crisis of politics" we mean the fact, which is quite unanimously recognized now, that the political concepts, practices, institutions and values we have experienced up to the present seem to have lost their rationality and their legitimacy. The trust of the majority of people in politics and politicians has considerably decreased due to many factors which would be too long to enumerate here. That crisis has a universal character, although the triumphalism of some supporters of liberal views (like Francis Fukuyama in his well-known book *The End of History and the Last Man*) aims to convince that the crisis does not concern capitalism. The overshadowing of the universal character of the "crisis of politics" by the disintegration of the "socialist bloc," is dangerous because it does not help to see and to take enough into consideration the deep social contradictions which are undermining the foundations of advanced capitalist countries.

On the "crisis" of advanced capitalist countries, see J. Habermas, *Legitimacy Crisis*, trans. Thomas McCarthy (London: Heineman, 1976). Some aspects of Habermasian analysis in this book might be quite outdated, although the concept of "crisis" elaborated there seems to be still relevant and operative. See also, on the same issue of crisis in capitalist countries, D. Bell, *The Cultural Contradictions of Capitalism* (New York: Basic Books, 1978).

5. Behind these different forms of crisis of politics it is possible, maybe, to see something deeper: a "crisis of civilization" which, at this ending century affects all the foundations of human life. But that concept of "crisis of civilization" needs more elaboration than we can achieve here.

6. We mean by "mediations" the intermediary bodies (family, educational, political and social institutions, moral and intellectual authorities) who used to serve as guides and references for people's behavior. Thus, individuals abandoned to themselves are forced to create their own systems of references which by this very process tend to become more individualistic.

7. In1996 (from September, 15th to November 10th), the theme of the annual seminar organized by the Council for Research in Values and Philosophy attached to Catholic University of America and led by George McLean. This paper was presented during the seminar and benefited, in its final version, from the rich and interesting debate raised among the participants. We must take the opportunity given here to express our deep and sincere gratitude to the authorities of Catholic University of America, of the Oblate College of Washington and especially to Professor McLean, for the excellent conditions of stay and work created for us. We have the same feelings for Professor Suuleymane Niang, Rector of the University Cheikh Anta Diop of Dakar (Senegal) for all his help.

8. On the reasons for and meanings of the revival of the concept of "civil society" in the 1980s, see Cohen and Arato (1990).

9. It was the key concept of Gorbachev's policy and connoted, very narrowly, a "Dis-ideologization" of the sphere of world political relations and, from that point of view, it was just a matter of tactics in the hands of Soviet leaders deeply concerned for the necessity of ending an arms race whose heavy effects were getting more and more unsupportable for the Soviet economy.

10. We use here the word "paradigm" in the special and strong meaning it has for Thomas Kuhn, see: *The Structure of Scientific Revolutions* (Chicago: University of Chicago Press, 1970).

11. It would be very naive to think that views and behaviors could automatically change after so long a period of mistrust and conflicts between people. Change needs more time. Due to the time-factor, the logic of "will to power" which dominated world political relations during the cold war has not yet completely disappeared. It is that logic which tends to substitute for the former "bipolarized" world a "monocentric" one now dominated by the United States (at least politically) In the economic sphere, other "centers"—like Japan today and maybe China tomorrow, plus the newly unifying Europe—are emerging and more or less challenging the United States.

12. We do not mean here that having sincere and authentic convictions is getting obsolete due to the developing changes. But it is one thing to have deep convictions and another to be imprisoned inside them so that dialog and, a fortiori, mutual concessions with others become quite impossible. Being flexible in one's own views does not mean being opportunistic or cynical, and sincerity is not necessarily synonymous with dogmatism or narrowness.

13. The word "communicative" must be understood throughout this study in the sense of Habermasian "communication." See on this issue: *Moral Consciousness and Communicative Action*, trans. Christian Lenhardt and Sherry Weber Nicholsen (Cambridge, Mass: MIT Press, 1990) and *Theory of Communicative Action*, trans. Thomas McCarthy (Boston: Beacon Press, 1983).

14. We say "can" because there is not any historical determinism which automatically leads to that "communicative world." All will depend, finally, on men, on the quality of their intentions and on actions inspired by these intentions.

15. This still remains a simple claim. Reality is quite different. On one side, small countries are forced to open their market by abolishing any kind of protectionism, and on the other, the major economic countries can erect subtle protectionist systems which challenge efficiently the so-called freedom of trade. The fact is also that all the countries do not have an equal access to the "world market" and to its real (or only presumed) advantages. And finally, the process of the unification of the world market is accompanied by "economic wars" as they oppose the United States and Europe (on the issue of agriculture) or the United States and Japan (on the issue of exportation of cars and other technologies).

16. The idea of a universal conplementarity was, before the changes analyzed here, anticipated by thinkers among whom we would like to name particularly Pierre Teilhard de Chardin, S.J., with his concept of "Point Omega" ("Omega Point"). See: *The Phenomenon of Man* (New York: Harper & Row, 1965) and *The Future of Man* (New York: Harper & Row, 1964).

On the contradictory role played by media in that process of universalization see: Marshall McLuhan, *War and Peace in the Global Village* (New York: McGraw-Hill, 1968), and *The Global Village: Transformations in World Life and Media in the 21st Century* (New York: Oxford University Press, 1989).

17. From that point of view, the negative image of Africa diffused by the media can be considered as an aspect of the strategy of "marginalization" of this continent.

18. From that point of view, the critics of "mass culture" (referring to the role of media in modern society) by Horkheimer and Adorno in their *Dialectic of Enlightenment* seems to be quite actual and still relevant. We can add to these critics and their objections two other ideas which need more elaboration. The first one is that the development of modern technologies of information and communication, at the same time as it universalizes our existence reduces the possibility of a living communication. It "atomizes" social life. The second idea is that this process implies also

the phenomenon of "virtualization" of real life, which can also affect the need for others and thus, the feeling of "solidarity."

19. This shows also the political interest of what Popper in his epistemology calls *faillibilisme*. Closed minds lead easily to closed society. When one cannot consider his truth as only "conjectural," he cannot expose his 'truth' to rational discussion,— which is the only way by which an idea's relevance can be asserted. It is this principle, which is fundamental in Popperian epistemology, that also founds his criticism of totalitarianism. It seems to us that the political importance of the Popperian philosophical and epistemological conception of truth has not yet been enough emphasized. But this *must* be done because one could hardly find, among contemporary thinkers, one who, more than Popper, has succeeded in rooting tolerance in a powerful conception of knowledge. See, on that issue, our "Popper, Critique de Marx," in *Episteme: Revue d'Histoire, de Philosophie, de Sociologie des Sciences*, Dakar, No. 2, 1990.

20. Of course, one can call upon the relativity of the concept of rationality, and claim on this basis that finally every behavior has its one "rationality". But the idea we want to suggest is that, as self-destructive and suicidal, intolerance cannot be considered as a "normal" behavior. It has more or less something to do with pathology and could be enlightened by a psycho-analytical approach through the concept of "sadomasochism".

21. We mean by "consensus", quite like Habermas, a reasonable agreement derived from a free discussion and carried on according to a rational basis, between partners who mutually consider themselves as equal.

22. The issue of efficiency of "governance" is, nevertheless, more complex and goes far beyond implementation of democratic pluralism. That is why it needs deeper elaboration than we can do in this study.

23. All this is true only "in principle." But the reality is quite different. Democratization has not eradicated such forms of "bad governance" as corruption and other sorts of irresponsible behaviors from the management of the countries concerned. And experience shows also that the interest and concerns of citizens are far from being always the real motivations of the political elites, who have, in fact, "high-jacked" the democratic process, sometimes with, at least, the tacit complicity of some circles of international public opinion who are ready to accept democracy's reduction to a simple formalism. And, last but not least, new and more vicious forms of intolerance are being generated by what we have called the perversion of democratic pluralism.

24. Namely, in "Les maladies infantiles du parlementarisme pluraliste: du bon usage de la democratie" ("Infantile illnesses of pluralistic Parliamentarianism: About the good use of Democracy"), in *Democraties Africaines*, Monthly Journal, Dakar, 1995, nos. 1, 2 and 3, and in "Parties et Democratie" ("Political Parties and Democracy"), in *Democratie*, Review of the African Institute for Democracy, Dakar, 1995, no. 2.

25. By political and civic education, we do not mean either lecturing people or endoctrinating them. Of course it is important that, first of all, members of political parties understand the nature and the goals of their political engagement, and that all which can be done intellectually for that purpose is not only normal but also necessary. Nevertheless, such a step is not enough. Political and civic education must be executed also by deeds. We mean by this that through the daily behavior of the political parties and their leaders, the capacity of free judgment, spirit of responsibility, morality and sense of collective interest must be developed among their followers. This is the only way a genuine 'citizenship- consciousness' can appear and assert itself as the strong basis for a real democratic culture.

26. We use here the word "utopia" in the special meaning it has in Ernst Bloch's thought: see his *The Principle of Hope* (Cambridge, Mass: MIT Press, 1986) and *A Philosophy of Future*, trans. by John Cumming (New York: Herder & Herder, 1970).

Chapter VI
Contemporary Chinese Immigrants and Civil Society

He Xirong

Jürgen Habermas defines civil society as an organization of collective activities independent of the state and individuals. It includes life of community organizations, institutions of socialization and economic activities, but excludes general political parties and institutional politics. In a sense, civil society reflects a sort of identification of the public with their collective entity. While there are varying kinds of identification such as political, class, national, or cultural identification, etc., immigrants more likely identify with their ethnic origins. With this identification, a civil society will generate among its members a sense of belonging and homeliness. Without such a civil society, immigrants would feel culturally and socially isolated. Although civil organizations are relatively few in China, there are many among overseas Chinese. These organizations have been serving as an indispensable medium for uniting overseas Chinese to support Chinese immigrants and their functional characteristics and cultural background. In the following, I shall discuss the civil society of Chinese immigrants and its character, function and developing direction and undertake a philosophical analysis of the relation between diversity and equality.

The Characteristics of Modern Immigrants

In contemporary societies (referring to those of the post-World War II period), migrants, particularly Chinese ones, have some new characteristics as follows:

Migration Trend. There has been a trend of migration from underdeveloped regions to developed regions since WWII. Migrants generally seek a larger space for existence and development, and they pursue a higher standard of living. Since better economies and opportunities direct the flow of migration, Chinese emigrants today mainly drift to the well-developed countries in Europe, America and Oceania.

Composition of the New Immigrants. While the major component of migrants was merchants in ancient China and then manual labor in modern history, today many Chinese intellectuals have joined the army of migrants. Generally, these new migrants would more positively participate in their host society than their predecessors, once they are accepted by and land in their host country.

Change of Attitude. Before WW II, Chinese immigrants generally regarded themselves as sojourners who temporarily reside in a host country and yearn for an eventual return to their home country. The contemporary Chinese immigrants, however, seek for a harmony between self-development and their host society, and tend to identify with their host society in many ways. Due to the current immigration policies in some host countries and the educational background of the recent immigrants, these newcomers have changed their sojourner's mentality into an attitude of permanent settlers. Many of them have obtained the citizenship of their host countries and married native-born residents. They enjoy a harmony with their host societies.

Emergence of New Community Organization. The new Chinese immigrants have not entirely been assimilated by their host societies, though they are harmonious with it. Since removing their deeply embedded cultural origin is virtually impossible, new immigrants have come together and constituted various new types of civil society and communities. Unlike those in the pre-World War II period, these new communities are more open-minded, more progressive and more flexible public organizations.

Segregation, Assimilation, or Identity?

As a kind of minor nationality, there are different ideas about how immigrants should treat their host society. On the whole there are three formulae: segregation, assimilation and identity in history. Chinese immigrants have experienced in their host countries these three processes. These processes show that Chinese immigrants are developing and improving their understanding of their host countries more and more, and they tend to increasingly make rational choices. Where there are immigrants, there are Chinese 'enclaves'. In the Ming Dynasty (1368—1644 A. D.), Chinese merchants in Southeast Asia and Japan formed Chinatowns. In modern China, Chinatown has spread all over the world with Chinese laborers going abroad. Chinatown is not only the center of economic action but also a Chinese protective area of Chinese immigrants. It provides a secure field for Chinese immigrants to support and believe in each other economically and keep their cultural and racial characteristics. Although Chinatown also adapted itself to the host society quietly, Chinatown remained still a sealed, exclusive, isolated society because it had strong Chinese characteristics. In this society, many people contact only with their fellow countrymen. This region was called by someone as "the inhabitants of a district of racial segregation". Due to the objections to such a segregated state-of-affairs, some anthropologists suggest assimilating Chinatowns and some countries have undertaken assimilative measures by force. What is called assimilation is that "a nationality or cultural group (or a part) has lost its original national or cultural characters (including social customs, way of life, attitude of life and the view of value, etc.), and instead become part of another nationality or cultural group because it is influenced by the other." In history and modern times, there were Chinese immigrants assimilated in Southeast Asian countries such as Thailand, Philippines, Malaya, etc. Chinatown has changed a lot since the post-World War II period. The immigrants's view is revised. Mainly the situation manifests the following aspects:

(1) The scale of Chinatown is enlarged, because the amount of immigrants and the communal population increases greatly; in addition, many immigrants come from outside the China continent.

(2) The immigrants become further and further distanced from Chinese politics and culture as time goes on. They pay more attention to how they exist and develop themselves in their adopted locality.

(3) The emergence of Chinese intellectuals among the immigrants raises the quality of the army of immigrants.

(4) Occupational change. Many immigrants are engaged in business, finance, culture and education, science and technology; they are not physical laborers, as their seniors previously were.

(5) Chinese immigrants's economic position is raised. There are many business groups, for example, in Southeast Asia.

(6) The change of thought and view. They tend more and more to develop themselves in their host country and become anxious for permanent residence.

Original Chinatown separates from the traditional model, now transforming itself from sealing up into opening, from exclusion into sociability, from isolation into adaptation. Chinatown becomes an organic part of the big city. Of course, it is not easy to transform thoroughly because it will be influenced by region, local policy, etc. Therefore, joint efforts of Chinese immigrants and the tolerance and support of host societies are needed.

With Chinatown transforming from sealing-up into opening, some new communities are formed in which the immigrants do not live together. People have a new ideal for the direction of development of Chinese immigrants. Why are some people initially full of illusions about their new country, but then feel that the concept of this country is 'distant' and empty after their arrival? Why do many Chinese immigrants even when they have their Green Card and entered into famous universities such as Harvard and Yale to receive a 'perfect' education, still feel that they are marginal persons? The answer is that the influence of deep-rooted national cultural background is not easy to be removed by the changes of the economic and material elements in life. Consequently, Chinese immigrants have a new understanding of identity. The Chinese community becomes the Chinese immigrants's psychological tie. As long as there exists divergence in the world, thorough-going assimilation is impossible and inhuman. It is highly desirable that people seek for the identity in their own way. Surely, the difference between assimilation and identity is relative; there are also connections and overlaps, but the community will not die out soon! It will exist for a long period together with the ethnic divergence.

The Function of the Community

Contemporary Chinese immigrants's community is developing and changing. Chinese community is an important support for the Chinese ethnic group. The community is not only a geographical region but also more importantly a center of ethnic culture, and it plays an aggregating role for the ethnic group. Now many kinds of communities are formed. There is not only Chinatown that is a center of Chinese immigrants, but also various communities that are formed by people according to their pre-emigration town or province. The common aim of these communities is to unite immigrants, to discuss how immigrants should adapt to the host society, and how they should develop themselves and benefit the society. In a word, its aim is the better development of immigrants. For instance, the Shanghai union in France claims that its aim is: "to help and love each other, to bring about friendship, to provide a place for elderly persons to get together, to give an opportunity for middle-aged persons to help each other, and to provide a place for young people to receive Chinese traditional cultural education." Another Shanghai union in Australia advocates that its aim is: "to make friends, to communicate affection, to exchange information, to promote understanding and friendship between various circles, and to develop Chinese cultural tradition, so as to promote the development of multi-culture and welfare services." Again, the Chinese students union in Spain claims "to keep tightly abreast of the times, uniting personages in various field, attracting talents, seeking for development at a high level, making greater contributions towards the extension of existing and developing space for overseas Chinese." From the above examples we can find that the Chinese community is a tie between the overseas Chinese and the host country; in addition, it is also a tie between the overseas Chinese and national culture and national spirit; it gives overseas Chinese a sense of spiritual belongingness. Overseas Chinese may inherit and develop common culture and common identity in it. Where there is the community, there is a feeling of 'home'. Moreover, the spirit and belief

which are as valuable as life may be vitalized and handed down from generation to generation. There may be some difference between the aim of community and request of the host country, but this difference would not destroy the solidity of the host country; quite the contrary, it can make the immigrants's psychological state steadier and make them participate in the construction of the host country more effectively.

Diversity and Equality

Due to many different elements (including geographical, human, economic, and political elements, etc.) in the world, the culture produced in the situation containing so many elements must be diverse. Diversity exists all the time and it has essential meaning. Cultural conflict has a different nature from political or economic conflict. The latter are easily changed whereas the former is not easy to be dispelled. Since different cultures or different parts of the same culture have the possibility to cause conflict, if people stress cultural identity or cultural opposition excessively, they may destroy or destabilize the host country's culture and social foundation. Contrarily, if one host culture is used to suppress outrightly other cultures, or conversely, to identify exlusively with one culture, this situation would cause only the deline and decay of the country. Cultural diversity exists forever; the problem is how to treat it. There have been mainly three ways to do this in history: The first is to take the other cultures as uncivilized and then to neglect and despise them. The second is to acknowledge the peculiarity of other cultures, treat them merely as something that may satisfy curiosity or have research interest. The third is a relativistic way,—it approves that different cultures should be in coexistence; it objects to judging the other cultural system on the basis of the view of value produced in its own cultural system; it approves that the existence of any culture has its reasonable value; every culture should be respected. The third way is more tolerant and more rational than the two former. But there is still a remainder! People would ask whether there is some commonality among the diversified cultures? Is there a common objective law or the standard of right and wrong in multi-culture? Whether different cultures tend to become more similar (like the various countries of west-Europe), or more and more stress on difference and then to drift apart each other (like former Soviet Union countries and various countries of east-Europe)? Do humans have a possibility to transcend culture itself so as to achieve a yet higher ideal? These are the problems relativism faces. In order to resolve the problems between diversity and equality, it is necessary to make efforts according to the following three aspects:

Cultural Comprehension as an Urgent Need. As the wide existence of cultural diversity is an obvious fact, we must acknowledge such reality, and we must realize that just because of the diversity of different cultures, different cultural systems may reexamine and enrich themselves via their mutual consultation and consent. So far as China is concerned, it was dominated mainly by Confucian culture before the Han Dynasty (about two thousand years before). But after then Buddhist thought entered into China, and the conflict happened between two different culture systems. Chinese intellectuals selected part of Buddhist thought that suited Chinese cultural development, and merged it into the Confucian and Taoist culture of China. Throughout the development of several hundred years, Neo-Confucianism formed in the Song and Ming dynasties. It merged Confucianism, Taoism, and Buddhism into an organic one, which is full of profound insight. The culture is capable of incorporating things of diverse nature; therefore, people were

taught to treat diverse culture with objective and positive attitude, treat various other cultures as the force to promote the development of their own culture.

The Arbitrative Power of the State. It is the responsibility of a government or a state or a worldwide organization to play a leadership role. It must be understood that it is the common cultural need but not power that makes the different nationalities work together. The powerful organization can instill correct behavior and the ideals that are needed by multi-national society and multi-culture so as to make every citizen know that it is narrow-minded and ignorant not to understand or to be indifferent to other nationalities and their cultures; and then to bring about an open, tolerant view of value among all citizens. The connotation of this common view of cultural value should include the following aspects: (A) Most countries consist of multi-nationalities having different cultural shapes. The world consists of various nationalities having different cultures. Various nationalities have created diverse cultures; these different cultural systems have created jointly the world civilization. (B) A harmonious, multi-national society should be formed on the basis that the culture systems of all nations living in the society are equal. Though minority nationality or a group of immigrants may have only minority status and a small residential area among various nationalities, its national culture also should be respected and have its position in the host's national culture. (C) A perfect, multi-national society should give them opportunities for development by means of its superiority. (D) To educate citizens so that they respect the characteristics of the culture of other nations; to promote various cultural integrations instead of cultural suppression or cultural separation, so as to form an integral culture with much diversity.

Giving Full Play to the Philosophical Function—seeking a common spiritual homeland for humanity. It would be very helpful for promoting cultural development to acknowledge culture diversity and treat it correctly. But it is not quite enough to stay at this level because it cannot solve the difficult problems relativism faces. Indeed, the attitude of relativism respects various different cultures, and promotes the development of various cultures in different consult systems, but skepticism would be produced if cultural relativism were stressed excessively. The values such as truth, wisdom, idealism, humanity, etc., are eternal human values. The function of philosophy is to find "the whole" from "the parts," to seek for "the same" from "the difference," and to find "the eternal" from "change." The aim of philosophy is to seek a spiritual homeland for human beings. Human being has many common desires such as seeking harmonious co-existence with nature, seeking an amicable relation with others, seeking personal free development and self- realization, etc. These problems are commonly concerned by many people no matter whether they are Western or Eastern people. Modernization is the progressive trend in the development of human society. There are mutual influences in contemporary culture systems; culture cannot be monopolized by any nationality. That is to say, social progress and development do not aim at getting rid of feeling and consciousness heavily accumulated in the culture of a nation, and do not aim at rooting out the diversity of various nations. Quite the contrary, social progress and development require that the society should create more opportunities and possibilities for various nationalities to develop their national character in their own superiority. On the one hand, every nationality seeks social progress in different but relative ways, so as to attain overall development. On the other hand, the contact between various cultural systems will be more frequent with the coming of global informational society. The elements of identity are increasing while the common characteristics of human development may still promote the development of the peculiar character of different nations.

Philosophy does not merely research "the difference." It is more important for philosophy to research "the same," to absorb and merge outstanding cultural achievements of various nations, so as to make human beings more and more ‘close’ in spirit and exhort them to build a more rational, healthier and more advanced world culture, a true human ‘spiritual homeland’.

This paper tries to answer the questions that the seminar posed. Namely, they are: (1) can diversity contribute to, rather than destroy solidarity? (2) Is there a way in which communities can retain their solidarity while opening to others in a pattern of subsidiary, which promotes, rather than destroys, the cultural identity and humanizing roots of the community? (3) Can diversity and equality be wed?

Diversity can play a positive role for social solitary; the key is to comprehend diversity correctly, to achieve mutual complement instead of mutual conflict. From the character and changing trend of the Chinese immigrant community we can see that the community cannot only adopt the host society but also keep its own culture; moreover, it can play a positive role in seeking human common development. It is necessary and effective to establish the community (or civil society) in contemporary society where diversity exists universally. As long as people keep on finding "the same from the different" and adjusting "the different by means of the same," both diversity and equality may be wedded to each other. They both will achieve a successful wedding through a human joint effort to find the common good.

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Chapter VII

Social Change, Civil Society, and Tolerance: A Challenge for the New Democracies

Viorica Tighel

We are living in a world which is changing very fast each day emphasizing the idea "we can never bathe twice in the water of the same river." What is a reality for today, for tomorrow could be only an illusion. This social evolution has generated new problems, new horizons, new experiences and involves the arising of new demands and the necessity to develop a new social theory.

What is happening today in the former communist area is a great challenge for rethinking the complex relation between civil society, diversity and human nature. The transition from communism to democracy is one of the deepest social changes ever experienced by humankind and opens the possibility for democratization,—an improving of the cultural, social, economic and political conditions.

This revolutionary process has opened new opportunities for an autonomous and independent identity that is not only personal but national. As a result each country is rediscovering its own historical, political and cultural differences.

Multiculturalism and Globalization

Europe is now characterized by the renewed importance of national, ethnic, racial and religious identities in a multicultural area: there is a very large number of languages, more than forty, in three different alphabets, and is linked to an enormous cultural diversity. On the other hand, the development of means of communication improves the cultural diffusion. Also, English, often American English, has tended to become the universal language in Europe.

This process of identification takes place in a context of cultural globalization and it is very easy to identify some tensions between multiculturalism and globalism. We can differentiate also a tension between national and/or ethnical identity and a new awareness of European identity, a collective identity that is focused on the idea of Europe. But "the idea of Europe has not formed the basis of a collective identity committed to democratic norms and cultural tolerance."1

Social Reconstruction and Civil Society

Social changes which characterize the former communist countries demand a deep social reconstruction, and the social reconstruction is founded on civil society. After the breaking-down of the former communist regime, the concept of ‘civil society’ is very fashionable in Central and Eastern Europe and is linked to the necessity of rethinking social interaction and the sense of social development and reconstruction.

At the same time, social reconstruction demands the search for a new equilibrium in the social space: the state, the civil society, the economic sector. But even the searching for a new equilibrium involves some "perverse effects,"2 i.e., social costs: unemployment, inflation, a rising cost of living, decline of national currency, and a decrease in the quality of life. As a result the social climate is now conflictual, marked by competition, struggle, and individualism.

Civil Society and the State

The relation between civil society and the state is very complex and interconnected. Ralf Dahrendorf noted in "Reflection on the Revolution in Europe," that "the secret of the U.S.A. is of course that civil society was there first and the state come later, by the grace of civil society." For the former communist area, the things are different: the new democratic states play an important role in the emergence of civil society, but that doesn't mean civil society exists only because the state assumes the role of providing the necessary and sufficient conditions for it.

The relationship between civil society and the state has some particularities which can determine a specific way to develop both and depends on the previous history. The elements of civil society are related to social life, i.e., to everyday life in the human process of rediscovering the roots and the main goals of freedom.

The crucial question for the new European democracies is pluralism, civil rights and the struggle against any autocratic trends of the power/state.3

Civil Society, Social Interaction, and Citizenship

After the breaking-down of the communist regime the people attained more freedom and human rights. But the challenge is to understand what they can do with the freedom in the space of social interaction. Civil society is a very large area for interaction of social groups "which are created by the citizens themselves, organized by themselves in a very different ways, according to their functions and with the moment and context."4 This very short definition leads us to the fundamental relation between unity and diversity and to the idea of the necessity of the "active participation of the citizens,"5 and to the concept of citizenship.

The concept of citizenship is very important for the climate of civil society, because it affects people's identity and leads to the answer of the question of belonging; and it at least can symbolize our belonging to a common humanity. The feeling of belonging responds to a basic psychological need. While "culture deals with symbolic generalities and universals, ethnicity deals with an individual's sense of belonging to a reference group."6 The sense of belonging is a basic psychological need. Social groups are not abstract entities. They form by congruent relationships between individuals with individuals attitudes, orientations, interests, values, life-styles, cultures, interacting in many kinds of associations, organizations, political parties, ethnic or religious groups, etc.

George McLean has emphasized, ". . . Culture can be traced to the term *civis* (citizen, civil society and civilization}. This reflects the need for a person to belong to a social group or community in order for human spirit to produce its proper results."7 Citizenship and civil society lead us to the idea of positive human interaction and understanding. As Michael Walzer notes in "The Concept of Civil Society," "the words 'civil society' name the space of un-coerced human association and the set of relational networks - formed for the sake of family, faith, interest, and ideology - that fill the space."8

The Play of Interests

But even this process of groups-interaction could lead to new tensions: the specific interests are often different or opposed to other groups and/or to the state interest. The personal interests of

social groups are peculiar for the space of social interaction. Specific interests come to be perceived as more important than the national interests which had been exploited by the totalitarian state. This play of interest is linked to an "restless" underground movement. Even the value system has become conflictual as democratic values conflict with those imposed by the past regime and as people reject social conformism, uniformity and unconditional subordination of individuals.

In this context, specific interests are more important than any others, involving sometimes extreme attitudes, like exclusivism or self-centrism, opening a large avenue for individualistic judgments, and "monopolization" of truth (only according to their own standards, i.e., are correct or right only their own religion, customs, values, attitudes or behaviors.

The Transition to an Open Society—Searching for a New Paradigm

The breakdown of communist regimes in Central and Eastern Europe has been accompanied by competition and tensions between individuals, groups or social classes for social status. In a society which is in transition, the authority and value systems are constantly replaced by ideas and attitudes which are not a coherent pattern of references and they are creating expectations impossible to be satisfied in such a dramatic change.

The process of democratization is linked to the need of reorganizing the whole society:

a. to decentralize the state so that there are more opportunities for citizens to take responsibility for its activities;

b. to socialize the economy so that there is a greater diversity of market agents, communal as well as private;

c. to pluralize and domesticate nationalism, on the religious model, so that there are different ways to realize and sustain historical identities.(8)

Then, democracy opens many opportunities for subsidiarity, and is more responsive to the needs of citizens.

After "*annus mirabilis* 1989," in the former communist area, people are underway to rediscover themselves, by rebuilding their own identity, but "building a new city takes time and a heavy toil of emotions, energies and resources."9 Thus, social changes have deep results at the human subjectivity level: individuals are crossing the "space" between "alienating distance and the experience of belonging" in Ricoeur terms.10 This social context is made newly complex by "underground movements" as social groups and individuals cease to be only "anonymous masses" to be uniform and equals in an alienating way, which leads to the deconstructing of human spirituality. They try to differentiate themselves from others, rebuilding both their own identity and civil society. It is necessary "to conceive the reality which is beyond the omnipotence of the reality."11

Beyond the social reality there is a very complex space of human values, attitudes, beliefs, traditions, customs, culture. Social change has deepest echo in human spirituality which is also linked to the need to search for a new equilibrium and understanding. But even the process of democratization has some "enemies" and "perverse effects." Society is becoming a vast arena for competition, struggle and individualization. The transition is taking place in a conflictual context, part of it being generated by the residuals of the former totalitarian system. Ralf Dahrendorf in "The Modern Social Conflict" emphasized the idea in a totalitarian state, even the lack of social identity could become a source of social of individuality crisis.12

As Karl Popper noted, an open society may become an "abstract" or "depersonalized" social space, because men very rarely meet face to face. Human interaction is mediated by different means of communications, all business is conducted by individuals in isolation. Usually, many people living in such a society haven't at all or extremely few personal contacts.13 Sometimes, this "depersonalized" context could involve the impossibility of a real inter-human communication. We can communicate "at" or "with." In Gadamer's view, "the first condition of the art of conversation is to ensure that the person is with us"....and "to conduct a conversation means to allow oneself to be conducted by the object to which the partners in the conversation are directed."14

It is not enough to talk "at" somebody. The discourse can be parallel; the message diminishes the meaning: this is the way to deconstruct communication.

This distortion of communication could limit the possibility of mutual understanding. This "anonymity" and "isolation" could be an important source of unhappiness, because "men have social needs which they cannot satisfy in an abstract society."15 Of course, this is an extreme situation. In fact, people can have many kind of social interaction,—they are involved in many groups and social interactions. But they adapt the discourse to the context and they are more opened inside their milieu. In the process of communication, people establish criteria for inclusion into and exclusion from the group, by adopting the rules of endogamy and exogamy.16

The issue of inclusion or exclusion is moving in the area of communication and "asserts a co-substantial identity between a collectivity of people and the language they speak and transmit."17 Often, the social confrontation moves from the general arena inside the space of communication,—between the dominant and the oppositional discourse. Semou Pathe Gueye emphasized in his paper "From Exclusion to Communication: a Plea for Political Tolerance," the idea "we are entering progressively into a new era characterized by change of paradigms, namely, from one of exclusion to one of communication." The concept of changing paradigm is very useful for our topic and opens a large avenue to a fruitful understanding of social change.

But the space of communication is not harmonious. I'm afraid the conflictual zone which belongs to the issue of exclusion is moving inside the space of communication which could became conflictual also. Very important also is *what* there is beyond the discourse, i.e., attitudes, values, resentments, frustration, interests and how the unconscious can penetrate into the conscious level, into individualization and ethnicity. Even the space of human interaction and the context of communication can lead to the arising of a new kind of individualism. This trend is not characteristic only for individuals, but for the groups too, i.e., very easily we can identify a new kind of egoism—"collective egoism,"18 often attached to the issue of ethnicity.

Ethnicity

The specific features of ethnicity are established by the dimension of self-identification and self-perception, projection of self-consciousness. The variablea in this differentiation are: language, religion, historical consciousness, material and aesthetic culture, and —perhaps above or beneath all—ethnicity.

Ethnicity denotes an individual's complex sense of identification with a particular group marked by its own values, life-styles, customs, and individual personality types. Economic differences and "conflictual modernization" increase the possibility of inter-ethnic conflict. Some scholars consider negative social perception/stereotypes, prejudices and ethnocentrism to be inevitable in a multi-ethnic or multi-cultural society. Psychologist Gordon Allport in "the Nature

of Prejudice" speaks even of "the iron law of ethnicity": where there is "ethnic difference, there will be ethnic conflict". And any conflict left unresolved could lead to aggression. This assertion is a very serious warning for the politics-makers.

The relations between different ethnic groups are determined by the inter-ethnic understanding and inter-ethnic awareness. The inter-ethnic attitudes are very complex and can vary between two extremes: ethnocentrism and universalism. The ethnocentrist attitude is related to the total ignorance in comprehension and understanding of difference and involve a high level of self-consciousness and a low level of inter-ethnic consciousness and comprehension. Ethonocentrism refers to the human belief that one's own way of being, living and doing different things is the best way, only because it is one's own way. This concept is linked to egocentrism and "stranger-anxiety."19

Tolerance and Rationality

Changes in ethnic identities play a key role in emergence of ethnic conflicts. Much of them emerge from the interplay between state and civil society.20 The universalist attitude ignores the ethic specific features, promoting the ideal of the universal man, ignoring the diversity. History shows us both are very dangerous: the first had lead to Hitler's program and the second to the soviet communist politics of universal socialism.

Intolerance involves just such inter-ethnic or religious rejection and constitutes a potentially conflictual context. The tragic experience of the former Yugoslavia suggests that the weakening of ethnic and religious solidarity and tolerance in a territory generates a potential or latently conflictual climate.

But it is possible to prevent violence and aggressiveness in inter-ethnic relations. This is the great challenge both for scholars and politicians. Often only violent attitudes and behaviors are observable, not their deeper roots. But violent conflict is preceded by nonviolent conflicts generated by frustration of the possibility of satisfying some specific goals. Hence, it is very important to understand the main trends of the structural and cultural climate.

Ethnic conflicts are associated also with an intolerant ethnocentrist attitude which judges other cultures according to one's own standards, and considers only one's own religion, values and customs to be right. This leads to discrimination and prejudice, even among young children. It is very important to understand these roots of intolerance and to rethink tolerance in this new social context for ethnic groups constantly identifying themselves not in isolation, but in permanent interaction with others. Cultural anthropology was characterized by a cultural relativism which understood plurality in terms of diversity. The more recent understanding opens a broad avenue for inter-ethnic awareness, mutual understanding, respect and cooperation. This suggests a new possibility by resolving ethnic issues through mutual recognition and dialogue, namely, through a positive sense of tolerance. This must pervade the perception of physical and social frontiers.

In history the importance of territory and frontiers as identifying the community habitat have been an important source of inter-ethnic conflict. There is need to achieve a new meaning, a new understanding of boundary: not as space for physical segregation, but as an area of co-habitation with other ethnic or religious groups,—as an area for community and for sharing. But history shows that social attitudes toward co-habitation vary from attraction to rejection. Correspondingly the ways of accepting diversity vary from tolerance to intolerance.Tolerance is based on a broad and mutual human comprehension, beyond differences, of the circulation of values, customs, life-styles. Tolerance involves also an openness. Gadamer is right when taking into consideration the

importance of openness: ". . . openness is necessary. But this openness exists ultimately not only for the person to whom one listens; rather, anyone who listens is fundamentally open. Without this kind of openness to one another there is no genuine human relationship. Belonging together always also means being able to listen to one another."21

This idea leads to the relation between tolerance and rationality. Tolerance means to know and to understand the others in a rational way, to reach "the miracle of understanding," in the context of a real dialog, which is not possible without mutual recognition. Intolerance is based on a lower circulation of values, reduced comprehension and higher ethnic conservatism. Intolerance involves an unconscious level, ignoring the human space of openness. Tolerance recognizes both cultural diversity and within that diversity an equality founded upon belonging to a "common humanity." This enables one to understand one's own culture while at the same time being sensitive and open to other cultures.

In the area of tolerance we move from our own unity and community to an awareness of other communities and an underlying unity in diversity. This is the authentic way for a genuine humanity.

Notes

1. See Gerard Delanty, *Inventing Europe: Idea, Identity, Reality*," New York: St. Martin's Press, 1995, p. 132.

2."Perverse effects" are the negative and unintended consequences of the positive social reforms; for more information see Raymond Boudon, "The Unintended Consequences of Social Action", New York: St. Martin's Press, 1982, and Raymond Boudon, *Effets perverses et ordre social*, Paris: Presses universitaires de France, 1977.

3. Chantal Mouffe, "Pluralism and Leftist Identity", in *Toward a Global Civil Society*, edited by Michael Walzer, Providence: Berghahn Books, 1995.

4. *Ibidem*, see Introduction.

5. See George McLean, "Philosophy and Civil Society: Its Nature, Its Past and Its Future," in *Civil Society and Social Reconstruction*, ed. by George McLean, The Council for Research in Values and Philosophy, 1996, p. 8.

6. Michael Walzer, "The Concept of Civil Society," in *Toward a Global Society*, pp. 26, 27.

Chapter VIII

The Nature, Role, and Challenge of Civil Society in Selected African Societies: A Key to Who Belongs

Edward Wamala

Introduction

In this paper we have used Habermas' concept of civil society, which means a nexus of non-governmental or secondary associations ranging from churches, cultural associations, academies, independent media, sports and leisure clubs, debating societies, groups of concerned citizens, occupational associations, political parties, labour unions and alternative institutions.1

In Habermas' conception of civil society, there is an emphasis on the role of the private persons who participate in public affairs as such and not as state officials and whose public discussions do not eventuate in binding sovereign decisions authorizing the use of state power; rather the civil activity eventuates in public opinions, and critical commentary(ies) on authorized decision-making that transpires elsewhere.

The kind of public opinion generated in the civil society is supposed to serve as a counterweight to the state and according to Nancy Frazer, "It is this extra-governmental character of the public sphere that confers an air of independence, autonomy and legitimacy on the public opinion generated in it."2

The overall objective of these various associational organizations is, according to John Keane, "to maintain and redefine the boundaries between civil society and state through two interdependent and simultaneous process: the expansion of social equality and liberty, and the restructuring and democratization of the state."3

These associational organizations will manage to have a political impact via the public media because they either participate directly in public communications or—as in the case of projects advocating alternatives to conventional wisdom—because the "programmatic character of their activities sets examples through which they implicitly contribute to public discussion."4

Habermas' conception of civil society is particularly relevant for our discourse on society in contemporary times because it takes into account the very high degree of social differentiation nowadays, whereby we can no longer afford to talk (except at the great risk of being accused of wantonly misusing words and concept) of civil society as if that were one homogeneous entity to which people belonged or did not belong. If our concern is "civil society: who belongs?"—the theme of our seminar, then we have no choice but to critically look at the myriad of associational groups within states (and even beyond), and see how they relate not only to the respective states but how they relate to one another and even internally within themselves.

Civil Society in Traditional African Society: A New Name for Old Practices

The concept of 'civil society' as we have used it in our introduction, meaning 'consciously associational groups (joined rationally)', does not seem to have been common in many African societies. What seems to have been common is what Professor Mbiti has called "a community orientation of society," where an individual found himself (at birth) as a member of an extended family, a clan, and totem; but where he also went beyond those to embrace all community

interrelationships *in toto*: the ritual/religious, the ceremonial (marriage, child birth, death), and the merely festive, the judicial and juridical, etc.

Individual being was because society was, and because society was, individuals realized themselves. It was imperative in the circumstances to participate, in order to realize oneself. Now, although society seems to have operated without clearly definable associational groups, nevertheless, there is evidence that it had devices to guard "civil society" against the anti-civil (i.e. anti-social elements and powerful chiefs and kings who wielded political and state power). A brief discussion of these takes us to the examination of sanctions, which we shall now treat.

Social Sanctions and the Regulation of Social Life

Redcliffe Brown5 has drawn our attention to the nature and operation of sanctions first by making a distinction between what he has called positive and then negative sanctions. A positive sanction was one where there was a positive reaction on the part of society or a considerable number of its members to a mode of behaviour which was socially approved. A negative sanction was one where society or a considerably large number of its membership disapproved of some acts or practices.

Brown further draws a distinction between diffuse sanctions—where we have spontaneous expressions of approval or disapproval by members of community acting as individuals, and organized sanctions where society as a whole carries out negative or positive sanctions according to some traditional and recognized procedures. As an example of the former, we would have a father reprimanding a daughter (to the extent of banishing her from the home), should she get pregnant before marriage. As an example of the latter, we would have society subjecting individuals to expressions of reprobation and derision through such punishments like forcible public exposure by confinement in stocks or as it often happened, partial or permanent forced expulsion and exclusion of an individual or a group from the basic reciprocal relations of society.6

Withdrawal of Support Leading to a Legitimation Crisis: A Way to Protect Civil Society

Of particular interest to our discussion is the realization that sanctions far from being of only social relevance, were of civic relevance as well. They applied not only to subjects as they related to one another, but to political and other kinds of leaders who happened to go against the accepted canons of good governance. Sanctions were thus central in taming political leadership and regulating social as well as civil life.

In a social/cultural milieu where there were limited or no forums for criticisms (as a harsh king could summarily execute all critics); moreover, in a situation where there was no public sphere (à la Habermas) where people could read, comment, exchange notes, etc.,—it would appear there would be no way to tame political leadership. We note, however, that wherever a king or powerful chief became a tyrant and acted in ways that were not acceptable to the people, often people imposed what in many cases was considered the supreme sanction—withdraw of company, of reciprocity, of support.7

Remember that whereas society could force an individual or a group of individuals into forced withdraw from society; in imposing that supreme sanction here it is a broad section or an entire society which withdraws itself from the territory of a harsh king and migrates to sojourn in the territory of another king or powerful chief considered humane and civil. Here we can start to understand more clearly the remark that in traditional African societies people voted with their

feet.8 What that means is that people would follow a popular leader (king or chief), after abandoning the territory of what they considered a harsh ruler. It was always their feet (not their hands), that carried them to the land of freedom and away from cruelty and tyranny.

This point has been very well made by Max Gluckman in his discussion of the Zulus of South Africa. Discussing the subject of sanctions on authority and the stability of the state he observes:

. . . while misrule drove subjects to other chiefs, a good and generous rule would attract followers. The Zulu have it that a chief should be free and generous with his people and listen to their troubles; then they will support him in war and not snub him in his hut.9

Considering the intricate ways sanctions operated and the criss-crossing of relationships, clearly whatever concept of civil society there was in traditional African society, everybody belonged.

Civil Society in Newly Independent African Societies

Quasi-conscious formation of associational (civil) societies did not come to the majority of African countries until about the 2nd half of the eighteenth and 1st half of the nineteenth centuries, when Christian missionaries in their attempts to Christianize Africa introduced formal schools. Those schools were to mark a turning point in the nature of civil society, changing it from the unconscious type grounded in customs and traditions, to one that was turned to rationality.

But we note here that in the emergence of civil society from formal schools introduced by missionaries, we have an example per excellence of how our actions often end up with very unintended consequences. Here were institutions that had Christianization as their motive, but where the products were to seriously question not only religion (many of these turned to Marxism), but went ahead to see colonialism and Christianity as synonymous. What is more, by making literary skills (i.e. reading, writing and speaking English and French) important factors in civil society, the Christian effort unwittingly ended up alienating a large section of society from participation in civil matters – those people who could not read and write. As we shall note later, society that had spiritedly taken part in civil matters withdrew, leaving civil leadership to the elite. In time, it was not only the leadership of civil society which had to be educated, but the qualification to 'belong' at all became that one have gone to a formal school.

The Rise of the Intellectuals and Their Role in Civil Society

Commenting on the significance of the rise of intellectuals in the early days of Africa's independence, professor Mazui has said:

The effort of intellectuals on the modern face of Africa's history has been enormous. The 20th century might indeed be called the Golden age of intellectuals in Africa's history. Many of the great movements of change have been initiated or led by intellectuals. We must not forget that the early pan-African conference and Nationalist movements held in London or New York or Manchester were basically movements of black intellectuals committed to the enhancement of black dignity in Africa and the rest of the Negro world.10

Those developments were quite understandable. At a time when education was still a privilege of a chosen few (sons of chiefs or the nobility), people who were conscious and articulate about their civic rights, liberties, freedom, political independence, etc., and who felt the need and had the capability to act on their feelings, happened to be those who were highly educated.

The intellectual was best placed to deal with the colonial governors for not only was he trained in the governors' language but even more relevantly, he had through his reading and interaction come to have a wider perspective of history and especially of the struggles of other people in other areas of the world. By accident or design, many of those intellectuals become acquainted with Marx and his analysis of colonialism and capitalism which were seen as closely allied.

It was the sharpening of their sensibilities that made these men assume the role of torch bearers of the then largely undifferentiated civil society. It was their role as intellectuals that placed them in the role of conscious articulators of the more abstract notions of freedom, liberty, democracy, etc. . . . that their less literate members were unable to articulate. Not surprisingly therefore, colonialist leaders were apprehensive about their activities. Commenting on their activities in the Gold Coast (now Ghana), they are quoted to have once remarked:

"educated natives" or scholars have always been a thorn in the side of government of the Gold Coast. They have been at the bottom of most of the troubles on the coast for some years past.11

Now, despite those explicit and implicit fears and anxieties created in the minds of colonialists, civil society(ies) in whatever form it was, seems to have been quite weak and incapable of exerting pressure to secure fair civic and political rights for African society(ies). As a result, during partition we find that not only were homogeneous ethnic groups dismembered, but ethnically distinct and disparate groups were forcefully lumped together. It is no wonder therefore that on independence, African societies were to encounter "profound social and political difficulties as many new aggregations . . . found themselves ensconced in an arbitrarily concocted new state.12

Contemporary problems of who belongs in countries like Rwanda, Burundi, Somalia, Uganda, Ethiopia, etc. . . . all partly point to the weakenness of civil society(ies) at the time we are discussing here. They point to civil societies that were poorly coordinated (perhaps because uncoordinatable), and they point to civil societies which must have alienated a large number of members of society.

One of the supreme ironies of the formal school in Africa has been that while it liberated many who learnt English and French and who could thus speak to the colonialists, the formal school unwittingly triggered a sense of worthlessness in the minds of those who could not write or speak English or French. Although all and sundry had belonged to civil society in traditional African society, in the new circumstances only the elite belonged. Our view is that problems like those of partition of Africa would have been handled differently had the masses been fully conscientised by the intellectuals.

Intellectuals and Civil Society: the Lesson of Poland

Before we talk about Poland, it is instructive to recall the Marxian and Leninist views on the role of intellectuals and the masses. Now, while Marx expected the working class to be the ultimate revolutionary class, Lenin, the architect of modern Russia had a different, and we would say, more

practical view. He expected the masses to be given ideological leadership by the intellectuals; hence his observation that:

There could not have been social democratic consciousness among workers. It would have to be brought to them from without. The history of all countries shows that the working class exclusively by its own effort, is only able to develop trade union consciousness, i.e., the conviction that it is necessary to combine in unions, fight the employers and compel government to pass necessary labor legislation, etc. The theory of socialism however grew out of the philosophic, historical and economic theories elaborated by educated representatives of the propertied classes, by intellectuals.13

In Poland, the intellectuals seem to have been quite alert to Leninist views, and as Solomon Rowin observes.

One of the peculiarities of the Polish situation was that throughout most of the 19th century, the cause of national independence was the cause of the gentry (and later of the intelligentsia) to the virtual exclusion of the lower classes. Some change in this respect took place at the turn of the century when industrial workers joined in significant numbers in the revolutionary patriotism continued to be regarded as a commitment of the upper classes and indeed as an attribute to elite status.14

We note that in more recent Polish history, Lesh Valesa, Jack Kuron, Adam Michnick15 and many other intellectuals were able to turn table against the status quo not because they worked singly as intellectuals, but largely because they mobilized rank and file from the various working classes, the miners, ship builders, etc. . . . so that at the end of the day, the workers' state had no choice but to be overthrown by the very people it purportedly worked for!

In Poland's case, a high degree of civil inclusion meant an achievement of the people's desires. In Africa at the independence period, we have no such serious mobilization. There was no sense of belonging. Is it not any wonder that in the circumstances, colonial powers portioned Africa as they deemed fit!

Intellectuals as Political Leaders and the Further Retreat of Civil Society

Either because they assumed political leadership before they had fully internalized the nature and role of associational groups in the functioning of a modern state, or because they were simply overwhelmed by the new roles and responsibilities they encountered in assuming political office,—we note that save for a few cases, many former civil rights activists, now become political leaders, took a wrong step. They had their nationalist parties, that were supposed to mediate between civil society and politics, turn into bureaucratic organizations of the political system itself; and in the process these parties weakened rather than actualized democratic participation.

- There was the establishment of single party politics as a means of mobilizing everybody and weakening ethnicities, which threatened national unity. Whereas the reasons for single party politics were cogent, the *reality* was that the single party turned out to be for a *single* ethnic group.
- There was the abolishment (in many areas) of traditional leaders, who were reviewed as potential centers of power and consequently of national disunity. Nearly all the problems of civil unrest we have had in Uganda are traceable to this phenomenon.

- There were attempts to nationalize private enterprises in order to "ensure economic justice for all." Not only did these 'para-statals' serve only political leaders and their close acquaintances; but because of mismanagement, many of them collapsed (Uganda always stands out as a glaring example of this).

- Trade unions which had survived from the colonial times were increasingly seen as a rival power center (and in some cases, as in the case of Trade Unions in Kenya, these fears were justified). Now because there was need for unity, and therefore a unified central authority, these too were chipped down. Legislation was passed in Tanzania and Ghana to restrict the autonomy of those unions.16

- Periodic elections carried out on the basis of 'one man, one vote' were seen as a *sine qua non* of representative democracy. Leaders like Nyrere applauded the theory and promised to put it into practice. Before long, however, the theory which was actually put into practice was a slight modification of the former one man one vote. It now was one man, one vote, but also 'one election, one candidate'!

- Although newspapers ideally belong to the domain of the public sphere, in many new states, those become part of government, which then controlled what could and could not published—in the circumstances shaping public opinion. That problem extended to the radio. Wherever these did not belong to government, they belonged to powerful politicians. Either way, there was no chance for the operation of a free media in the public sphere.

Conclusively, we note that while at independence time, only the elite belonged, in the first years of independent Africa, civil society was further pushed to the underground, so that the question of 'who belonged?' in such circumstances becomes superfluous!

The Military Factor and Civil Society in Africa

The almost universally shared optimism at Africa's independence was short lived: not only were associational groups compromised, but there was the re-emergence of the old problems which many had imagined (naively perhaps) would pass away with independence.

There were at the same time many new problems which the first generation of African post-independence leaders had not anticipated. It was in those circumstances that the army found itself being invited to help politicians to sort out the political mess that was becoming more and more intractable. Victor T. Lavine in his study of the military factor in Africa has observed:

Overt political intervention by Africa's military at its own initiative is a recent phenomenon. Before 1965 almost all instances of military involvement in political crisis could be explained as responses to initiatives taken by politicians. . . . Within a short period, however, the military become the major initiator of changes in regimes.17

Although almost of all the time the army intervened, it was applauded, with the colonels emerging as "the moral conscious of their societies, it always did not take long before the colonels s found themselves treading the *same* paths disgraced former leaders had trodden.

- In many cases opposition political parties banned by politicians were never unbanned by the military—for the same reasons politicians had banned them. What was more, the single governing party was also banned—invariably charged with corruption and nepotism.

- Constitutions were often suspended or replaced by new ones. A very illustrative case in point is the constitution of the Federal Republic of Nigeria-1979. That constitution outlawed a takeover of government "except in accordance with the provisions of their constitution." Less than five years later, however, some of the very military officers who had sanctioned the inclusion of that provision overthrew the Nigerian government.18

- With the suspension of the constitution, the military found itself playing the executive, legislative and judicial roles. That would not perhaps have mattered if it were carried out earnestly. We note however that in many cases, institutions were often introduced via extra-judiciary means.

- Although sworn to guard national borders, and then people with their property, the military often turned against these very things that it was supposed to guard in the first place.

We conclude this section by observing that in the circumstances sketched here, we not only fail to answer the question of who belongs; we completely *reframe* the question and ask civil society—Where was it?

Civil Society in Contemporary Africa: New Roles, New Challenges

The winds of change blowing over the world since the late 1980s and through the early 1990s have not spared Africa. With the collapse of state communism and power block in the Soviet Union and Eastern Europe, marking what Francis Fukuyama has called "the end of history," there has been increasing impatience with the slow pace and often complete failure of democratization in Africa. This has led to increased calls for successful democratization.

In the new world order, but especially in Africa, democracy has increasingly come to be viewed not as a good in itself, but rather in teleological terms, as a good conducive to economic development. Consequently, it has not only been political philosophers, but economists, financiers, development theorists, etc. . . . who have called for democratization in Africa. Democratization has become a condition for securing whatever kind of aid a third country may want to beg for from the rich industrialized countries. Associational groups forming civil society are starting to emerge, in response to the social-political program of constitutional and democratic coercion orchestrated from outside.

Policies have been floated arguing, for example, that "In authoritarian Africa, aid should be channeled through independent organizations in civil society that are accountable, that are responsive to local needs and committed to democracy rather than to corrupt regimes."19

In the same vein it is argued good governance and creation of a corruption-free environment will be strengthened by:

. . . development of non-governmental corruption monitoring organizations within each African country. In a number of African countries, a viable basis for such groups now exists in civil society. Human rights and election monitoring organizations, as well as the informal coalitions of student, trade union, religious, environmental, and professional organizations that have toppled dictatorships, all have the potential to perform this role. They have the will, for they represent the first instance of popular groups coherently mobilizing in pursuit of the public interest, rather than the special interest of contending parties, factions, communities or classes.20

Less ambitions objectives set out for associational groups have been that they should constitute arenas for the pursuit of accountability, extend democratic participation, represent the

voice of the voiceless, recruit new political leaders, inculcate new democratic ideals and norms, develop trans-ethnic solidarities and subsidiarities. In short, spread the gospel of democracy—all through the guiding idea that associational groups are the schools where citizens learn about self governance, peaceful change of leadership, protection of minority rights, etc.

Challenges Facing Associational Groups

One of the biggest challenges that is going to face civil society in Africa has unwittingly been created by the outside forces which want to see democracy implemented in Africa. In their zeal to convince Africa to 'become democratic', where that invariably means embracing multi-party politics, the Western nations have without knowing it turned democracy into an export commodity for African dictators. All African dictators have to do now, is to fake political pluralism and opposition (where and when they do not exit), parade these before the Western financiers, get all the financial support there is, and then proceed to hold on to power uncontested. A dictator who presents a facade of civility to the outside world will in our view be more injurious to the development of associational groups and civil society than one who does.

If African leaders are often forced to fake the existence of political opposition where this is often not tolerated, the reason is often that political pluralism is itself problematic. Francis Fukuyama, quoting Tocqueville, has observed that:

Democracy works best when it proceeds not from the top down, but from the bottom up, with the central state arising naturally out of a myriad of local government bodies and private associations that serve as schools for freedom and self-mastership.21

Elsewhere we have indicated that these organizations for quite sometime have been in Limbo. The implication is that key lessons which should have been learned in the course of history have not been learned. Political parties, wherever they have come up, have not been as tolerant, democratic and civil as they should have been. Although democratic theory teaches tolerance, each political organization thinks only it has the right to exist. These problems have been compounded by ethnic divisions and religious differences where each entity has embraced a certain exclusive political party. Ethnic problems in Rwanda, Burundi, Somalia, Ethiopia, will be more readily understood when we bear these issues in mind.

Another related fact is where again because of their zeal to democratize Africa, external powers are eying associational groups as the channels of financial aid, ostensibly because these are "more democratic, nearer the people, more accountable etc.!!" Now this view ignores the fact that many people without civil inclinations are likely to join or start associational groups,—not to further the cause of civil society, but simply to tap the financial resources which are likely to be channeled through them. We would like to call this the "strategic civil society," or the "strategic associational group," a quasi civil society that wears the mask of civility when in fact its motives are economical or political. Should we aggrandize such a situation, then civil society(ies), or associational groups are most likely to become heavens for politicians, serving economic and not civil duty(ies).

The doubting Thomases may say that good-will ultimately wins over evil, and that buccaneers will ultimately be jolted out of associational groups! The reality of the situation is that civil society and associational groups have, owing to the politics African countries have gone through, been—as I have already said—practically in Limbo. There is simply very little to start on. There are no

foundations of associational groups built-up and nursed over the years. In such a situation, even the well-meaning members of civil society may not know what a civil society operates like or what its objectives are. It is precisely in such situations that buccaneers may take over such organizations.

The challenges facing the media as part of the civil society are many. The public sphere, the arena where associational groups are supposed to operate, should among other things have a vibrant free media body,—consisting of newspapers and radio. There are many challenges facing this too.

Whereas journalists should be well-educated with a broad perspective on the issues, the challenge of developing a really informed journalist cadre has not been addressed much at all. At the time of writing this paper, there is still debate in Uganda on what kind of qualification a journalist should have. Related to this point is the view shared by many, that journalism has been very much infiltrated by misfits and agitators.

Perhaps, as a result of lack of professionalism, many journalists have been used by politicians to give slanted views (as politicians so choose), and often behind this scenario are economic inducements. Whatever the case, the cause for civil society is undermined.

But even when newspapers exhibit a high degree of professionalism and civil sensitivity; they still face a host of problems from governments not used to criticisms. Newspapers largely survive on advertisements made in them. Government bodies are in many African countries advertisers in newspapers. Papers that are seen as unfriendly or too critical to the government, often do not get advertisements from government and its various organizations. In the ensuring economic dynamics, such newspapers become less competitive and since a paper can only criticize when it is circulating, clearly government will have quietly but very effectively shut off a very crucial channel for civil discourse.

Papers often have to publish their hot news in a hurry. Very often in the rush, a journalist may not especially get all the relevant details in order. Aggrieved parties, politicians and government especially find fertile grounds for litigation here. Whether it is the sequence of the details which is not in order or some other small addition or subtraction, a paper will have to pay heavily in litigated damages. Having suffered repeatedly, editors have no choice but to keep quiet. Again the loser here is civil society.

Another challenge facing Africa in its efforts to develop civil society is economical. Financiers like the World Bank, IMF, are all strongly recommending structural adjustments if African societies are to succeed economically. Among other things, structural adjustments mean cutting down on medical and other social subsidies, cutting down on government spending—and closing off some 'parastatals'. What that ultimately amounts to is reduction in jobs available, and in the standards of living of many people—in the short term at least. For societies already down with lower standards of living these policies are not easily reconcilable with the establishment of civil societies and with democracy. Democracy requires that policies should be responsive to the needs of the people. The policies of world financial institutions may ironically stand in the way of democracy and civil society.

Trade unions are other associational groups that face immense difficulties in their operations as civil societies. First, many of these are operating in government 'parastatals' (i.e. government companies), a position which seriously undermines their ability to organize and operate independently.

Secondly, because trade unions tend to be power centers of some sort, incumbent governments tend to look at them suspiciously. There is lack of understanding among politicians of motives of

trade unions. Matters are made worse because unions themselves often lose no opportunity to demand higher wages often at strategic moments—like at elections time.

But trade unions have more problems because often they have been training centers of nationalist (political) leaders, politicians like Tom Mboya (the famous late politician of Kenya), who entered politics through trade unions. Because of that, it is not inconceivable that individuals with political inclinations will gravitate towards these organizations not to further the cause of civil society but simply to prepare a platform for entering politics.

Then, too, depending on circumstances, governments will often co-opt or coerce trade union leadership. Once coopted, they will become part of government and more likely neutralize what civil society stands for; and if coercion becomes involved, trade union leaders will be threatened and will skirt their responsibilities as civil society leaders. Now, all these problems singly or collectively, compromise the role of the trade unions as associational groups geared to further the cause of civil society.

The judiciary and ombudsman are in many countries being strengthened. Once they are, there is hope of securing the safety of civil society against state interference. However, to a very large extent, these still remain part of government, and have yet to secure a completely independent existence. Now, as long as these institutions still remain part of government, there is no reason why they cannot be coerced by the state and in the process compromise civil society.

Conclusion

Our deliberations in this paper have shown that in traditional African society we could have legitimately asked the question: 'Civil Society—Who Belongs?' and gotten a clear answer. But with the advent of colonialism, many African societies underwent civil changes that radically transformed whatever civil society there was. For contemporary Africa, therefore, the question for civil society is not so much who belongs, as what constitutes an authentic and genuine civil society. And once we have identified that which constitutes it, how do we guard civil society against whatever may compromise it? These are very urgent issues, which theorists of civil society in contemporary Africa must address.

Notes

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Chapter IX
Ethnicity, Nationhood and Civil Society in Kenya

Makokha Kibaba

Introduction

In Kenya, talk about the notion of civil society gained primacy especially in the late 1980s. This period is particularly important because it coincided with the changes that were taking place in Eastern Europe. In Eastern Europe, this period saw the emergence of numerous 'dissident groups' acting as the conscience of the people, mobilizing and sensitizing them about their freedom and dignity as human persons long abused during the era of communism. These 'dissident groups' constituted the 'civil society' and played an important role in the liberation struggle.

The wind of change that was sweeping across Eastern Europe did not spare African military strongmen and one-party dictatorships. Kenya is no exception. In addition, with the collapse of communism, most Western European countries directed most of their resources to Eastern European countries. This resulted in drastic reduction of donor aid to Africa. Further, a lot of pressure was brought to bear on African dictators in that more stringent conditions were attached to this aid. Of particular significance, introduction of the multi-party system became a pre-requisite for donor aid.

Kenya, like most other African countries, was greatly influenced by these new sensibilities. In response, 'dissident groups' which had operated underground for fear of repression now surfaced more vigorously to demand for political pluralism. Within this period we acknowledge an increased role of civil society as the light and conscience of the Kenyan populace.

This paper examines the problematic of ethnic loyalty and its impact on the spirit of nationhood and the role of the civil society as a mediating factor. Our thesis is that the politics of exclusion arising from a negative exploitation of diversity based on ethnicity has significantly eroded the spirit of nationhood among Kenyans. Hence, the question *who belongs?* begs for an urgent answer in Kenya today.

Ethnic Loyalty and the Sense of Nationhood in Independent Kenya

Kenya has about forty different ethnic communities. Ethnicity is here understood as a way of classification, referring to a group of people who share a common language, customs, etc. Positively, it is a mark of identity and belonging, hence an essential part of being human. We all belong to some group, be it family, ethnic community, nation, etc., and we identify ourselves thus. Ethnicity, however, degenerates into negativity when, to use the words of Etzioni (1996, 312), it becomes "the defining characteristic of the state." Thus an individual is evaluated, or treated in a certain way merely on the basis of the ethnic community that he/she belongs. This criterion is exclusive and discriminatory and therefore begs for justice. In a multi-ethnic nation, this portends inter-ethnic cleavage. The resulting relationship among the different ethnic communities becomes characterized by mistrust, suspicion and often conflict. At the national level, the spirit of nationhood is substantially eroded. In our view, this scenario creates a central problematic of civil society,—who belongs?

It suffices at this point to undertake a historical survey of the problematic of 'belonging the ethnic community' vis-a-vis 'belonging to the nation of Kenya', so that we can possibly locate the present predicament.

Kenya as a nation was born on June 1, 1963 when it emerged from the status of British colony to attain internal self-government. On December 12, 1963 it become a republic. It is not within the scope of this paper to delve deep into the history of the independence movement but it is of interest to note that the leading figures in this struggle came from all the major ethnic communities. In this struggle, they were united and motivated by one main common good, self-determination for Kenya. Together, they relentlessly pursued this end.

Towards the time of the independence period, however, there emerged two political parties in Kenya, i.e., KANU and KADU. The main difference between the two parties was that whereas KANU advocated a strong central government, KADU stood for a federal system, locally known as*majimbo*. Of great relevance to this paper is the basis of this ideological distinction between KANU and KADU.

Looking at the composition of KANU leadership, it was observed in some quarters that the party was predominantly patronized by the two big ethnic communities at the time, the Kikuya and the Luo. This raised tears and concern, namely, that upon attainment of independence, the "big two" would marginalize and dominate the other Kenyan ethnic communities. It is this context that gave birth of KADU. KADU was therefore a conglomeration of the so-called small ethnic communities whose main agenda was to protect the interests of the minority and check the Kikuya-Luo nexus in KADU. KADU was however short-lived. Shortly after the independence election which was won by KANU, the two parties reached some understanding that saw KADU dissolve itself to join KANU, ostensibly to cultivate and build a strong sense of nationhood. Kenya therefore began its independent life as a one party state under President Jommo Kenyatta.

By around 1966, however, there was already discontent among the ranks and file of KANU leadership. This resulted in the resignation of the then Vice-President Oginga Odinga from government. Capitalising on the strong support from his Luo ethnic community, Odinga subsequently resigned from the ruling party and formed an opposition political party, KPU. Almost spontaneously, quite a number of Luo parliamentarians defected from KANU to join the new party. These defections were obviously an expression of ethnic solidarity. It can be observed that this marked the beginning of the collapse of the Kikuyu-Luo alliance. In fact, two important events related to this development finally sealed its fate.

First, the Kenyatta government, determined to nip in the bud the emerging Luo hegemony as an alternative power base, moved swiftly and on flimsy excuses, proscribing KPU in 1969.

Second, in the same year, 1969, the youthful and populist political acrobat, Tom Mboya, a Luo, then a minister in the Kenyatta government, was assassinated. This assassination was blamed on the Kenyatta government and by extension the Kikuyu community. These events set the stage for increased ethnic tension, suspicion, mistrust and even conflict in Kenya.

Meanwhile, there emerged in Kenya a host of non-governmental organizations that would have ordinarily constituted a vibrant civil society. Unfortunately these organizations were tribally oriented and pursued parochial ethnic agenda. One such organization is the then much dreaded Gikuyu Embu Meru Association (GEMA). GEMA was a strong tribal economic unit controlled by the Kikuyu "mafia" with "the tacit patronage of Kenyatta himself" (see M.G. Ngunyi and K. Gathiaka, 1993, 31). GEMA enjoyed political patronage at the highest level such that by around 1976 when it became evident to the "insiders" that the aging Kenyatta's days were numbered, the Kikuya elite through the now infamous 'change the constitution' movement operated by GEMA,

sought to block the then Vice-President Daniel arap Moi from ascending to power in the event of Kenyatta's demise, the obvious reason being that he was not one of their "own." This scheme did not succeed and in 1978, upon Kenyatta's death, Moi assumed the presidency.

To consolidate his position, Moi in the name of fostering nationhood, promptly outlawed tribal organizations, a move that was well-received and lauded among the genuine patriotic citizens. No wonder, Moi enjoyed immense support across the country, making him very popular in the first few years of his presidency. This honeymoon did not last for long. In 1982, there was an abortive military coup against the Moi government. The coup was blamed on some dissident group suspected to have been led by some members of the Luo elite who were advocating a return to the multi-party political system. Besides the punitive action that was taken on suspected coup plotters both within and outside the armed forces, in my view, Moi responded more decisively and fundamentally in two ways.

First, there was the constitutional amendment making Kenya a *de jure* one party state, hence to advocate for pluralism became treasonable. Second, the government embarked on a systematic break up of any traces of any meaningful civil society. Associations of civil society were either enfeebled, co-opted or crushed. This period was marked by unprecedented repression, arbitrary arrests and detention of people suspected of holding dissenting views (akin to what happened in Eastern Europe under communism). It was during this period that many university student leaders, academics and lawyers either served long periods in detention or those who were lucky fled the country and went into exile.

Towards the end of the 1980s due to the changes that were taking place around the world already referred to in this paper, we witness a resurgence of social political activism. To me this marks the period of 'civil society activities' proper in Kenya. More than ever before, the questions of freedom, participation and belonging were on top of the agenda of the many pressure groups and associations that were emerging. It is also gratifying to note that the spirit of the second liberation cut across through the numerous ethnic communities but unfortunately this spirit has been betrayed.

Nationhood Betrayed

As we have already pointed out, we share Etzioni's (1996, 312) contention that "while there is nothing wrong with basing a community on ethnicity, there is often much to be lost when ethnicity becomes the defining characteristic of the state." As the history of independent Kenya reveals, our leaders have not been genuine in harmonizing ethnicity and nationhood. While they have stood on every platform to talk about national unity and cohesion, they have systematically put in place structures and institutions that have enhanced nepotism, tribalism, ethnic solidarity.

Kenyatta, for instance, Barkana (1992, 172) notes, "instead of suppressing leaders who sought to maintain and fortify their local (read 'tribal') power bases, assisted and manipulated their effort by selectively dispensing or withholding patronage needed for this task." Rothchild and Foley (1988, 241) add that through this "politics of inclusiveness, Kenyatta brought together a broadly based coalition accommodating ethno-regional strongmen to compensate for his lack of regulatory capacity and to prevent the formation of counter coalition." Rothchild and Foley are by no chance complimenting Kenyatta. The fundamental questions are, what should be the basis of inclusiveness at the national level? What kind of inclusiveness can maximize participation and ensure meaningful sense of belonging? In our view, the above inclusiveness is a superficial and deceitful blackmail strategy meant to sustain a leader in power. The events in the run up to multi-party

elections in 1992 brought out the true picture of ethnic cleavage and its impact on nationhood in Kenya. This period saw unprecedented ethnic strife that culminated in widespread ethnic cleansing. This was especially in the Rift Valley and Western provinces that pitted the Kalenjins, President Moi's ethnic community, against the Kikuyu and a section of the Luhya who had decamped to the opposition parties.

Indeed, events in Kenya seemed to confirm Soyinka's view (1996, 295) that "ethnic conflicts are often deliberately instigated in order to create instability that will then justify their (leaders) continued stay in power. . . ." In the case of Kenya, the single party stalwarts before reluctantly accepting multi-party system had already been prophets of doom "predicting" ethnic conflict upon the latter's implementation. It is our contention that the practice of trying to create some kind of homogeneity on the basis of ethnic community substantially undermines people's participation, individually and collectively. The ethnic tag that one acquires becomes a source of alienation and exclusion; and woe to those who happen to come from the ethnic community that is "politically incorrect." This is how Kenyan leaders have persistently betrayed our spirit of nationhood. By whipping up ethnic emotions and solidarity for short-term political benefit, our leaders have betrayed our national aspirations and goals. Three observations are worth singling out from the survey we have carried out of the problematic of ethnicity and nationhood in Kenya.

(1) The balance between ethnicity and nationhood has been very delicate and potentially explosive.

(2) Ethnicity has been deliberately manipulated by politicians as a tool of political expedience.

(3) The question of belonging is a serious question of concern in Kenya today.

Granted these difficulties, there is an urgent need to redress the situation with a view to providing a new foundation that will allow the richness of ethnic diversity to flourish but within the context of a united nation. This paper argues for this position within the paradigm of a new sense and focus of the civil society.

Civil Society in Kenya: Past Mistakes of Civil Society in Kenya

The above discourse is indicative of the fact that civil society in Kenya seems to get reactivated and invigorated only during times of phenomenal crisis. This is illustrated by the role of civil society in the liberation struggles, first from colonialism and then from one party dictatorship. It is no wonder therefore that government sees organizations of civil society with a lot of suspicion as potential trouble-makers. As we shall argue in the next section of this paper, for civil society to be effective, it must play a much wider role. Before we explore this, it is suffices to review some of the weaknesses of civil society in Kenya that have reduced its efficacy.

In our view, civil society has performed dismally in the Kenyan context due to a number of weaknesses. Two mistakes are critical and deserve discussion in this paper.

The first mistake is one of wrong focus. Unlike civil society in Eastern Europe, civil society in Kenya sought to change society from the top. It was for example presumed that a change from one party to the multi-party system would necessarily mean increased freedom and participation. Proceeding on the delicate nationhood platform, the civil society failed to enter deeply into the sensibilities of the diverse ethnic communities, into their fears, aspirations, goals, etc. This would have been quite enriching and legitimizing as the basis for reform. Due to this failure in Kenya today, though we can boast of a multi-party political system, the structures remain basically those

of a single party system. For instance there continues to exist a lot of obstacles to freedom of expression and association and individual participation in civic and political activities.

The second mistake which is somehow related to the first arises from the fact that immediately upon the re-introduction of the multi-party system, the leading civil societies, in their naivety—their leaders still celebrating their victory—quickly changed status and transformed into full-fledged political parties. With their newly acquired status, they now entered into the arena of competition for political power. In Kenya, like in most African countries, this arena is characterized by intrigue, blackmail, lies, wheeling and dealing, tribalism, etc. Today, the opposition parties in Kenya have succumbed to parochial ethnic chauvinism and consequently are fast disintegrating due to the ever emerging factions. In our view, by such transformation, these leaders abandon a nobler role and given the situation in which they eventually find themselves, lose the moral justification to act as the conscience of the people. We are thus inclined to argue with Arato and Cohen (1992, IX) that "the political role of civil society as control and conquest of power is inevitably diffuse and inefficient."

The Big Challenge of Civil Society in Kenya Today

The greatest challenge in Kenya today is: how do we retain rich and thriving ethnic identities without compromising a spirit of nationhood within the paradigm of liberal democracy? This paper is of the view that the problematic of ethnicity and nationhood in Kenya is not insurmountable. Consequently, it is our contention that an expanded and refocused civil society can play a mediating role between these two dimensions.

Traditional African Values as Basis of Civil Society in Kenya

The notion of civil society has wide application and has been defined variously by different scholars. We do not belabor this notion in the present paper, but adopt Seligman's (1992, 5) idea that central to the concept of civil society, is the "problematic relation between the private and the public, the individual and the social, the public ethics and individual interests, individual passions and public concern." This definition also tacitly raises the question of belonging which is crucial to the notion of civil society. To answer this question, we propose a recourse to traditional African sensibilities, in particular, African communitarian practices.

In the economic sphere, people did not have a strong sense of personal possession of whatever they owned. For example land which was the main means of livelihood in most African communities belonged to the clan and hence every clan member had access to it. The poor were cared for by the community in a manner befitting their dignity as human persons. Two examples from the Bukusu, a Luhya sub-group of Western Kenya, suffice to illustrate our point. In this community, 'bride-wealth' would be paid for the poor so that they can marry and have families. In addition, the poor would be loaned cattle by the wealthy and the traditional chiefs. Through this arrangement the poor would be able to have milk for their families and normally they would be allowed to own the calves of the cattle loaned to them. This arrangement made them self-reliant while maintaining their dignity as human persons. It is also interesting to note that the traditional chiefs normally owned a lot of wealth but not for personal benefit; rather, they acted as trustees of the people.

There is an allusion to the Bukusu people in a popular phrase, *siyanja barende*, which literally translates as "those who love strangers" (i.e., those who do not belong to another ethnic

community). This phrase aptly describes and portrays Bukusu as people who welcome all, not discriminating against anybody on the basis of ethnicity. Bukusu community therefore stands out as an open and inclusive community. The Bukusu are known to assimilate strangers and accord them the best the community can offer. This deeply rooted hospitality seems to rest on the Bukusu metaphysical view of oneness of humanity. It is thought and believed that a stranger that one encounters could be a blessing to the community or an ancestor who has come back to his/her people in a disguised form. It turns out therefore that there is no stranger at all. Thus the idea of "us" and "them" does not seem to exist in Bukusu thought and practice: hence the treatment of a stranger merely as a human being not withstanding his/her origin. (See Makokha, 1993)

Finally, and contrary to many interpretations of African traditional communities, there existed plenty of avenues for individual participation in the social, political and religious matters of the community. One such avenue was during initiation ceremonies that brought together many people, especially the elders, to deliberate on wide-ranging issues of mutual concern and common good. The civil society in Kenya can draw from such rich cultural values from the varied Kenyan ethnic communities. In our view, a vibrant civil society that is founded on the rich cultural diversities can help in the identification of the commonalities that can form the basis for the common good of the nation.

New Dimensions of Civil Society in Kenya

In light of the discourse above, we posit that civil society can play some significant role in the endeavor to diffuse some tensions engendered in the Kenyan social, political and economic fabric. The following are some of the key approaches and areas of concern.

First, the civil society in Kenya can benefit from the approach taken by civil society in central and Eastern European countries, in particular Poland. The lesson is that, rather than attempt to change from the top, society can best be transformed from the bottom. Thus, the notion of civil society should be taken to the village, targeting individuals, groups, ethnic communities, etc. This approach should draw from and recognize the uniqueness of the different cultural values of the varied ethnic communities. This way, diversity will be respected while commonalities are celebrated and forged into collective identity and solidarity. This can be an enriching interchange that can help neutralize and diffuse the artificial strife that exists today between some ethnic communities. To do this, intensive civic education is required: a big challenge to the civil society.

Second, of great importance, the civil society should help to create a context within which people can economically improve their living conditions. Probably Fukuyama (1992) is right when he argues that economic development and liberal democracy seem to be inextricably connected. In Kenya, poverty is one of the greatest impediments to full realization of a democratic culture. There are some regions that can hardly produce enough food to feed themselves and are really dilapidated economically. Such communities, in constant danger of starvation, are heavily dependent on government relief food. Now, the ruling party often politically exploits such desperation, thus putting people in a situation where they have to choose either to be politically correct or perish. This blackmail undermines human freedom and dignity and does not augur well for the principle and practice of democracy.

The civil society has a role to play in this matter. As George McLean rightly observes, "civil society is not merely a matter of protecting the victims of the economic system . . . and its participants but also a wellspring of economic abilities." (McLean, 1996, 19). To facilitate this, the notion of capabilities as expounded by Crocker (1992) is quite appropriate. The notion of

participation and initiative should be nurtured, encouraged and supported. In short, the focus should be on the people, what they can actually do in their own existential conditions. The mentality of expecting the government to "deliver" is very retrogressive. It is a stark reality that government cannot meet all their needs and demands, leave alone the basic ones. It is gratifying to note that people are responding positively to this reality. In Kenya today, especially in rural areas, women are playing a leading role as they are deeply involved in self-help groups. These activities have noticeable impact on the general living standards of their lot. This is in keeping with the Kenyan independence slogan, "*Harambee*," which literally translates, "pulling together." In a wider context, however, this clarion call needs to be invigorated and de-politicized in order to serve its intended purpose.

Thirdly, on the political scene, what is most lacking in Kenya's nascent multi-party democracy is the conducive atmosphere and spirit that enhances increased participations by individuals and groups. In our view, this is the main reason behind ethnic tensions and strife. The apparently deliberate though unofficial policy of rewarding ethnic communities (or is it individuals from such communities?) that are "politically correct" excludes other communities from the table of the national cake. The ruling party stalwarts of course blame the ethnic strife and the diminishing sense of nationhood on the multi-party democratic system. As the historical survey above shows, this is not true. What is true is that the beneficiaries of the old political order want the new system to fit into the old framework and structures. Unfortunately, this is not possible.

The big question that now confronts every concerned, right thinking and conscientious Kenyan is: how do we get out of this situation? Do we revert to the old one party political system? The new world order is such that this is not possible. In my opinion, what needs to be done is to wholeheartedly accept the reality of plural political order. This means *inter alia* to put in place the relevant constitutional safeguards that will guarantee individual and groups freedom and participation, and nurture and support a truly national civic culture. This also involves a clear articulation of the national goals and aspirations. In such a multi-party setting, this should not be the preserve of parliament, which is dominated and controlled by the party in power. One way to avoid discontent is to create an open forum that will draw from all the capabilities of the different parties concerned, be they political, ethnic communities, civil society, etc. In this way, the common good will reflect the diverse values, desires, needs and aspirations of the Kenyan populace. This is certainly a complex issue that calls for great understanding and co-operation by the political players, both from the ruling party and opposition.

In addition, the virtue of tolerance ought to be accorded center stage. In any case, democracy cannot be nurtured and sustained without the parties involved exercising tolerance to its highest limits. Indeed, as Etzioni argues:

Tolerance is the psychological basis for playing by the rules, for being willing to accept the outcome of elections, even if they favor a party or coalition of groups to which one is strongly opposed and for accepting compromise. (Etzioni, 1996, 312)

In Kenya today, we need self-sacrifice, compromise and tolerance in abundance. How this can be achieved is a big open question. But if as a nation we are in consensus about the end to be pursued, even if the means differ, in keeping with the democratic practice we will have made a major step ahead. One way to do this is probably by embracing a system that allows for a coalition government. Given the tribally oriented political parties, such a dispensation could ensure a fair

representation of the different ethnic communities. The present system whereby the winners take it all seems to accelerate ethnic disparities, resulting in discontent and conflict.

Chapter X

The Perversion of Democratic Pluralism: The Difficult Road to 'Citizenship' in Africa

Sémou Pathé Gueye

What the experience of transition towards a pluralistic democracy shows, mainly when—as is generally the case—it happens in the context of some socio-cultural backwardness, is that an insufficient maturity of civic consciousness can be used to pervert pluralism and to turn it against people.

That perversion of pluralism can take many forms. It can manifest itself through an unrealistic number of political parties with sometimes very homeopathic differences between them, generally created just to promote individuals and/or groups concerned only with their own narrow interests. This creates in the end an exaggerated atomization and artificially crowded political life. As experience shows, this is not necessarily a synonym of greater freedom, responsibility and autonomy for individuals whose rights and prerogatives are largely confiscated by the elites who lead political parties. Sometimes prisoners of their own ambitions these leaders forget finally that the real end of democratic pluralism is to provide better opportunities to people for ameliorating their personal daily lives. Party egoism can at times lead to bloody civil wars which aggravate the situation of the people and reduce the prospect of development. The necessary effects of a paralysis of the economic and social activity of a country are instability, insecurity and disorder.

Of course that does not mean that we must throw away the baby with the bath. Democratic pluralism remains vital but its perversion must be properly tackled. To be successful, this requires, first of all, more responsibility and responsiveness from politicians who must understand that democratic pluralism cannot be a pretext to transform people into simple hostages of their politicians' ambitions. Politicians must carry on their struggle by means and methods which respect and fulfill the legitimate aspirations of individuals for secure and peaceful life.

Secondly there is required a more efficient socio-economic *politique* which, by improving the daily conditions of life of the majority, is able to give them stronger reasons to defend democracy. That means, in other words, moving democracy from the "sky" of political elites and their narrow interests, to the "earth" of the real life-needs and aspirations of the majority. For "democratization" cannot be reduced simply to social "cosmetics."

Another form of perversion of democratic pluralism also merits some attention: experience shows—not only in Africa—that irresponsible politicians can explore the possibilities provided by democratic pluralism in order to manipulate for their own political purposes all possible ethnic, regional, religious and other socio-cultural differences. Ethnic groups, race, religion cannot, as such, be considered the real reasons for conflicts which happen under their 'disguise'. The real reasons must be found elsewhere.

The first reason which makes possible ethnic, religious or regional perversions of democratic pluralism is that democracy is being implemented "from above." The process fails sufficiently to take into account the endogenous norms, values and stereotypes of behavior of the societies to which it is applied. An "externality" of democratization is reflected in the ambivalent and at times ambiguous behavior of people who still react mostly on the basis of the values, norms and stereotypes they consider to correspond to their own cultural identity. Due to that situation, the level of democratic culture remains quite low, facilitating all sorts of political manipulation. To

overcome such a situation, a synthesis is needed between the universal aspects and values of democracy and the cultural realities of societies in which it is being implemented. This implies two things:

(a) Freeing the concept of democracy from any kind of Euro- or "Western"-centrism".
(b) Freeing the concept of cultural peculiarity from all aspects and values which would not be compatible with ideas of freedom, equality and social justice.

Without such a synthesis, the concept of democracy will not be able fully to realize its "civilizing" potentialities. Then the distortions and weaknesses which can exist at the level of a political consciousness insufficiently impregnated by democratic values might continue to close people in upon a very narrow concept of their identity.

Hence, the first answer to the question of why irresponsible politicians can so hastily manipulate ethnical, religious or regional difference could be because of the still deficient civic and political consciousness of the majority of the people. But something must be added to this answer.

Many politicians consider that, or act as if, politics means to ‘use’ people, but not to *serve* them. That "instrumentalist" conception of politics tends to transform supporters into simple "clients" deliberately confined at a level of political consciousness which precludes any possibility of critical evaluation of their political engagement—which thus becomes quite irrelevant. Political obscurantism thereby becomes a requirement of political manipulation, making it easy for irresponsible politicians to exploit the full sphere of their supporters’ affectivity, including, when necessary, their ethnic, religious or racial feelings.

If we look at all these forms of perversion of democratic pluralism, we find a common denominator: a deficiency of civil and political consciousness which does not allow the majority to raise their voice and really to influence the course of political life. This makes them manipulable. In fact democracy, which necessarily implies political tolerance, is not possible if the majority, which is supposed to be the authentic source of political power, has not yet reached a level of political and civic consciousness which could bring them to act not as simple "clients" but as "citizens," not as passive followers but as active "subjects" of the democratic processes.

The move from "clientism" to genuine "citizenship" is impossible without a coherent sustainable effort at political and civic education. Unfortunately, this is far from being the main concern of political parties. Nevertheless, at least for two reasons its political and social necessity can hardly be questioned:

- It is what makes really possible the control of political power by the people, giving them more autonomy and responsibility in their relation with the state; and
- The concept of "citizenship" reformulates in more positive terms the question of "belonging" or of "identity." Being citizens of the same country implies a new type of identification which goes beyond and unifies at a higher level the ethnicities, races, religions and other socio-cultural differences which exist necessarily in any concrete society. Being "co-citizens" means becoming aware of some kind of "proximity" with others, sharing some kind of common identity with them, at least by the fact of living under the same law which guarantees (or is *supposed* to guarantee) the same legal rights and duties.

Hence citizenship implies necessarily the acceptance of the other's presence not as a threat or challenge to one's identity, but as revealing a common 'belongingness' to mankind. Identity perceived in the light of 'citizenship-consciousness' differs from closed, autarchic and narcissistic identities modeled on the Cartesian cogito whose existence can be asserted only by negating the external world of others. That is, citizenship-consciousness appears to be an *interested* step towards a communicative consciousness; it is already a form through which universality manifests itself by transcending the narrowness of 'pre-citizenship-consciousness'.

For this reason, it does not seem to be an accident that those two founding documents of our political modernity, the Universal Declaration of Human Rights (1789) and The Universal Declaration of Human Citizens's Rights (1848) situate "human" and "citizen" in the same perspective of "universality," providing thereby a normative foundation for behavior in the relations between human beings. This provides as well an ethical ground for political tolerance and, beyond that, to politics as such. Indeed, its aims, ends and goals can be considered as legitimated only if they have humanity as their ultimate reference, with properly human dignity, freedom and flowering.

Chapter XI
Civil Society: Politics of the Concept

David Kaulemu

Introduction

The concept of "civil society" has become very popular as a concept that can be used to organize the whole of society. This is happening after the collapse of the Soviet Union. This collapse has given the impression that socialism has died and that the attempt to base society on socialistic values had been all wrong. What is identified to have been particularly wrong about the "actually existing socialism" is the attempt by the socialist state to be omnipotent and omnipresent which ruthlessly killed off private sector institutions, voluntary organizations, churches and local communities. It is argued that in spite of pressure from the state, these voluntary organizations and institutions somehow resurrected and brought down the evil states in the name of liberal democracy guided by the desire to establish a vibrant civil society. This view is also used to interpret the fall of a number of African one-party regimes in the 1990s and the introduction of multi-party systems in countries like Malawi, Zambia and Tanzania. Apparently, freedom has come in the name of liberal democracy. Expressing this belief, Francis Fukuyama illustrates his point:

In Sub-Saharan Africa, African socialism and the post-colonial tradition of strong one-party states had become almost totally discredited by the end of the 1980s, as much of the region experienced economic collapse and civil war. Most disastrous were the rigid Marxist states like Ethiopia, Angola, and Mozambique. Functioning democracies emerged in Botswana, Gambia, Senegal, Mauritius, and Namibia, while authoritarian rulers were compelled to promise free elections in a host of other African countries. (Fukuyama, 1993 : 35)

The introduction of market economic systems through Economic Structural Adjustment Programmes is also used as a litmus test for the existence of democracy in these countries. Economic aid to some of these countries usually depends on whether they have accepted the market economy or not. All these developments in the former Soviet Union and in Africa have been taken to mean that the truth of western liberalism has been vindicated. Hence in Africa, the concept is being used as a descriptive concept of how society, particularly in the Western world, is actually organized. This is why Fukuyama can proudly declare on behalf of the Western world:

And if we are now at a point where we cannot imagine, a world substantially different from our own, in which there is no apparent or obvious way in which the future will represent a fundamental improvement over our current order, then we must also take into consideration the possibility that History itself might be at an end. (Fukuyama, 1993 : 51)

Civil society as a concept is also being used as "an ethical ideal" strongly prescribing the direction African social, political and economic formations should take. The aim of this paper is not to demonstrate whether or not the concept of "civil society" accurately describes the nature of

democratic institutions in the Western world. The focus is to access the relevance of the concept to African societies by bringing out what it can and what it cannot facilitate as a theoretical tool.

The concept of civil society is understood in different ways. This paper will focus on this concept understood as "that realm where the concrete person - that particular individual, subject to his or her own wants, caprices, and physical necessities - seeks the attainment of these 'selfish' aims. It is that arena where the 'burgher' as private person seeks to fulfill his or her own interests. Civil society is that arena where - in Hegelian terms - free, self-determining individuality sets forth its claims for satisfaction of its wants and personal autonomy." (Seligman, 1992, 5) In short civil society is understood to be the space left for the free development and growth of private individuals, institutions, organizations and local communities. This concept is usually based on the liberal view which says that it is not the role of the state or society to tell individual persons what their good or life-plans should be. It is argued that individual persons must be free to determine that for themselves without interference. They must also be free to come together to form organizations and institutions either religious, social or political. Society therefore must be organized in such a way that such coming together of individuals is possible. Defending this view and linking it to the right to private property, Robert M. Sade argues:

The right to life implies three corollaries: the right to select the values that one deems necessary to sustain one's own life; the right to exercise one's own judgment of the best course of action to achieve the chosen values; and the right to dispose of those values, once gained, in any way one chooses, without coercion by other men. A man who is not allowed to choose his own goals, is prevented from setting his own course in achieving those goals and is not free to dispose of the values he has earned is no less than a slave to those who usurp those rights. The right to private property, therefore, is essential and indispensable to maintaining free men in a free society. (Sade, 1983 : 532)

Thus, civil society is seen in this liberal view as essential in facilitating individuals and voluntary organizations in choosing their own private goals and the means for fulfilling those goals. It is argued that certain resources should be made available and guaranteed. Hence the emphasis on the right to private property. But the liberal view refuses "to take a stand on the ends to which the resources are means". (Nussbaum, 1995 : 92)

"Civil society" understood in the way described above cannot be adequate as an ethical ideal for contemporary African societies, particularly those in Southern Africa. This is because the establishment of this kind of civil society in itself is far from providing a guarantee for the good, peaceful and healthy society that is needed. This kind of civil society can be a realm of democratic practices just as it can be a realm of endless acrimonious struggles. I argue in this paper why it is most likely to take the latter road than the former. I argue that rather than leave individuals and voluntary organizations completely free to decide on their goals on the bases of their own interests, society must be guided by some universal normative conception of what it is to be human and to live a good human life as suggested by Martha Nussbaum and Amartya Sen.1Nussbaum and Sen suggest that a universal conception of the good society can be worked out by specifying the basic human capabilities and limitations which can then form the basis of a list of basic functional capabilities the possession of which is offered as a necessary condition for human flourishing. It is this positive identification of the human good that can inform the goals of social arrangements. The state too must pursue this end and not stay aloof.

Where the Concept Comes From

To understand the politics of the concept of civil society, we have to raise the question of where the concept has come from. Who is eager to have the ideal used as a guiding concept in Africa and the rest of the world? Several groups of people and organizations can be identified as being keen to see the development of civil society in Africa and the world at large:

(1) Moral and political philosophers who are genuinely committed to the social and political improvement of African societies. These are philosophers who believe that the concept of civil society clarifies our understanding of democracy and democratic institutions for it points out a realm where people with different backgrounds and conceptions of the good can live together without those differences being a source of fighting.

(2) Local and international non-governmental organizations who believe that African governments have failed to adequately cater for the needs of people in Africa because of the adoption of socialistic policies. These organizations believe also that the structure and nature of governments in general and African governments in particular is such that there have to be alternative channels and approaches for the realization of the needs and capacities of African citizens. They argue that these channels can only be created if the existence of civil society is assured.

(3) Political parties and interest groups wishing to see the possibility of change of governments established. These parties and groups want to create the possibility of getting into power without having to join the ruling party.

(4) Local and international economic interest groups and individuals including financial groups like IMF, The World Bank, who wish to see the separation of the economy from the political. Commitment to "free trade" has been one of the major factors influencing the endorsement of the concept of civil society.

It is clear from the partial list above that the motives for the commitment to civil society range from high moral values to basic social and economic interests if not bare self-interest. The question may be raised as to whether the people in African are not themselves calling for the development of civil society; whether in their existential circumstances the people are not expressing the desire to be freer from the power of the state in ways that we can interpret as a desire for civil society. It is true that people in Africa, particularly those in the rural areas where the majority of them live, desire more freedom. They will always desire more freedom even in a liberal democratic state. But it is not clear that they look at the state as necessarily opposed to their freedom. The majority of people in Africa want to realize their capabilities. There are areas in their lives where they feel that they do not need the state in order to do so. But there are other areas in which they demand that the state must lead the way and even work on their behalf. It is not the government as such that people are against but certain types of governments. For instance, governments that allow people to be exploited by international capital in ways that undermine rather than enhance their humanity eventually become unpopular. Presently, both in Zimbabwe and in South Africa, one of the major issues that people feel should be addressed urgently is the issue of the redistribution of land. In both countries, it is agreed that the state should be at the center of solving this problem but not in the way suggested by the liberal view described above.

Context for the Call of Civil Society

The concept of civil society is being appealed to in the context of a crisis in African political, economic and social organization. It is a crisis that has been created by the general role that governments in Africa, colonial and post-colonial, have given themselves - the role of domination of society. To this extent, I agree with the liberal view's analysis. The colonial government was made up of a group of settlers who were small in number, but backed by European powers and armed with superior war instruments were able to create strong economic and political institutions and at the same time undermine the local institutions, practices and belief systems. It was therefore an imposition of a minority over a majority population. Since the process of maintaining colonial rule was not always a peaceful one, the colonial government had to be strong against local resistance. It had to try the impossible feat of knowing everything that happened in society in order to control and direct it. Thus the very nature of the colonial state and how it was established precluded it from being concerned with fulfilling the needs of the majority and enhancing their capabilities as human beings. Writing about the colonial government in the then Rhodesia, Masipula Sithole writes:

Prior to 1980, white settlers ruled Rhodesia without the consent of the conquered African majority, who were deprived of practically all civil and political liberties. (Sithole, 1988 : 218)

Of relevance to the discussion of civil society is the fact that the colonial governments in Africa neither proved to be omnipotent nor omniscient. With this recognition, they only allowed those institutions, practices, and belief systems which they perceived as posing no threat to their own existence. We can therefore say that civil society in the colonial period was to a great extent at the mercy of colonial governments. What had been public African institutions and practices such as the traditional courts ("*matare*" in Shona) as well as the many political, religious and social structures and rituals were forced to go underground and private if not destroyed or greatly modified. An understanding of the character of society in the colonial period cannot be complete without the appreciation of this process of the enforced privatisation of the African "*palaver*."2

Whereas in the African traditional society religion had been a public affair, a force quite directly relevant in the running of the affairs of the traditional regimes, under colonial rule religion was marginalised completely from that status and became a private matter which was made irrelevant to the affairs of the state, of the work place, the school and the courts. The traditional chiefs were only recognized if they were prepared to work for the colonial government. In fact the colonial governments changed the terms of reference of chiefs to make them fit into the new colonial structures. With time, the privatized African *palaver* began to reorganize itself in the form of struggles against the colonial regimes. Thus what had been normal public institutions and practices aimed to make sense of life in African societies gradually became underground tools for struggle. Again with time, some of these privatized institutions began to look for spaces in the new colonial public sphere. This can be seen by the formation of African political parties, trade unions, African independent churches, burial societies, credit unions, and all sorts of voluntary organizations which were always under strict surveillance and constant banning orders. Therefore the first experience of civil society by Africans within the context of the modern nation state was colored by the context of privacy and illegitimacy. It is not unreasonable to argue that the only experience of participation in civil society that many Africans have is characterized by struggle,

and in many cases violent struggle. This has important implications for the development of democratic practices in African societies.

Prior to the intensification of hostilities there was reasonable democracy for the white community. A viable but limited civil society was allowed for the white community who could have political parties, voluntary organizations, and private economic interests. All these were greatly encouraged for the whites though they were strongly circumscribed by the racist laws. For example marriages, social clubs, schools and churches could not be allowed to mix the races. The breath of the spaces allowed for the public white civil society greatly depended on the relations between the minority white community and the black majority. As the black communities intensified their struggles, the colonial government became more sensitive to the activities of civil society both among the white and black communities. Those whites who tried to bridge the gap between blacks and whites were dealt with strongly. Thus as time went on, the white settler community began to split within itself and civil society was more and more under pressure from the government.

The post-colonial state was, in large part, a continuation of the colonial state with some modifications. What the post-colonial government allowed to happen was the widening of the spaces within which the majority populations can realize their capabilities by legalizing many of the institutions that had been undermined by the colonial government. For example they abolished many of the racist laws and allowed more of the African majority to enter the schools, hospitals and other public institutions that had been reserved only for the whites. Interestingly, this process of allowing the blacks to participate in public institutions did not mean that blacks and whites could now live together happily ever after. It merely tended to reverse the process that occurred at the time of colonialism though with some important qualifications.3 Where they can, the whites have systematically withdrawn themselves from these public institutions establishing new private institutions such as private schools, hospitals and social clubs. It is interesting, for example, that although many white Zimbabwean children are getting university education, there are hardly any who are getting it from Zimbabwean universities. Where whites and blacks have to work together, like in churches and at work places, there are usually very serious tensions.

Most post-colonial governments began with the premise that most of the institutions established by the colonial governments, including the national boundaries, the police, the army, etc., were, on the whole, legitimate. Thus post-colonial governments by implication took over the colonial governments' suspicion of civil society and saw it as representing a possible challenge to its legitimacy. This was so especially if there had been more than one liberation movement in the struggle for independence as happened in most African countries.

The post-colonial state struggles with both the desire to fulfill promises to its supposed constituency, and fighting elements of the former colonial government. With the help of a certain ideological reading of the African past, African leaders, from Nkwame Nkruma, Julius Nyerere, Kenneth Kaunda to Robert Mugabe generally attempted to legitimize their rule as based on African traditional values. The concept of community and communal life is appealed to in justifying the new institutions they wish to introduce like the one-party system and taxation regulations. The need to justify its authority is a result of the peculiar situation of the post-colonial African government. It claims to represent the black majority yet it feels it has to use the institutions and values created for it by the colonial government. This is a very interesting situation since it implies that the post-colonial government has a potentially tenuous relationship with both the black majority as well as with the white minority.

The situation is complicated even more by a number of factors. In the process of moving from the colonial to the post-colonial a process of differentiation takes place. There is a movement to separate the political realm from the economic. This is because as the members of liberation movements move into political power, displacing the colonial powers, the former colonialists retire to the economic realm where they are eager to separate economics from politics. The former colonialists understand very well that if they allow the new African political leaders to directly control the economy, as they themselves used to do, it means that they themselves will have to give up their economic interests. This they will not do. So now the post-colonial governments have political power minus the economic power and they know that they cannot survive without that economic power. This then is a stage for a deep tension between the political and the economic realms. If we consider the fact that the colonial states, particularly in Southern Africa, had been apartheid regimes, then we can appreciate that the struggle between the political and the economic is also, to a great extent a struggle between a few white people who control the land and the economy and the black government which receives a lot of pressure from the majority of blacks who expect it to improve their lives and chances. Whatever spaces are created by the state for its people either as individuals or as organizations to occupy will inevitably be occupied by people with very specific desires and mentalities. The whites who have lost political power will want to secure their future by maintaining their control of the economy. Blacks on the other hand feel that the land which was stolen from them must be given back.

The deep divisions in post-colonial societies are race-, ethnic-, gender- and class-based. In Zimbabwe, the major ethnic division is that between the Shona and the Ndebele. The Ndebele migrated from South Africa in the 1830s and since then, there have been struggles which were transferred to the two major liberation movements of ZAPU and ZANU. During the war, the Smith government used violent means to try and contain if not destroy ZAPU and ZANU. Sithole describes the Zimbabwean war experience in the following words:

Violent tactics were used by ZAPU to liquidate ZANU, and the latter used similar methods to survive. Since then, the use of violence against the opposition has been part of the Zimbabwean political culture. This has implications for democracy in Zimbabwe. . . . (Sithole, 188 : 224)

This story has been reenacted in liberation struggle after liberation struggle, from Angola, Mozambique, Namibia, to South Africa.

The social condition of women in African traditional societies was not always compatible with the need for the full development of their capabilities and "functionings" as human beings. Women were in many ways treated as less than adults. Although it is generally true that "women under capitalism have achieved political rights undreamed of in earlier societies" (Wood, 1988:14), the labor migration enforced by the colonial system did not make things easier for women if Africa. Men were sucked into the urban centers in search of jobs. A lot has been written on the marginalisation of women from the developments brought in by modernity. Women were left to take care of the agricultural activities on the poor soils in the rural areas. Yet despite the fact that even in post-colonial Africa peasant agricultural production depends on women’s labor, this fact is neither legally nor economically recognized. While the black man was being exploited by the colonial master, the black woman was being exploited by both the colonial master and the black man. This point is now being recognized as another major source of social division in the African context. Women’s mobilisation around this issue has reached a stage where they are beginning to

assimilate the male language of force and violence since it is the language that the patriarchal society has been speaking to them for a long time.4

The history of African societies has, for many years now, been a history of social conflicts. Struggle has become a culture particularly of Southern Africa. Just as Jonathan Glover has pointed out, "As individuals we shape each other by doing things together, sharing experiences and talking about things together" (Glover, 1995 : 138), in Southern Africa we have done so but we have also shaped ourselves and each other by fighting, by excluding and marginalising each other. We have created identities, concepts, theories, institutions and mentalities that reflect our struggles against each other. Thus we work more according to the logic of war than that of peace. The few experiments with peace are constantly being frustrated by the stronger forces of war. We are guided by the values of courage, heroism and victory against the enemy. Writing about Zimbabwe, Sithole concludes the following about the inherited political culture:

. . . repression, like many bad things, is habit-forming. There is the real danger in post-independence Zimbabwe that . . . the good life and democratic values for which the nationalist struggle was fought might begin to fade from memory and be replaced by a culture of authoritarian rule and violence. Moreover those involved in prolonged violence are eventually forced to develop a stake in it. Once this happens, there is no end in sight, much like the situation in Northern Ireland and Lebanon. Herein lies the danger for the development of democracy in societies that allow themselves to resort to protracted armed struggles in settling political disputes. (Sithole, 1988 : 241)

Thus the concept of civil society must be understood within this context of these deeply divided African societies. There are fundamental value differences among groups, organizations and individuals whole consciousness was created during the colonial and post-colonial period. Any concept of civil society that over-emphasizes the freedom of identities and groups formed and crystallized during the period of struggles and ignores the character of those identities, runs the danger of destroying the possibilities for democracy through uninformed good intentions. Civil society can simply be a battleground for different social forces if nothing is said about the kind of voluntary organizations that ought to be allowed to grow. The concept of civil society, as it has been introduced in the African political environment has this defect of being simply inadequate to resolve the issues. The concept in fact can be seen as helping intensify the tensions in the sense that to introduce a concept which calls for the limitation of the powers of governments which are struggling to control some negative forces in their societies appears to be taking the side of those forces challenging governments especially when those forces in tension with government use the language of civil society. The difficult problem faced by many African societies is that the African governments themselves have historically not proved to be reliable yet they are needed to help curtail, direct, or even ban those parts of civil society that prove dangerous to the rest of the society. For example, there is no doubt that the governments are needed to deal with the injustices involving the way in which the land has been distributed in many African societies. We need to recreate and encourage our governments to be more democratic and aim at genuine human flourishing so that they can help direct the goals of our private organizations and groups without necessarily suffocating them. We must seriously look into the kinds of values that are being taught or encouraged in schools, work places, recreational activities and other areas of our lives.

Conceptualizing Civil Society

As pointed out above, "civil society" has been characterized as aiming *for* the expansion of the active participation of citizens: it should aim *at* challenging authoritarianism and allowing the free development of voluntary organizations. Confirming this use of the concept, John Keane writes:

In the most abstract sense, civil society can be conceived as an aggregate of institutions whose members are engaged primarily in a complex of non-state activities - economic and cultural production, household life and voluntary associations - and who in this way preserve and transform their identity by exercising all sorts of pressures of controls upon state institutions. (Keane, 1988 : 14)

This way of conceptualizing civil society is not as abstract as Keane thinks. It reflects hostility to the state and is obviously informed by a spirit of hostility towards those societies which have tried to use states to organize society and to resist market-based economies. Thus it comes from a particular historical context. As Seligman points out, ". . . it is to a large extent only in the wake of the recent transformations of East European politics and society that the idea of civil society has once again gained currency among wider sectors of the academic, professional, and reading public." (Seligman, 1992 : 4)

Among the contemporary demands for the establishment of civil society is the demand that the distinction between the state and civil society be guaranteed. Civil society is seen as good by its very nature since it is seen as an instrument for the realization of democracy. Civil society is seen as an end in itself and not something to be overcome at some point as Hegel thought. For Hegel, civil society was a "moment" based on self-interest leading to a higher "moment," the state which would resolve all the particularity of civil society in the universality of the political state. For both Hegel and Marx, civil society would be overcome by a more ideal society.

Hegel's whole analysis of civil society turns in fact on the overcoming of the contradictory *desiderata* of particular interest and so the realization of the ethical life through its embodiment in a universal framework, which begins but does not end with the sphere of civil society. (Seligman, 1992 : 48)

The reasons which have been given for the desirability of civil society indicated above do not suggest that civil society needs to be somehow overcome. Civil society is understood as a facility to allow individuals and groups to realize themselves without interference. A more adequate view is one which requires that private individuals and groups be guided by some basic concept of the good society. One useful way of reading all this is that civil society should be understood as addressing the problem of how self-conscious individuals could freely develop their capacities and realize themselves while at the same time creating and re-creating values, practices and institutions that make up communities which will in turn provide environments for those who come after to also realize themselves. In Africa, the problem of civil society could be seen by philosophers as the problem of identifying some ethical system and the institutional requirements for the establishment of democratic practices.

Who Belongs and to What?

Civil society is generally understood to be concerned with individuals with personal goals and life-plans and projects. However, these goals and life-plans as well as the values and characters of

those individuals are usually informed and made available by the communities into which these individuals are born. Thus individuals in civil society should not be understood in atomistic terms although they must be recognized as individuals. Yet this is not to say that the norms and values of society demand unreflective commitment. Individuals ought to be recognized as capable of reflecting or even challenging social values. Society is the source of morality in the sense that ethical obligations arise within it. But society itself is not the end of morality. The goals of human action are the individual subjects in society. Explaining this point, Walton says:

the community constitutes a medium which is drawn upon by individuals, which is a source of their obligations and which is reconstituted through their use of it. The community stands, analogously, in relation to the individual in much the same way as the rules and the conventions of language stand in relation to particular statements; the rules and conventions of language do not determine what one says, but they are conditions of intelligibility and standards of excellence which are, in addition, transformed in being used. (Walton, 1984 : 251)

To follow social norms is at the same time to recreate them. In the process of re-creating social norms human beings have opportunities to re-create them in unique ways. We remake history in the process of enhancing its "birth pangs." But before we discuss the re-creation of societies in detail, we need to look into the nature of communities to which individuals belong.

The question that comes to mind is what "community" could possibly mean. In the African context, it is always difficult to be clear about this problem of belonging. Many white people in Southern Africa do not feel comfortable to be called African. They see themselves as Europeans. But when they visit Europe they do not feel at home either. So there is a sense in which they also do not belong to Europe. Those whites who make an effort to identify with Africa have cultural and historical obstacles in their way.

African countries were arbitrarily created at the Berlin Conference. Most national boundaries forced different ethnic groups to live together as belonging to each other. Many groups were split by these boundaries. The situation was made more complex by migrations before and after colonial rule. In the case of Zimbabwe, the Ndebele in many ways do not feel they belong to Zimbabwe as much as the Shona. It is also true of the smaller migrant communities which originated from what are now Zambia, Malawi and Mozambique. South Africa, because of its extensive gold mines, has even more and bigger migrant communities. Sometimes these migrant communities are made to feel they do not belong. This is the case in Zambia where Chiluba is attempting to redefine the question of who belongs to Zambia. First generation migrants to Zambia are being told they do not really belong to Zambia. Communities which are made to feel they do not belong to a particular community either attempt to assimilate or look for other ways of belonging. For example, since *apartheid* was dismantled in South Africa, some Ndebeles in Zimbabwe have increased their efforts to reclaim their connections with ethnic groups in South Africa.

There are signs that even among the Shona, differences are beginning to be emphasized more than commonalities. During the liberation struggle, with the perceived threat from the colonial regime and from the Ndebele, the Shona tended to be more united than they had ever been since (about) ten years after independence. I say this with an awareness of Sithole’s account of the struggles between the Shona groups themselves during the liberation struggles. Splits between the Karanga, Zezuru, Manyika, Rozwi and Ndau have been more and more visible during local and national elections.

Created Communities

If we treat the question of belonging as metaphysically given, and in an essentialist way, we may not be able to deal with it adequately. Whatever it is people belong to is historically and contingently created. But this is not to say that it is not important. It is only to realize, as pointed out above, that just as communities create our being, we also participate in creating our communities. We create our communities by the way we describe them, by the way we describe ourselves and others and of course through our practices and institutions.

In talking about civil society in Africa, we are really talking about, in large part, a society in its institutional form, and the consciousness and social practices that ought to be. What exists presently are largely uncoordinated spaces and practices that may provide the bases of a positive civil society. The ultimate nature of the civil society which will be created depends on the character of these spaces and the forces that are likely to occupy them, given the different motivations for the support of civil society we have pointed out above. For example, trade unions, private organizations and voluntary associations have been formed and are operating in various ways. But it is not clear or obvious that each one of these institutions, voluntary organizations, associations, and church communities has a positive relationship with the goals of civil society,—the goals of the good life, freedom, or the equal and active participation of citizens. There is no obvious connection between life and freedom on the one hand and the local practices and goals of private individuals on the other. Each defines and fights for its own good without caring about the impact of its activities on others. It would be interesting to find out how many black people have seriously thought about what whites in Africa really feel about their situation. It would also be fascinating to find out how many white people have thought seriously about the conditions in the rural areas of Africa. Have those who consider themselves Shona considered what it means to be "Mubvakure"?5 It is obvious that the majority of men do not want to know what it means to be an African woman in the world.

Professor McLean tries to take care of this problem by arguing that there is a distinction between the British Empiricist approach and the rationalist approach to the search for goals. (McLean, 1996:13-27). In the empiricist approach communities follow their first-order desires. In the rationalist approach, there is an attempt to think about what desires to have and which ones to control or deny fulfillment. With this, the rationalist approach asks about what sort of person, or community or organization one ought to be. There is room in this scenario as opposed to the empiricist case, to think about what sort of relationships with others should be encouraged. Yet because there is emphasis on self-fulfillment, or active participation, there is no guarantee that the different values which different communities have will be synthesized in a way that avoids violent clashes or suppression of some by others. The good appears to the different voluntary organizations, communities and associations differently. For example, how can we reconcile the needs of private capital and of the trade unions; those of indigenous business people and of the white business people who benefited from colonial rule?

Ironically, in Zimbabwe, as the state withdraws either voluntarily or because of the IMF and the World Bank from regulating the operations of the economic institutions and labour, more and more areas of struggle are being exposed. For instance the fight between the Zimbabwean churches and new voluntary organizations like the Gays and Lesbian Association of Zimbabwe, or the movement for the support of the right to die, is imminent. The women's movement has been mobilizing very strongly against the patriarchal structures of African and colonial societies and

defenders of these structures have been awakened from their slumber with sharpened daggers in the name of cultural authenticity.

National institutions are also being weakened by the splits which are a result of people wanting to work more for their local communities than for the national goals. What is tragic is that people will want to acquire powerful national positions which they will then use for their local if not personal goals. Thus the return to the local has begun to bring splits between groups which were once generally united. For example, the Shona groups are now beginning to think in terms of whether one is Karanga, Zezuru, Manyika or Korekore. These developments have been seen even in the way the ruling party is troubled with dissenting voices. We are reaching a stage where party nominations for election candidates are almost always opportunities for fighting sometimes even violently as in the case of the Sanningdale constituency.6 These splits, particularly the ones which involve tribal differences, are in danger of undermining originally national institutions such as the University of Zimbabwe, and the Major Seminary of the Catholic Church as well as something as simple as the National Soccer team.

Civil Society as Free Trade

We have seen that the concept of 'civil society' can be looked at as aiming to force the ruling party and government to open up areas for the introduction of—and creating free space for—the operations of private capital either foreign or local. In Zimbabwe, this has meant the repealing of all those rules and regulations established to protect workers and citizens. While capitalist enterprises feel freer because of these developments, workers are now feeling the pinch as many of them begin to lose their jobs, or feel insecure on the job, and unemployment figures rise. The question then is how to reconcile the interests, the values of capitalism which include efficiency, accountability and monetary value with other social values of community and sociability?

It is also very difficult to see how—if we understand civil society as "free trade"—it can be seen as directed towards the good life of the local people. The concept of "free trade" is also used by those who want to live and work in Zimbabwe but do not want to see themselves as Zimbabwean. Their contribution to the development of Zimbabwe is only incidental and yet they, in many ways, feel less alienated from Zimbabwe than those who feel they should belong to it.

'Civil Society' as Reduction of the State's Activities

When African governments gained power from the colonialists, they were enthusiastic to monopolize power. But with their failure to provide adequate health, education, roads, employment, etc., many people began to feel that they did not need to wait for government to do things for them. People began to organize themselves to create jobs for themselves, build their own schools, etc. Non-governmental organizations which have given money to African governments have been disappointed by the ways in which that money has been used. Because some of them still want to make their contributions to the local communities, they are looking for ways of helping those communities without having to deal with the governments. Although this has been in many ways a very positive development, there does not seem to be any guarantee that all non-governmental organizations will be genuine. Some unscrupulous organizations have come to Africa on the pretext of being 'help-organizations'. In any case, when local people began to create jobs for themselves, they were not saying that they no longer needed the government. They wanted the government to complement their efforts. There is no way in which the rural African people

could build their own roads, bridges and dams without the active participation of the governments. When people demonstrated or expressed disapproval of African governments it is not the idea of government they object to but the type of governments that came into being after independence.

Future Prospects

The 'civil society' that we have characterized in this paper is ethically *unsuitable* for African political and social organization. What is more urgently needed is for something to be done about the deep divisions that characterize African political and social practice. We in Southern African societies have developed ways of looking at ourselves which undermine efforts to live harmoniously with others. We have created narratives about ourselves which are exclusive of others as possible human partners in social and political development. We think in stereotypes. The logic of war demands that we think that way and that we take sides—that we *belong* somewhere. Our language and practices become those of attacking what we perceive as our enemies, languages and practices of courage and victory, of hatred and condemnation. We have created institutions of suspicion and surveillance. But no two communities which continue to use the language and values of war can integrate themselves into one community. For civil society to be a healthy realm for human participatory development we must revise our 'exclusivist' narratives. We must go beyond the language and values of war and understand our societies with new mentalities and orientation. It is in this area that research into values will be of fundamental importance. This research will be able to help and inform us as we write and rewrite our histories and as we orient ourselves towards future developments. Philosophers, in collaboration with researchers in the humanities will be of *much* relevance in this endeavor. Realization of this point has implications for the organization of our schools and university curricula. The marginalization of the humanities, especially the study of values and cultures, in our educational institutions must be one of the worst mistakes that governments in Africa have ever made. Our hope may be in the correction of this mistake.

Many African countries, because of the history of how they were formed, are not viable economic or political entities. It is therefore not surprising that the people living under the arbitrarily created boundaries tend to fight with each other. African leaders have not seriously posed the question whether the African borders which were *arbitrarily* created should be retained. Many of the problems that haunt Africans are simply a result of there being less social goods than are adequate to share among members of communities. There are less goods because the communities were not created on the basis of economic viability. The reason why groups have a tendency to feel more attached to their own ethnicities than the national state and to do so in ways that antagonize other groups may be their realization that the national state is *weak* and therefore can do nothing for them. The 'national state' does not even give them a pride in belonging to it. Much more useful would be if some of these non-viable "nations" could be joined together to create more economically viable entities to which people would be prouder to belong.

The above suggestion needs to be considered. However, the attempt to implement such a program may create more problems than it could solve. The alternative is the promotion of regional co-operation which is geared to undermining the emphasis on meaningless "national" uniqueness.

Lastly, no healthy civil society in Africa can survive if it is dominated by outside powers,—economic, political or cultural. The project suggested by Nussbaum and Sen ought to be implemented on a global level so that the efforts of African societies are no longer undermined by outside forces.

Notes

1. A useful explanation of Nussbaum's and Sen's position is given by David A. Crocker, "Functioning and Capability: The Foundations of Sen's and Nussbaum's Development Ethic," *Political Theory*, vol.20, No.4 (November 1992). Part II of this paper is published in Nussbaum and Glover (eds.), *Women, Culture and Development*, 1995.

2. The concept of "palaver" has been used to describe traditional African culture as based on continuous dialogue between members of the community. There is no distinct institution that is identified as a palaver. But it is the expression in public meetings such as the traditional court, as well as small private meetings, of this continuous dialogue which must lead to some consensus.

3. Whereas under colonialism, blacks were forced out of the public sphere and were relegated to poverty, the whites in the post-colonial period are choosing to go "underground" where they can enjoy their "right to private property."

4. It is only recently, at least in Africa, that the violence (physical and psychological) against women in both traditional and modern society, is being researched. Some men are responding to this enlightenment with an escalation of violence.

5. "Mubvakure" literally means "one who comes from afar." The term is usually used with contempt.

6. This is an electoral constituency in which an individual, Margaret Dongo, challenged the official Zanu PF candidate. She was expelled from the party. But she was able to win the seat in parliament. The violence that took place between the supporters of the different functions is an indication of the political culture which still informs the politics in Zimbabwe.

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Chapter XII

Between Two Circles: "Host" as Metaphor of Identity in the Languages of Inclusion and Exclusion

Rosemary Winslow

When a stranger sojourns with you in your land, you shall not do him wrong. The stranger who sojourns with you shall be to you as the native among you, and you shall love him as yourself" (Leviticus 19:33-34)

I was a stranger and you took me in" (Matthew 25:3 5)

Logan Circle's long support for. . . programs to serve the poor may prove to be its undoing, as we become the favorite "host" neighborhood. (Connie Maffin, President, Logan Circle Neighborhood Association)

Defining homelessness is an ethical and political act, not just an analytic one. (Berlin and McAllister, *Brookings Review*)

The scene, today: Downtown Washington, D.C., two traffic circles linked by one long block of Vermont Avenue that boasts Mercedes and mostly elegant upper middle class townhouses. A small church and the Mary McLeod Bethune Houses, both brownstones nestle unobstrusively among them. On the northeastern end of this block is Logan Circle, a neat, grassy park perimetered by once (and future?)-elegant townhomes and apartment houses three to eight stories in height, half of them boarded up. At the other end of the block is N Street, where an eight-story building, under construction, stretches west to 14th Street. It will house at low rental rates for a one-year limit families who are making the transition from homelessness back into the class of working poor. On either end of this block are apartment houses ranging from eight to twelve stories. On the south side rises the back of the large nineteenth century buildings of Luther Place Memorial Church, which occupy the entire triangular block, fronting on Thomas Circle and extending between Vermont and 14th to N. The site of the transitional housing construction used to be the church parking lot. Except for another large church on an adjacent arc of the traffic circle, the area surrounding the church is largely devoted to high-rise hotels and apartment living space, edging the business district on the west and south. Surrounding Thomas Circle to the north, between and beyond Logan Circle, is a mix of run-down, boarded-up, and elegant homes, interspersed with small businesses that serve the daily household needs of residents.

In large part, identities are drawn from location: physical, historical, and relational. It is language that mediates between these aspects, specifying the meaning of who we are with respect to our location. By way of language, the physical nature of the spaces we inhabit is imbued with meaning and value always subjectively. We can only see on our own terms, but this does not mean we are locked into certain ways of seeing. It is possible to change the terms. And the view.

One of the great values of creative writers to a culture is that they open up new potentials in the language they use. That it is possible for a group of people to formulate and use—hence see and live by—a new language is a matter of the record of history and needs no argument. What I want to pursue here is the study of a single case in which a new formulation emerged in one group

that ultimately clashed with a neighboring group in the same society. I am interested in how the languages developed, how they functioned to include and exclude, what causes communication to proceed and break down. From a close study of the nature and use of the language of identity in this one case, we can come, perhaps, a bit closer to understanding what happens in general.

People use language to tell themselves, and others, who they are. Language gives meaning to place, circumstance, fact: not altering the reality of these, but interpreting these according to the points of view language makes available. Thus we see the world in terms of ourselves, as in some way related to our stances—our positions—in it. We know ourselves by our ties, our lines of meaningful connection. The lines of identity that language draws are necessarily grounded in part in the physical locality occupied—"we" are the people who inhabit this space. Those who are outside of it are not "us." The inclusonary and exclusionary use of language draw circles that serve to bind in solidarity and to protect. And as in all its instances, language which specifies identity is partly bound and partly free: the resources of a particular language (*langue*) makes available to its speakers a variety of points of view, and from this array speakers may choose, as I have elaborated elsewhere, following a large body of theory and research in linguistics. Times of crisis may provide the occasion for developing new points of view, perhaps spurred by the necessity for individual or group survival. Language is constantly changing, helped along most rapidly when there is contact with a group using another language. Where language is the same and where it is different helps to tell us where we belong. Where we share a language, we are less distinct.1 Within the same linguistic community, metaphors are the chief means by which deep, often tacit, values and beliefs are held; the metaphors we live by distinguish who belongs to these communities of value (Lakoff and Johnson).

When two circles using clashing metaphors overlap, efforts to communicate toward reaching consensus will at some point be hindered by the circumscribing of each group's identificatory metaphoric ground.2 When decisions have to be made as to how to deal with a situation that affects both circles, the clash of perspectives may inhibit or forestall reaching consensus. When metaphors grounding the points of view are, or arise from, those of the core identity, the advantage of the core metaphor—to advance dialogue, ground dialectic, and guide praxis within a group—becomes a hindrance in attempting to reconcile differences across group- boundaries. In instances where the ground of understanding is not held in common, dialogue will be troubled, dialectic impossible, praxis different: there is talk "at" but not "with," and an agreement as to taking action cannot be reached through talk. The terms of truth, value, and belief can be neither clarified nor reinterpreted without a shared base of belief as to truth and value.

In the case of the two groups defined by the two traffic circles, group identity formed and became polarized around different senses of the metaphor "host." The congregation of Luther Place Memorial Church emerged in the late 1960s into a new identity guided by a vision whose central concept was hosting the stranger. The vision was a response to the crisis of increasing street crime and numbers of homeless outside the church building. In the mid-1970s, the Logan Circle Neighborhood Association formed in response to the same crisis; but its vision was to bring the neighborhood back to its previous middle class status—which meant attracting and keeping a population who could and would repair and maintain the properties—for reasons of safety, aesthetics, and economics.

At the heart of difference in vision was a belief and value regarding fear, which was figured in praxis according to the host metaphor. In the Luther Place version, fear was to be overcome with trust—the stranger was to be welcomed inside and given rest and replenishment. In the Logan Circle version, fear remained in place, seen as a protective value. The homeless were considered

as parasites on the "host" of the neighborhood, as the president of the Association has put it (Maffin, col. 3). Following the biological sense of the metaphor, the homeless were regarded as a destructive presence, feeding on its resources, threatening the health and safety of the host, perhaps its very life (Maffin; Goodstein; "Boarding House"). This view has existed in the popular imagination for at least the past two decades, certainly in large cities, which have had to cope with a sudden increase in the numbers of homeless people beginning in the mid-60s with the emptying of mental hospitals (Goodstein; De Witt; Dear). Recent research contradicting this belief (Dear; Snow, Baker, and Anderson; Fisher; Berlin and McAllister) has had no effect on popular attitudes. Such research, though available, did not enter into arguments made by the Logan Circle group. If it had, it would have destroyed the concept of the neighborhood as one of host to parasite. If fact, some research demonstrates that not only is violent crime not related to homelessness but that property values do not fall, and actually sometimes rise as a result of well-run shelters coming into an area (Dear). The point of contention that began in 1990 was the proposed building of the transitional housing structure: Luther Place planned to go the limit of height permitted in the District (approximately eleven to twelve stories) in order to house as many people as possible. Logan Circle objected on the grounds that the building was out of character for the neighborhood, even though eight and twelve story apartment buildings existed on both ends of the block. The building was consistently viewed as presenting a grave danger to the character of the community, though research results predicted a positive effect, if there was any at all.

That the metaphor is held in place despite reliable evidence that contradict it is a testament to fear, understood complexly as entering physical, psychological and identificatory levels. Holding to a particular metaphor means staying in the same frame of reference; letting an identificatory metaphor go represents a threat to the self and initiates a journey of self-examination and re-, or new, discovery of identity. Metaphors order what might otherwise be seen and experienced as chaotic. In order to see how metaphors of new identity can emerge and guide both a group and its individuals, I will turn now to the development of the host metaphor at Luther Place.

The historical scene. Go into the church on any Sunday morning and you can read the weekly bulletin proclaim Luther Place's founding after the War Between the States as a symbol for healing North and South. In the 1870s, Thomas Circle was the edge of the suburbs; countryside with farms stretched north, through Logan Circle and beyond. By the last decade of the century, both circles and their environs were built up with middle class homes, ranging from small and serviceable to large, ornate, and well-appointed. By the 1950s, their middle class owners began to leave for the then newly-emerging suburbs outside the city. 1968 saw rioting and burning nearby, a few blocks north on 14th Street. Before and after this upheaval, the area was noisy and unsafe, teeming with drug traffickers, prostitutes, and homeless. Many homes were empty, serving to attract those who had little or nothing in the way of economic resources. Some of the homeless had had homes in the neighborhood, and continued to reside there, though unhoused.

Early Sunday mornings you could have witnessed church members policing the lawns and walks around Luther Place for needles, broken bottles, and condoms, hundreds scattered during the weekend activities. Nightly, you would find dozens of people sleeping on the grounds and steps while others plied their illegal trades among them.

These conditions constituted a crisis, an unacceptable situation, a point at which a decisive action was judged necessary if the church was to continue to exist. Lengthy deliberation ensued; though too extensive to detail here, the result was a decision to open the doors of the church at night to shelter and feed within its walls those who were sleeping unhoused and unfed outside. This letting of the outsider into the space for rest and replenishment was initially based on the text

of the seven acts of mercy, especially Matthew 25:3 5: "I was a stranger and you took me in" (in modern translations, "welcomed me") (Steinbruck, April 17).

The traditional interpretation of this rule of treating those in need as if they were Jesus sustained the first dozen years of service work. In the early 1980s, the church sanctuary was overflowing into hallways and other available spaces as refugees from the wars in El Salvador added large numbers to the city's own homeless. During a town meeting of the church membership, the pastor, Rev. John Steinbruck, argued that there were no "illegal" people in the biblical theology—only travellers and sojourners. By this time, passages in the New Testament such as the one in Matthew were being seen in light of Old Testament hospitality practice, as expressed and transmitted through such passages as the one from Leviticus in the epigraph of this paper, and narratives like the visit by two angels disguised as strangers to Abraham and Sarah (Genesis 18). Jesus was seen as the archetypal homeless one, a journeyer, born in a stable, who renounced the stability of home and livelihood to travel the countryside bearing the message of his ministry (Steinbruck, April 28, 1996).

A role for the Church as welcomer of the stranger was being developed from the late 60s on by theologians in response to contemporary social conditions. The most influential of these on Luther Place was Henry Nouwen, who, in his first book on the subject, published in 1971, draws on Old and New Testament hospitality practice. He sees the church's identity as that of a "people of faith" who overcome their fear through trust in God to be "witnesses to love" by welcoming the sojourner. The practice entails a double-edged tension. The stranger might be a murderer or a thief. On the other hand he might be in disguise—God or an angel, a gift-bringer (as in the encounter and wrestling with Jacob, or the visit to Abraham and Sarah). This idea was held generally through the Mediterranean region; for instance, one can see the hospitality practice of the Greek peoples laid out in Homer's *Odyssey*. Following Nouwen's thinking, Luther Place deepened its concept as "people of faith" in contemporary times who hosted the homeless as stranger, who in turn were viewed as offering a potential gift to the community as a whole and its members individually. The gift was termed "salvation"—a reminder that all human beings are sojourners on the earth, which is a temporary home given, not earned, as life itself is merely, importantly, given. Bringing the stranger in for rest and replenishment was viewed as a modest return of mercy, of which a much greater measure had been, and continued to be, meted to some but due to all. The gift was seen as the opportunity for salvation from spiritual pride, and the opportunity to act on the responsibility to the neighbor mandated to the Hebrew people first, later to the Christian community through Jesus's repeated reiteration of the mandate. More specifically the crisis outside the church doors meant that the congregation had to "face its racism" and "middle-classicism," its tendency to be "in love with itself, full of itself, bent on itself' (Steinbruck, April 1 7 and 28, 1996)). The immediate crisis thus served to bring to the surface a heretofore unacknowledged disjunction between actual and ideal valuing of human beings. The recognition and acknowledgement of the greater spiritual problem brought forward from under the immediate physical and psychological crisis served to enable the community not only to tolerate but to welcome the difficult tension of its flooded sanctuary. The "guests" became a "gift"; the "problem" became a "solution."

The entailment of this unstable hierarchy in the host/guest relationship was itself viewed through the metaphor as of value; the host could become the guest in virtue of his receiving a gift, the guest became the host in virtue of his very presence inside the community, which is regarded as a gift. The hierarchy of insider/outsider, "have"/"have not" is not destroyed; rather, there is a shifting back and forth so that giving and receiving may occur on both sides, and for the duration of the relationship. This insures that the frame of reference is never closed; it remains open to the

search for gift exchange. In this context, the church-as-host receives gifts on the level of the spiritual: in practice, the benefits additionally arrive in the emotional and psychological areas since those involved in this practice of hospitality open themselves to acquiring for themselves a new life-practice, which can only be gotten through experience. I have described this process of coming to know in terms of my own involvement in it (Winslow, in *Civil Society and Social Reconstruction*), and how literary reading and writing can impel an opening of viewpoints in a similar way (Winslow, "Style As Paradigm"; Winslow, *Civil Society and Social Reconstruction*). Knowledge of life-practice is too complex to be laid out in conceptual terms; indeed, all of its knowing cannot even be captured in linguistic terms, which is why metaphor is so important—it can get closer than any other means, especially as extensively presented and represented in works of art. Conceptualization of life-practice cannot be accomplished, except on severely reductive terms. Understanding remains severely limited to such an extent that it can hardly be recognized as understanding at all.3 Rather, concepts can bring us to the door of a new perspective; only living them ushers in fuller knowledge of them. To return to the point above: the "host" metaphor thus opened to the community a direction for proceeding with a new identity, one drawn from Biblical history and extended into the present and future, one which re-enabled the inclusion of the outsider, one which has an inherent creative openness to permit a grounding for dealing with future crises and decisions. The instability in the metaphor fit the newly valued instability suffered by the community by living out its metaphor. What had been a threat and detriment was transformed through the vision of the host metaphor to an invaluable asset.

And it is exactly this instability, requiring opening the eyes to see beyond already-known perspectives, that makes it difficult to live out. And the fact that the new perspectives cannot be seen except in the living out—that those not in the perspective cannot share the terms of definition—means that communication cannot proceed outside the cirlce along the lines of arguments that derive from this version of the host metaphor. As the Logan Circle Neighborhood Association's vision for the community desired to at least limit the numbers of homeless in its self-defined territory, which overlapped with Luther Place's, its terms of exclusion seized the biological version of the metaphor, punning on it as it threw it back at the Church membership (Maflin, see epigraph above). This parodic rhetorical act serves to define the major reason for solidarity within its own community; its basis for existing as a group is to resist whatever is believed by the majority to constitute a threat to it and to promote whatever is seen as a good. At the same time, the act serves to signal the breakdown of dialogue between the two groups and to recognize the stand-off as existent in the clashing complex of values gathered into and symbolized by the metaphor. The use of the same word but different, opposing senses, functions rhetorically to mask the differences by presenting an illusion that the same terms are being employed.

But before the breakdown in communication occurred, the two circles lived peaceably next to each other, if not entirely easily. Each held its own vision, and lived it out on its own terms. The clash was spurred by the Church's acquisition in 1990, after ten years of work, of a $5 million dollar grant, federal line-item budget money to be administered through the Department of Housing and Urban Development, toward the building of a $7 million eleven-story transitional housing structure along the block of N Street behind the church on the site of its parking lot. It was the increase in the numbers of homeless that was at issue, an advancement of the perceived threat further into the territory considered by the Association to belong to Logan Circle. One of the benefits of language is that two groups of people can try to work out their differences in discourse instead of erupting into violence or solidifying positions into cold war, which is a state of being inherently and unstably on the edge of eruption. Initial discourse exchanges were brief; there could

be no consensus for the reasons described above: the grounding metaphors of the groups' respective identities could not support dialogue because the languages developed from different (the metaphoric) starting points.

If a chief benefit of language is its potential as a channel for resolving differences, another chief benefit is that language makes possible the system of laws and courts in a democracy, the potential for recourse when differences remain unresolved. At this time, a practice of neighborhood associations' filing complaints of zoning violations against organizations that operated shelters had begun nationwide (Dear). Tactics replaced attempts at dialogue as associations began to ask that shelters be reclassified from "boarding houses" to Community-Based Residences Facilities (CBRFs). I will not go into the rise of these facilities as they came to be defined legally, nor the fines levied against Luther Place on existing shelters with legal permits; what I want to point out is that the move of the contention into the system of laws changes the arena and terms of discussion. As Gadamer has pointed out (see McCarthy's discussion, 170), decisions made by entities charged with carrying out or interpreting law must base their judgments on the canonical texts' claims to truth and meaning. Statements made within the civil group or exchanged between the groups were derived from definitions of identity grounded in the metaphor that encapsulates the group values and beliefs. Statements made with respect to legal matters must originate in and proceed from the meanings of language encoded in and from the procedures for interpreting legal texts. The arena is no longer the "two circles," which are free to adopt and use their own identities and languages. The arena is now the shared one of the society of which the two circles are a part and which both have agreed, as part of the society as a whole, to accept as arbiter and safeguard of rights of those within its larger, encompassing circle. In this arena, dialectic moves along the definitions and according to procedures as these can be determined to be normative in their originary sense in the canonical texts and as reinterpreted in contemporary terms. Neither individual nor transcendental values have a bearing, except insofar as they intersect with the canonical (legal) text. The canonical text upholds traditional, normative values of the whole society. The aim of interpretation is "transmission, not the criticism, not the disinterested presentation of traditional beliefs and norms." New interpretations are "to be mediated with or applied to present circumstances" (McCarthy 229).

Thus, the origination of vision, that is point of view, begins in the traditional perspectives (values and beliefs) as encoded in authoritative texts. It is directed toward stability; its sights are set on maintaining the status quo. On the other hand, it is sensitive to changes in the society's understanding of its values and beliefs through reinterpretation of concepts in line with alterations in the concepts themselves. Its openness to crisis situations exists at this point: in the redefinition of terms along lines of reinterpretation of older concepts of what is true, good, and worthy (of value). The sense of stability through time is maintained, and with it the sense of identity of the whole social group as protecting and promoting the group welfare and rights along with the welfare and rights of its individual members and civil groups.

By contrast, the origination of vision in the two civil groups in this case is grounded in metaphors chosen by each respective group and shared neither by each other, nor by the society's canonical texts, nor even necessarily by the entire membership of each group. The response to crisis is oriented within the metaphors of identity, freely chosen, not encoded in canonical texts (Though Luther Place draws from its canonical texts, it does not argue canonically from them in this matter). This freedom itself confers more flexibility; but loss of stability is the price. The dilemma of the need for stability vs. the need for change in response to crisis is evident here. Civil groups can work to restrict or to extend perspectives on human freedoms and values as well as on

transcendent freedoms and values. The language of inclusion under study here extends transcendent valuing on human life, from the most basic rights to food, rest, and home to the most transcendent values of serving, courage in the face of fear, strength to persevere through difficulty, love, humility, mercy. The language of exclusion extends these values as general principles, but restricts them within mitigating circumstances of its orientation of perceiving the homeless as parasite. Thus the language it presents in court documents refers to homeless people in shelters as "clients—not "residents" of boarding houses, which is the language of sojourn.4 Social responsibility is accepted in general, but assigned to other neighborhoods.5 As all wards in the District of Columbia were claiming in 1992, the date at which the dispute went into the court system, that they were already overburdened—each claimed more than its fair share of CBRFs—the argument is a dead-end as far as discussing outside of the court system a "fair" solution.6 The very language of 'burden' indicates the opposite of transcendent valuing along the lines of socially responsible praxis. As a concept it appears to make sense; as an argument in a practical situation it does not provide a workable response.

Just as legislative systems sometimes mediate between rights of individuals and groups who cannot agree, the direction of flow can be reversed. Individuals and groups can function to challenge existing laws, or their interpretations. The documents filed in court by Luther Place reveal this function, though always the arguments are put in terms of the bases on existing law and legal precedent. In the larger arena of understanding in which the court arguments are written, the process of appeal to court is viewed as necessary to the identity of Luther Place as a "people of faith" in a biblical tradition of working for social justice.7 Within the documents filed in court, the language argues for the group's right (under the Religious Freedom Restoration Act of 1993) to practice its faith, which requires it to host the homeless. Though it cannot be argued directly to the court, the court action, as the action of hosting the homeless, is regarded as consonant with the church's identity as a producer of "creative tension" in the face of a system that treats some of the people over whom it has power with economic injustice, here understood as insufficient means to acquire food and housing (Steinbruck, April 17, 1996). Though the practice of "creation of tension" to bring about the non-violent correction of unjust laws was developed in the U.S. in the 1950s and 1960s by civil rights activists,8 its practice as incorporated into contemporary views of the Christian identity as host to the stranger was developed by Walter Brueggemann in the 1980s, published in book form in 1991, just as the Luther Place and Logan Circle groups prepared to take their dispute to court.

Brueggemann worked out an argument that the identity of the Christian Church, as an extension of Hebrew identity, had as its own fundamental identity not only the responsibility of hosting the stranger but of being the voice of objection to injustice and the place of socially transformative activity. He retrieves from textual scholarship an identity for the Hebrew people as originally a group of outsiders who banded together because they were outsiders and whose laws encoded an orienting identity as one of solidarity with and voice of all who found themselves as disempowered outsiders at the far edges of the hierarchy and economic benefits of a society. Following Moshe Greenberg's, and others, textual work on the etymology of the word "Hebrew" as located in *habiru,* Brueggeman argues for an identity of the Christian as solidarity with the outsider. The word *habiru* refers to an odd, hovering mass of unnamed humanity mentioned often in the texts of the 'insiders' as being at various times an inconvenience, a worry, and a serious threat. The *habiru* are the large mass of people who can find no right 'place' in the system, perhaps because they do not sufficiently conform, and perhaps because the community needs some outsiders for the menial functions of society. In the texts, the *habiru* are marginal people who in

good times did menial work, in war times might have been hired for cannon fodder, and in bad times lived by raids and terrorism, because they did not have any approved modes of access to land, power, or even food (291,92).

Haribu indicates outsider, its own root is thought to be ‘ahar’: to "cross over" (292). Brueggemann interprets the Hebrew as a group of people who belong nowhere and everywhere, who, having been set outside of inclusion in even the rights to the means of basic survival, are to set themselves against the political and socio-economic system which has made them and kept them marginal. The Hebrew are thus the archetypal outsider, the challenger of the property rights of insiders on grounds that the system has not provided for all its members, and in fact keeps outsiders around to do the society’s distasteful or dangerous work cheaply (292-94).

Identity as originally *habiru* places a people in solidarity with contemporary *habiru*—of whom homeless people, migrant workers, illegal immigrants working in sweatshops are some of the most marginalized of people within U.S. borders. It grounds identity as a host who was once as a people, and remains as a people, an outsider. To host the outsider is thus not only to return a measure of the mercy once given but also to be both guest and host simultaneously, a return home for the one who has no home. It is to return to the situational position of having to set oneself against the existing hierarchical system, which has not provided for all its people at all times. The host upsets the system, calling attention to its injustice and subverting economic structure by inviting the marginal population inside. The "subversion of insidedness" has three stages: (1) a cry of anguish and protest; (2) the answer to the cry by one who ‘hears and answers, who enters into powerful solidarity with the outsiders’; and (3) intervention by Yahweh, who confers a new status and identity as insider—here the Church as the place of Yahweh (Brueggemann 295-98). This "place" of God in the people of God is then a transformative space in which the present is seen as now and always unstable because its work entails the continual seeking and acting to advance the transformative community outward to cross the borders of communities that do not share its vision and practice of social justice.

Evaluating Spheres of Rhetoric: Metaphors. Dialectic, and Responsible Freedom

While it may seem an easy thing to assign this vision and practice—this hope and value—to a religious category and so confine it as separate from the vision and values of democratic political states, in fact it cannot be so confined. The development of Luther Place’s vision is seen by the congregation as in line with values encoded, even if then not so interpreted, during the democratic revolutions at the end of the eighteenth century. The Church is in the long line of those who work to advance social justice—the revolutionary heroes and the encoders of the original democratic vision into the Constitution, the abolitionists and women’s rights advocates of the nineteenth century, and the human rights activists throughout this century.

Sorting out the lived implications over two centuries of individuals’ rights to life, freedom, justice, truth, and the pursuit of happiness embodied in our national ideal terms is too large a task for this paper. Charles Taylor offers an analysis and critique of the terms’ lived embodiment as they have developed through the double-edged valuing of the indivdual over the past two centuries. But two points are important to the study here: (1) the struggle between the rights of the individual and the rights of the whole society, as represented and protected in law, and (2) absence of a shared language outside of legal texts with which to deliberate what the balance between the one and the whole should be and what it would look like. Where a civil group’s values coincide with those of the society which circumscribes it, agreement can be reached. Where a group’s values coincide

with values encoded in the laws of that society, they can be mediated in court when groups do not agree. When a value on the rights of all human individuals is the major thrust of that encoding, those on the margins are going to function to keep the balance righted against the infringement of individual rights to the extent that the group, or its official representatives, is considered able to survive and flourish when evaluating rights.

I propose borrowing this model of balancing individual, group, and society's rights as under the umbrella of human dignity and freedom of the individual for a model of evaluating rhetoric used within and between civil groups. Thinkers in the Athenian democracy first worked out descriptions of the nature, kinds, and uses of language as it existed in their society. Rhetoric was distrusted by Plato, as was most literature. Dialectic was for him the way to truth, and truth he considered to exist and to be knowable. The Sophists of course regarded certain truth as unknowable and valued rhetoric for various reasons, but among them, that city-states could get along better and avoid war if they could agree to disagree. It was Aristotle who, recognizing the need for rational decision-making in the realm of human affairs, placed rhetoric next to dialectic as its "counterpart." Rhetoric, which he further defined as "the power (*dunamis*) of determining the available means of persuasion," was necessary to the life of a democratic *polis*, in which decision and evaluations in the realm of human affairs—past, present, and future—were to be made after open deliberation by citizens. Part of rhetoric draw from logical reasoning, but part of it drew from what then was called "magic." While "magic" was not and did not mean the same thing then and as it does in contemporary American culture, it nevertheless operates, though in different forms. William A. Covino surveys briefly the history of rhetoric and magic and notes that Suzanne Langer lists it as part of her "inventory of human needs" (38; cited in Covino 25). Covino then combines Burkean and Baktinian theories to arrive at a view of what form "magic" in rhetoric takes in contemporary discourse. His work opens up a rationale and means for evaluating rhetoric on the basis of protecting and advancing human growth and freedom.

First Covino finds magic a tool, as is rhetoric; and like rhetoric, or any other power, it can be used for ill or good. Also like rhetoric, it can never leave the other with complete freedom: "magic is always coercive because it constitutes reality by decree" (27). But what it can be is a practice for achieving good ends. One of the goods it can be practiced in the service of, as Aristotle recognized, is free inquiry that moves to discover the best course of action to advance the good. Covino distinguishes between "true-correct magic" and "false-incorrect magic." "True-correct magic"[is] generative; enlarges the ground for action by the creation of choices; originates on the margins of mass culture; as critique [is] practiced as dialogue; results in integration. By contrast, "false-incorrect magic" [is] reductive; exploits the laws of motion by restriction of choices; originates in the center of mass culture; [is] practiced as inculcation results in adaptation (27). These features, of course, comprise a dichotomous set of criteria for promoting or short-circuiting free and open inquiry.

We could, then, evaluate the languages of inclusion and exclusion examined above in terms of these features. Metaphors lie in the realm of"magic" in this sense: they are paradigmatic—they are *paradeigma*, and thus hold an underlying complex of associations and potentially generative rules or directions for expansion of themselves. The *paradeigma* is one of the two forms of logical proofs that can be brought to bear in rhetoric. The other is the *enthymeme*, which is a reduced form of syllogism, providing the deductive reasoning of dialectic in the speech. We may judge a metaphor, then, by its capacity, or lack of it, to open up possibility, enlarge the ground of choice, engender productive dialogue, suggest creative change, and integrate opposing sides. In the case above, the rhetoric of inclusion moves in these directions, stirring the language of exclusion, which

has been drawn from the popular imagination—the mass culture—and desires as its end mere adaptation to the crisis—which here devalues certain human beings and their rights to even the most basic of life needs. Even the accepting of responsibility as a society, but not as a neighborhood, can be read in terms of these criteria as restrictive, adaptive, as mere rhetorical technique—a tactic—because there is no ensuing inquiry into the situation in the whole city, nor is there dialectical critique by the group of their own arguments.

Last Words

I have tried to show how languages of exclusion and inclusion both hold groups together internally and keep neighboring groups from reaching consensus when disagreements arise. As the groups' central metaphors serve to define group identity, and as arguments made during attempts to reach consensus are grounded ultimately in these same metaphors, when groups clash in areas that involve the core metaphors of identity, there can be no resolution. One group would have to relinquish its identifying metaphor.

Secondly, I have tried to trace, however briefly, the nature of one language of inclusion, pointing out the difficulties and advantages, particularly the far-reaching radicalness of the vision of inclusion and the instability that is entailed in a workable transformative social praxis. I think it is not an instability most would choose to live with, and perhaps it cannot he lived with by many for very long. Unless such a vision could be encoded in a system of law. Or unless people could and would learn to live out a life-practice of greater valuing of the outsider. The movement into life-practice suggests a solution, but unless a life-practice of inclusion is entered on and the going is sustained, it cannot be understood. So how then would one convince others to begin it? As concepts about democratic values, as all concepts of value, are empty until filled with experience (see e.g., Gadamer, Nussbaum), there is potentially much room for changed views (interpretations). But yet, the experience is necessary. It would contradict democratic valuing of freedom to coerce; indeed it contradicts the host/guest concept, which is an obligation, but not law. For a utopian vision to work in a free society, it must remain a vision, one perspective, or it risks becoming an oppressor. Yet, a vision and practice of socially responsible, free individuals is a good, a necessary part of societies whose stated values include as foundational the right of all to life and justice, to participation in the human flourishing of the society.

I have given but a small view of one case, one metaphor, one neighborhood. I do not know what implications there might be for other situations. The difficulties of working out a shared understanding seem to suggest that so much stands in the way of bringing about more just societies. In two previous papers, I have suggested that literature can provide an avenue in this direction because of its potential to take the reader through new experience and new epistemologies, preparing the ground for deeper and more complex insight into ethical problems. Because values can only be understood deeply if richly filled out with the viewer's experience, it seems to me that only a process model of life-practice will bridge the individual and the ideal. This would mean that the ideal itself must incorporate a vision of practice that will never be wholly figured. Or figured out. Or finished. Its metaphors of identity must remain open to new interpretation, capable of guiding new generations in unforeseen situations they will encounter. And these metaphors must be sufficiently stable, sufficiently deep in the historical traditions of a people to enable them to see themselves as continuous with the people who preceded them, of which they remain a part.

Notes

1. This claim can be warranted through any of several theoretical avenues available in the thought of linguistics, literary, and critical theories. Though the language of science remains largely unchanged, and of course the languages of mathematics are unaffected by natural languages, those languages by which we live construct our identities. Whereas we think, see, and live through the eyes made available by a language, we may share identity of how we see ourselves or we may differentiate identity from other ways of seeing. I have explored these relations at length in "Style As Paradigm." Also, the theoretical construct developed by Mikhail Bakhtin reveals ways in which human beings "become" their culture by necessarily absorbing, thinking in, and speaking the discourse of those around us. Our identity is largely cultural because through language we think and speak in the language that is not ours, that is shared, given before we were born. Our individual identity emerges in and to the extent that language enables each of us to create new words and arrangements of words continually, "freely," and "applied to new material, new conditions; [to] enter into inter-animating relationships with new contexts" (345, 46).

2. In the Rhetoric, Aristotle finds that, in successful speeches in his time, the grounding enthymemes from which the chain of all other arguments in a speech proceed are based in belief and opinion shared by the hearers. The construct developed by Kenneth Burke in *A Grammar of Motives* and *A Rhetoric of Motives* speaks more precisely to the grounding in key identificatory metaphors that are present in this case. He says that language systems create group identification around "God-terms," which serve to bind group members in an ideology. The terms provide orienting epistemologies—ways of seeing and knowing the world. Unless one is part of a group sharing of the "God-term," one does not have access to its epistemology, and there can be no movement of rhetoric toward persuasion or consensus as the starting ground is not shared. Unless one has "identification" with the group, Burke says, attempts at persuasion are futile. The metaphor of the "host" discussed here would be, for Burke, a "God-term."

3. As Thomas McCarthy explains, in a discussion of pitfalls of Jurgen Habermas's social theory, a view of life-events fully conceptuallized would be pure theory attempting an impossible closure on the future. Closure is however necessary in practice, as we need to project from our horizons, known through life-practice, in order to make the future (186). Martha Nussbaum has been foremost among philosophers arguing that this knowledge of life practice cannot be conceptualized, though it make be conceived to some extent through the richly detailed complexities of literature.

4. The use of "client" to refer to those in shelters seems to have arisen, and probably because of, the laws that created the term "Community-Based Residence Facility" in the early 1980s. The reclassification of temporary shelter structures as CBRFs enabled a reconceptualization of those housed in them along the lines of medical metaphor. The label of "client" for those without homes displaces the perspective on the situation from social, economic, and familial contexts into a context of illness. The problem becomes "theirs," not the society's.

5. Maffin. This acceptance-in-general but refusal-in-specific of responsibility appears through the news articles in quotations and as reference, with respect to the dispute between Luther Place and the Logan Circle Neighborhood Association. LCNA President Constance Maffin used the argument in her defense of the Association's actions (*Washington Business Journal*). The labeling is the standard one used nationwide (Dear).

6. "Amendments to the Comprehensive Plan," 2.

7. "Applications for Docket Nos."; "Civil Action No."; "Zoning Regulations and Complicane. . . ." Not written for court, but making a more lengthy argument along these lines is "Campaign for a New Community."

8. See for example Martin Luther King, Jr.'s treatment of the terms, drawing of Biblical authority, in "Letter from Birmingham Jail." The church had formally been engaged in civil rights work during this era. Activists' offices, including Dr. Benjamin Spock's, dotted Vermont Avenue between Thomas and Logan Circles.

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Chapter XIII

The Reconstruction of Civil Society: Principles, Process and Pedagogy of Community-Based Approaches to Ethnic Variety and Convergence

John A. Kromkowski

The American urban crisis and violence experienced during the 1960s establish the context from which the contemporary process of reconceptualizing and redefining the meanings of ethnicity and race must begin. The primary locus of this process is the frayed and shredded fabric of order in American cities, especially in the urban, ethnic and immigrant neighborhoods at the intersection of social, educational, economic and ideological change. The implications of these changes and the attendant increase in consciousness of ethnicity and race in America extended well beyond the immediate situation of educational curricula and school conflict. It reaches into community violence and the reconfiguration of isolation and separation of people. Violence and non-violent protest raised national consciousness to the persistence of exclusionary practices and divisions in housing education and employment. The turmoil that surrounded early attempts to end segregated schools massively influenced the classroom and school building ethos.1 Neighborhood succession induced by fear and unscrupulous panic peddlers accelerated the depopulation of urban areas. The pedagogical and human relations strategies that were designed to foster peaceful group relations usually included additions to the traditional curriculum of materials that addressed Negro history and counseling focused on universal respect and cooperation within the traditional Anglo-American conventions of professional consciousness and behavior. The inclusion by addition to this mono-ethnic educational program frequently focused on the singular victimization of the Negro experience.2 Other public approaches did not achieve community consent or consensus and thus exacerbated community relations.3 A backlash of hostility, strained relationships and fitful episodes of new community violence, isolation in schoolrooms and social co-curricular events as well as the continuation of larger economic and housing policies and the configuration of school age demographic produced an impasse for urban development and new modalities of residential fragmentation and pluralism.4

The inadequacy of this level of achievement on the personal level can be measured by employing Bank's typology5 of expanding ethnic identification. If one posits the mid-1950s as the beginning benchmark of a new era of black-white relations, then the following stages of expanding ethnic identification were obtained by the late 1960s.

* Ethnic Psychological Captivity—the internalization of negative societal beliefs about one's ethnic group;

* Ethnic Encapsulation—the practice of ethnic separatism and the attitude of ethnocentrism

* Ethnic Identity Clarification—acceptance of self and the clarification of attitudes toward one s own ethnic group;

* Biethnicity—the possession of attitudes, skills and the commitment needed to participate both within one's ethnic group and within another ethnic culture.

By the late 1970s it was clear that alternatives as well as additional social and political process would be required to widen the educational horizons so that they could become a vista from which the fuller variety of the 'America reality' could be seen and from which a pedagogy for pluralism could be fashioned. Before this level of institutional development could occur research into the experience and practice of pluralism at the personal and community level of informal learning would be needed. Such findings would lead to the development of strategies of institutional changes that would promote learning outcomes of the sort forecasted as the next stages of ethnic competence, what Banks calls:

* Multiethnicity and Reflective Nationalism—possession of reflective ethnic and national identification and the skills, attitudes and commitment to function within a range of ethnic and cultural groups within one's country;
* Globalism and Global Competency—possession of reflective and positive ethnic, national, and global identifications and the knowledge and skills and commitment needed to function within cultures throughout one's country and the world.

The need to rearticulate fuller matrices of pluralism without losing the importance of the fundamental remedies for racism of the sort that were encountered and institutionalized in the mentalities and practices of color consciousness and prejudice derived from slavery has not received the sustained attention it deserves. This gap and the magnitude of the tragedy of the era that began over three decades ago are intensified when its origins in the moral impulses of universal human claims to justice and its confident banner of social justice through integration are recalled.

The Civil Rights Movement was sustained by the outpouring of religious passion and secular arguments for universal rights and equal participation in the American polity and economy. No one should be denied because of invidious discrimination. The action of the Supreme Court to end school segregation in 1954, the Civil Rights Acts of 1964, the Immigration Reform Acts of 1965 embodied the open society of the liberal imagination and the American aspiration of the post World War II era. Thus reason and history espoused the freedom of all people and the end of discriminatory practices in domestic policy and the end of colonialism throughout the world. This vision of a free international order was shaken early on by the formation of new imperial conquests and dominations. The dream of an integrated society at home erupted with the revival of local group conflict that became especially searing to the entire nation as televised images of police action and civil disobedience as well as the violent world of urban conflict including widespread destruction, arson, and the emergence of ideologies of racial and ethnic hatred formed the consciousness of a generation. To be sure the political manipulation of ethnic and racial division was fostered at the highest levels of national leadership.6 The politicization in campaign appeals that preyed on the fears of people and revived the latent nativism of the American Know-Nothings and resurrected the KKK, rekindled xenophobic, and anti-Catholic and Anti-Union impulses of the past. A welter of additional strains to the shouts of cultural and generational change indicated a cultural storm that swept America. The upshot of such public policy and political rhetoric coupled to the division concerning foreign policy in Vietnam and the economic policy of de-industrialization tended to polarize ethnic and racial relations. Moreover, the institutionalization of racial and ethnic categories that began in the Nixon White House7 was completed by the Office of Management and Budget and published in Directive 15, 1977 which rigidified relationships among designated minority groups and the so-called white majority. And the meaning and efficacy of 'affirmative action' produced new tensions between Jewish-Americans and Blacks, Women and

Blacks, and the "Silent Majority" and "Special Interest." The divisiveness of such contentions devolved into the fragmenting of the founding vision of social justice and good relationships among the diverse populations that constituted the finest features of the American dream. This impasse in group relations and the trauma of violence remembered as well as the bitterness of suffering endured echoed in the fractured inter-racial, multi-ethnic coalitions that attempted to pick up the broken pieces of the dream of equality and integration.8

The consequences of twenty-five years of expanded immigration merged into these seething cauldrons of group conflict and competition. The urban arenas of race and ethnicity that existed throughout America took on many and various forms. This is not to say that all issues are racial and ethnic, but it would be quite appropriate and correct to suggest that in most contexts an ethnic factor hovers and shrouds the development and resolution of social, cultural, economic and political controversies. In some contexts these relationships periodically erupted in violence. In broadest outline this situation of submerged and then erupted conflict has continued into the 1980s and 1990s.

The accounts of daily papers, news and opinion magazines bear witness to the ongoing quandary.9 Race and ethnic relations are much more complex and nuanced than the problematic posed to the nation by Gunnar Myrdal in the challenging analysis *The American Dilemma* (1944)10. In retrospect it seems that Moynihan and Glazer's *Beyond the Melting Pot* (1964)11 was closer to the heart of the matter. Thus while the intellectual formulation of the centrality and ongoing character of ethnicity and race relations issues has unsettled the praxis of American society, the economy, culture and the American polity have lurched into an unknown terrain of change. The expansion and transformation of the urban landscape altered the systems of cultural transmission that mediated the personal, community and public worlds of the American experience. Add to this ferment the bold strokes of various judicial and administrative devises of the national government that sought to end *de jure* and *de facto* racism at every level of public life.'12 By 1980 the national government and its leaders were utterly discredited in the popular political imagination as a source of inspiration and direction for better ethnic and race relations. The Reagan Revolution13 in the field of race and ethnic relations was simply to announce that a color-blind society was the American ideal. His budget coup of 198214 diminished national resources devoted to national initiatives related to ethnic studies, school desegregation, and various discretionary vehicles which funded bridgebuilding efforts to depolarize and to develop community-based cooperation among groups at the ragged edges of race and ethnic relations.

All of these elements have entered our current legacy and portions of this troubling, episodically violent and tension-filled era continue to shape the shared mentalities that determine our understandings of race and ethnic relations. Given the record of other regimes and polities throughout the world and the unspeakable brutality of ethnic war and the invocation of race ideologies and ethnic passions that terrorizes populations in Europe, The Middle-East and Africa and throughout the globe, the American domestic record has not contributed singularly nor significantly to the carnage of the twentieth century.'15 Nonetheless, America is a country that promised hope and dignity. Its criteria of excellence imposed by its proclamation of liberty and justice for all are standards which deepen the gap between vision and reality. This gap between vision and reality has strain our best resolves. Sadly, efforts to assure cultural justice and wholesome relations among ethnic and racial groups seem increasingly inadequate and voices of despair and new ideologies of racialism that would institutionalize group participation and foster particular ethnicities have emerged.

This forgoing combination of factors leave a vast public deficit and understanding gap of the importance of education that is inclusive and pluralistic. It is most important to recall that every downturn in the economy is correlated with the increase of ethnic conflict.16 These data and dimensions of ethnic relations should rivet our attention to address the need for pedogogies that are supportive of democracy, economic well-being as well as the peaceful civilizing function of appreciation for the diverse wonders of ethnic tradition and their value and cultural endowments. Moreover, the patently clear reality of the American situation exclaims that since its founding America has been necessarily associated with the variety of heritages that commingle in relationships. These relationships have included domination and denial; they have provoked strategies of isolation and integration as well as superficial expectations that avoid and ignore ethnic categories and the use of alternatives such as: class and interest; individual merit and expertise; and citizenship and Americanism would be sufficient and satisfying replacements for the symbolic yet all too human affinities of community and the persistence of ethnic-racial factors that have been institutionalized and constitutive of the America order and regime. The search for more effective approaches to ethnic inclusiveness in group relations are discoverable and discernable in the following accounts that are derived from a series of ongoing community-based action orientated researches.17 Beginning with the experiences of persons and communities these findings express a view from below—from the reflections of persons and communities engaged in the American experiment in pluralism and democracy. Such findings from the ragged edges of the urban ethnic terrain can be instructively explored and pondered. In an essential respect these ragged edges of the American experience are indicative of the complexity of ethnic and racial factors but they are also suggestive and prescriptive for the foundation of a new pedagogy of pluralism.

Community-Based Initiatives toward Inclusion

Beginning in the decades of most profound turmoil and tension local ethnic community leaders began to design and to apply remedies for the personal, community, and institutional trauma at the ragged edges of urban and ethnic diversity. The design of this action orientated-research was to find evidence and arguments for the pivotal insight and action derived from the pioneering attempts of local communities to fashion a catholic policy of inclusivity regarding ethnicity and race relations. This method and goal are as relevant today as they were in the 1 970s. In fact more so because national complacency and the rise of critical theoritization, literary ethnicity and poetically evocative works of ethnic/racial imaginations that proliferated during the 1980s.18 The paucity of practical and proven approaches to resolving group relations at the local level and bankruptcy of literary and imaginative efforts in this field demand the reconsideration of earlier recommendations and theses regarding ethnic studies. Moreover, the lack of national leadership in this period is also responsible for the paucity of vetted and community authenticated model curricula and materials that were beginning to be developed in the late 1970s by the DOE Ethnic Studies Program, Title IX, Elementary and Secondary Education Act and the Public and Community Programs of the National Endowments for the Arts and Humanities. The following findings yield glimpses into the creative elan that community-based multi-ethnic initiatives brought into being from their encounters with local level efforts to shape and to share the burdens and benefits of pluralism. The communities that were the focus of this work can be found in the older industrial cities of the midwest and east. Exploring the findings that emerged and are associated with this work will suggest other facets of moral imagination, especially the depth of

spiritual resources embedded in community practices. These reservoirs of good work and will grounded in experiential common sense that promote the development of personal character and public institutions and enhance the shared sense of civility that are essential for urban accord. By examining community-based initiatives we find that their personal, community and institutional approaches are grounded in a body of thought and action regarding social justice that are based in a pre-enlightenment tradition that is significantly different from the insularity of the Anglo-American intellectual foundations19 that drive the climate of opinion and have determined the legal and political discourse in America within which race and ethnicity were discussed and decided. This ancient and European intellectual current is curiously post-modern in tone.20 Within this form of communitarian and classically moral and institutional discourse21community-based organizations aspired to build up the city as the place where persons and their expanded communities would create new modes of neighborliness and relationships of social justice that were not hostile to individualism of the American liberal tradition but were based on a much fuller appreciation for the community as the nurturing place for personal development. Moveover, the communities in which these researches are centered displayed a wider register of ethnic variety than the American convention and practice legitimated. In this regarded the community-based vision of the American reality from below and one of its products was the reform of the language of racial and ethnic relations. Their insistence on ethnicity as a category in itself followed Moynihan and Glazer, but added an important experiential texture and advocacy which invited America to differentiate beyond the dichotomous terms such as Negro and White, as well as regional terms such as Anglo and Chicano. Thus the development of a new modality of ethnic and multi-ethnic discourse22 and community practice emerged at the margin for public recognition in scores of older communities. The following synthesis of illustrative narratives, findings and recommendations are elements of the reconceptualization from which new pedagogies of pluralism could be developed.

The community-based approach to this problematic was to make the personal experience the ground from which a fresh exploration of American identity could begin and this charisma was contagious. Because personal articulations of ethnicity were easily imaginatively accessible to the experiences of many people that lived in tension with the monocultural pressure of American socialization, this message become the well-spring of the rearticulation of pluralism that emerged among Eastern and Southern European ethnics that was contemporaneous with the awakening of ethnic categories in public policy and the surge of cultural change that emerged as Afrocentrism, Chicanismo as well as the revival of tradition among indigenous peoples. The relevance of other ethnic cultures, regional cultures and the various layers of European American ethnic traditions has been blurred by the narrowing of concern for diversity. To a large extent the impact of OMB Directive 15 designated minority status is the source public policy which has tended to construe ethnicity as a limited and not a universal social phenomenon and a personally relevant set of symbols used and useful for self-identity as various levels of intensity and significance. Thus OMB Directive 15 institutionalized ethnic minority status for Blacks, Hispanics, Asians, and Native Americans populations. This configuration structured ethnic relations into a new iteration that fundamentally continued the dichotomous and conflictual worlds that the integrationist thrust began in the 1950s. Integration was the goal of the civil rights movement, until the U.S. Commission of Civil Rights eviscerated the Congressional and Presidential intent of Civil Rights legislation (careful review will indicate that nothing in the debates would warrant the 0MB construction of designated minority status). Derailment during the 1970s from the power and purpose of national integration yielded the divisive and divided world of ethnic v. America and

minority v. majority. This fragmentation was a shortsighted political strategy that not only sanctioned the persistent mentalities of racism, but it tragically institutionalized and authorized ethnic and racial enforcement by the national bureaucracy. Under the pretentious cover of legalistic and litigious ritual this regime fostered the continuation of exclusionary practices and introduces the perception of a new perferentialism.23 This regime, in effect, marginalized substantive efforts to improve ethnic and race relations. The regime prevented school and community-based mechanisms from developing approaches which would integrate the realms of ethnic and racial identity and the institution with the extra-ethnic institutions within the market, the polity and the multi-ethnic cultural infrastructure . Thus the complex restructuring of society initiated in the 1950s and driven by the commitment to overcome the violence of ethnic and racial passions that perplexed all large-scale democratic regimes was allowed in the 1970s and 1980s to atrophy. The price of such neglect was the gradual creation of a new American apartheid ripe with the potential for violence. America on the eve of the 21st century, especially its educational and schooling infrastructure, can begin to remedy the violence and the mis-shapened perceptions of race and ethnic relations. The first step in this direction is to take on the undone agenda of reconceptualizing ethnic and race relations. This work need not begin *ab ovum*. The pioneering efforts at an early juncture in the process of rearticulation of ethnic and race relations that occurred at the community-based level of multi-ethnic experiences and ethnic institutions indicates a pathway toward social justice that is relevant for the avoidance of violence and a propadeutic to the new approach to overcoming this impasse in racial ethnic relations. The following synthesis of community-based initiatives indicates the origins of a new model of the personal and the community realms of being. It also suggests a critique and institutional reformulation of extra-ethnic realms of the American realty that need to be overcome so that the limits of the still current dichotomous understandings of American pluralism can be transcended.

Reviewing and revisiting the discussion of the persistence of ethnicity and its universality rather than its divisive features implies a radically different approach to defusing the manipulative exacerbation of ethnic and race relations. By universalizing ethnicity and the various forms of this culturally learning endowment, the deficit of dichotomous separation was shifted into a credit of culture that became fungible. In less economic terms, ethnicities—ethnic and racial traditions and legacies—became the well-springs from which organizing community-based initiatives could emerge. The historical review of personal and community experiences was designed to reinterpret the immigrant and ethnic experience and to translate them into recommendations for policy change. Thus personal and community concerns became the source of institutional change. And change in educational policy was initiated in the following fashion.

The initial community-based experiences expressed concern from various groups that their history was ignored and neglected in schools. This lead to the development of a more specific set of community-tested guidelines for the development of local ethnic studies programs that sought to catalyze institutional and curricular change. Philip Rosen compiled the following checklist for examining the treatment of immigration and ethnicity in American history and social sciences.24 The relevant questions for a new pedagogy of pluralism follow:

* Does the text picture immigration as an ongoing process from colonial times to the present or does it confine it to waves of foreigners coming to a settled America?

* Are immigrants and minority groups brushed in tones of ‘tired’ or ‘poor’, the outcast of their native lands, or does the text show a spectrum of types?

* Does the text make it appear that the problems America incurred by opening its door outweighed the advantages of labor, skills, talent, and intellect supplied by immigrants, or vice versa?

* Does the text view immigration and ethnicity solely in terms of problems caused by minority or immigrant groups or does it look sympathetically at the conditions and difficulties they had as well?

* Does the text imply that American ethnic diversity came with the new immigrants or does it point out that religious and other ethnic difference existed in this country from its founding and does it provide examples of ethnic cooperation and conflict?

* Are so called white ethnic groups, their children and grandchildren credited with rapid assimilation so much so that ethnic groups seem to disappear altogether, or does the text mention the survival of national origin groups and institutions?

* Are the social consequences of discrimination ignored or are they illustrated by the successive used of slums by immigrants and minorities, and by the economic handicaps imposed in the employment of immigrants and minorities by backbreaking, dangerous and undesirable occupations?

* Are subjects such as the labor movements, city growth, political activity, denominational organizations, and educational reforms discussed without reference to the ethnic or racial identity of the workers, citizens, voters, parishioners and children?

While curricular development of this more inclusive and accurate understanding of our past are essential, social and economic dynamics and their cultural interpretations are an ongoing processes that are currently occurring. They are not confined to history and to the classroom. Contemporary contours regarding the ethnic factor in American life include the following factors that certainly influence race and ethnic relations in schools and in the society as a whole.25

* Ethnic and race relations and interaction over the past three decades have become spatially disengaged as settlement patterns driven by the segmentation of the housing markets has tended to cluster and divide as well as isolate and segregate persons by education and income.

* The persistence of media messages that divide and designate such as Black-White, Hispanic-Anglo, Immigrant-American are stereotypic and not sufficient to the nuances of exiting group relations.

* Media highlighting of divisive and exclusionary mono-cultural educational and cultural agendas tends to caricature ethnic and race relations, thus exacerbating disagreements and divisions; and

* Mean-spirited interpretations of multiculturalism and the attendant mood of cultural warfare and perceived threat to the core values of the American tradition are vastly over dramatized.

Lessons Learned

Twenty years after the development of these community-based initiatives to widen the horizons of America regarding the importance of non-exclusionary and non-divisive approaches to ethnic and race reactions, a national convening of community-based researchers26 interested in such peaceful resolutions of ethnic relations proposed the following recommendations and agenda for rising to the next level of multicultural competency. The following synopsis of their findings and recommendations for a multi-ethnic approach to understanding and action in race and ethnic

relations reveals that a considerably broader agenda than curricula reform. Nonetheless the proposed agenda for improving ethnic and race relations includes education as a central issue. Strategies for improving race and ethnic relations in schools and the ancillary impact on community-based partnerships with schools will no doubt diminish violence and society. The attendant prescriptions are sources of additional insight into the relationships of race and ethnic realms to the other sectors that constitute the web of institutions that govern the public and market practices of America. Wider public attention to the following recommendations may catalyze the long awaited focus of attention to the neglected dimensions of a common sense approach to community relations among Americans. The incorporation of the following thesis and concepts into race and ethnic relations would enable American education to advance toward the pedagogy of pluralism required for multi cultural competency:

*The Influence of Ethnicity on Behavior—Ethnicity in the United States has become more than a dimension of immigration.27 Ethnicity is a constantly changing complex of class and occupational identification, ties to regions or origin, the local, the parochial or civic loyalties in America. Ethnicity includes an American national identity and religious affiliations that exist in dynamic tension with each other. The saliency of each modality, alone or in combination, for a group or individual, change with time, place and circumstances. Students of human behavior have come to recognize the significance of ethno-cultural factors. Ethnic differences in child-rearing practices, subtle ordering of values, judgment of acceptable and unacceptable behavior, and expressive tendencies are now a ripe field of inquiry and controversy. While few deny the importance of such variables as class, generation, region, intermarriage and differential rates of acculturation, there is a growing tendency to assert that one's basic group identity is shaped by conscious and unconscious forces deriving from ethnic origins. This insight has made clear the need for ethnic sensitivity on the part of therapists and human service providers. It has also made it more important for the media to portray ethnic authenticity rather that stereotypes so as to help shape healthy group identity and not encourage disdain against and self-hate among members of groups that are not authentically portrayed. Such negative and crude portrayals reinforce bigotry and retard the development of positive prototypes of ethnic variety within and among groups. The search for an integrated theory of psychological aspects of identity and ethnicity is a cutting-edge need. While awareness of the significance to human service policies is increasing the need for training and programs that recognize the multi-ethnic nature of American and the incorporation of sensitivity and responsiveness to all ethnic groups, i.e., even groups that are not designated minorities—African-Americans, various Hispanic and Asian ethnicities, and Native Americans and Pacific Island populations. All large-scale studies of human behavior should be disaggregated by ethnicity, avoiding such large and distorting categories as Asians, Hispanic and whites.

* Defamation—Although significant strides were made in combating discrimination and defamation against Americans of various ethnic groups much still remains to be done. Unflattering and often distorted stereotypes of ethnic Americans continue to appear in the media. In the national and local media ethnic Americans still remain substantially underrepresented in many areas. The lack of support for national efforts to improve ethnic educational materials owing to the ending of the DOE Ethnic Heritage Program and the inattention to such issues or the narrow scope of attention by foundations has seriously set 'back' the struggle to create a genuine and inclusive approach to understanding among all and various ethnic Americans.

* Ethnic Enterprise and Neighborhood Development—One of the most interesting features of urban life is ethnic and multi-ethnic neighborhoods. The renewal of neighborhoods and the

economic and social benefits from small and medium scale activities and businesses are hallmarks of ethnic and multi-ethnic cohesion. A city is as healthy as its neighborhoods. Attention to central business districts has revived certain features of urban life. Now is the time to renew residential neighborhoods. A bustling street life grows with ethnic forms of enterprise—creating variety, excitement, a feeling of greater safety. The generation of capital and circulation in exchange are the engines of developing a middle class. Ethnic enterprise presents a model for the climb out of poverty and dependency. The viability of communities can be significantly enhanced by the catalytic force of reinvestment in small intimate and affinity markets that provide services and jobs as well as avenues for some to mainstream economic activities.

* The Cultural and Performing Arts—Ethnic art forms, as expressed in their traditional ways and in the ways that fuse with contemporary expression are an enduring source of the human spirit. Such powerful representations of folk and sophisticated urban skills are avenues to the transcendent. The evoke memory and satisfy a hunger for meaning and beauty. They establish roots and enable persons and communities to grow wings that reveal our common humanity in what is true and beautiful. Even when such folk art is commercialized it offers a pathway beyond homogenized society. Mainstream culture is revitalized through the greater encouragement of ethnic arts. Support for ethnic performing arts provides educational resources. Appreciation of ethnic arts of many traditions is an important preparation for life in a pluralistic society. Cross-cultural aesthetic stimulation creates a lasting impression on children and for both children and adult viewers and participants. It is often an antidote to ethnic chauvinism.

* The Art and Science of Coalition Building—America's ethnic map has been transformed by the emergence of new ethnic leaders who are involved in America's civic mainstream and by millions of newcomers from Asia, Latin America and the Middle East, Africa and Europe. Few institutions such as local political parties are sufficiently engaged in the new social climate. Advocacy of new and old immigrants is a complex and noisy game in American cities. The perception of divisiveness that attends single group efforts to advocate for their needs in city hall, the state and national capitols fosters the adoption of coalitional approaches to problem solving. As a result coalition building has been transformed from crusades by utopian reforms which once regarded ethnic advocacy as questionable to a movement of grassroots leaders and service providers who work together to discover convergent needs of diverse groups. Practitioners of the coalitional approach provide bridges among communities. The most interesting is the interaction of group leaders in friendly exchanges: "what's your agenda?" meetings which have yielded the flow of information and taught persons to make alliances and to accept trade-offs as the currency of democratic participation. This process tends to produce manageable and realistic expectations though hard bargaining with various extra-ethnic institutions for services and investment capital as well as educational and cultural facilities. The development and expansion of this process of recovering civic participation would benefit not only ethnic communities but the nation as a whole.

The foregoing accounts and conclusions address the personal and community levels of re-conceptualizing ethnic and race relations. The immediate application of such approaches is a propaedeutic to the larger and more uncertain tasks of effectively intersecting these findings regarding ethnicity with the extra-ethnic spheres of culture—the market, the legal-political sector, the large scale public and private bureaucratic corporate institutions.28 These intersections of ethnic and extra-ethnic spheres of contemporary life expose the central evidence of inequality29 and the extent of ethnic significance such inequalities represent.30 Beyond certain aspects of measurable significance the deeper qualitative meaning and question of forming a more coherent sense of attunement between the ethnic and extra-ethnic spheres of contemporary life is

the ongoing project of articulation of the new pluralism in America. The minimalist position in the face of this prospect is to hope that these sectors would do no harm to each other: then at least the likelihood of violent ethnic and race relations would be diminished.

Notes

1. See Daniel J. Monti, A Semblance of Justice: St. Louis School Desegregation and Order in Urban America, (Columbia:University of Missouri Press,1985). Jennifer L. Hochschild, The New American Dilemma: Liberal Democracy and School Desegregation (New Haven: Yale University Press, 1973).

2. See Joseph A. Amato, *Victims and Values: A History and A Theory of Suffering* (New York: Praeger, 1990).

3. See Ronald P. Formisano, *Boston Against Busing: Race, Class, and Ethnicity in the 1960s and 1970s* (Chapel Hill: The University of North Carolina Press, 1991). Jonathan Reider, *Canarsie: The Jews and Italians Against Liberalism* (Cambridge: Harvard University Press, 1985). Jim Sleeper, *The Closest of Strangers: Liberalism and the Politics of Race* (New York: W.W. Norton, 1990).

4. See Michael I. Weiss, *The Clustering of America* (New York: Harper & Row, 1988).

5. See Testimony of James Banks in *Civil Rights Issues of Euro-Ethnic Americans in the United States: Challenges and Opportunities* (Washington, D.C.: U.S. Commission on Civil Rights,1980).

6. See Kevin Phillips, *The Emerging Republican Majority* (New Rochelle: Arlington House, 1969).

7 .See H. R. Halderman, *The Halderman Diaries: Inside the Nixon White House* (New York: G.P. Putnam's Sons, 1994).

8. See Murray S. Friedman, *Overcoming Middle Class Rage* (Philadelphia: Westminster Press, 1971). Sylvano Tomasi, et.al., *Pieces of a Dream* (New York: Migration Studies, 1972). Richard Krickus, *Pursuing the American Dream: White Ethnics and the New Populism* (Garden City: Anchor/Doubleday, 1976). Michael Novak, *The Rise of the Unmeltable Ethnics: Politics and Culture in the Seventies* (New York: MacMillan Publishing Co.,Inc.,1971).

9. See *Annual Editions: Race and Ethnic Relations* (Guilford: Dushkin Publishing Group), 1992-1997. This is a yearly ongoing collection.

10. See David W. Southern, *Gunnar Myrdal and Black -White Relations: The Use and Misuse of* An American Dilemma,*1944-1969* (Baton Rouge; Louisiana State University Press, 1987).

11. See Pat Shipman, *The Evolution of Racism: Human Differences and the Use and Abuses of Science* (New York, Simon and Schuster, 1994). Andrew M. Greeley, *Ethnicity in the United States: A Preliminary Reconnaissance* (New York: Wiley, 1974). Arthur Mann, *The One and the Many* (Chicago: University of Chicago Press, 1979).

12. See Donald L. Horowitz, *The Courts and Social Policy* (Washington, D.C.: The Brookings Institution, 1977). Phillip 1. Cooper, *Hard Judicial Choices: Federal District Court Judges and State and Local Officials* (New York: Oxford University Press, 1988).

13. See John Kenneth White, *The New Politics of Old Values* (Hanover: University of New England Press, 1988).

14. See John Kenneth White and John A. Kromkowski, "The Transformation of the Policy Landscape," in *Trends in American Politics, 1975-1995* (Manchester University Press, 1995), Philip J. Davies, editor.

15. See Zbigniew Brzezinski, *Out of Control: Global Turmoil on the Eve of the 21st Century* (New York: Charles Scribner's Sons, 1993).

16. See Joshua S. Goldstein, *Long Cycles: Prosperity and War in the Modern Age* (New Haven: Yale University Press,1988).

17. See The Group School, Cambridge, Massachusetts, *Neighborhood, Youth, and Class: An Introductory High School Course On Ethnic and Class Identity* (Washington, D.C.: NCUEA/ Group School, 1977). Greta Kotler, et.al., *Bibliography Of Ethnic Studies Programs*, (Washington, D.C.: NCUEA/NEA, 1976). Frances Haley, editor, *Ethnic Studies Sampler: The Best of Title IX Materials* (Boulder: Social Science Education Consortium/ERIC Clearinghouse, 1981). James M. Anderson, *Ethnic Studies in Several States: California, Colorado, Florida, Illinois, Michigan, Ohio, Pennsylvania, and New York* (Washington, D.C.: NCUEA/DOE, 1981). Four documentary films for three of the NCUEA sites and a synthesis of various sites have been produced. They include findings from sites in Brooklyn, Greenpoint, Williamsburg, seven neighborhoods in Baltimore and South Bend, Indiana and other new and old immigrant neighborhoods on the fringe of transition. These community documentaries are Christine Noschese's *Metropolitan Avenue*, Ted Durr's *The Baltimore Neighborhood Roadshow*, Thomas Broden's *Festivals Are More Than Food and Fun*, and *Baltimore Voices*: *Organizing for the 80s*.

18. See Werner Sollors, *Beyond Ethnicity: Consent and Descent in American Literature* (New York: Oxford University Press, 1986) and *The Invention of Ethnicity* (New York: Oxford University Press, 1989). William Boelhower, *Through a Glass Darkly: Ethnic Semiosos in American Literature* (Venice: Edizioni Helvetia, 1984).

19. See Lance Liebman, "Ethnic Groups and the Legal System" in *Ethnic Relations in America* (Englewood Cliffs: Prentice-Hall, Inc., 1982).

20. See Joseph Amato, *Mounier and Maritain: A French Catholic Understanding of the Modern World* (University of Alabama Press, 1975).

21. See Paul Peachey, John Kromkowski, George F. McLean, *The Place of Person In Social Life* (Washington, D.C.: The Council for Research in Values and Philosophy, 1991).

22. See Walker Connor, *Ethnonationalism: The Quest for Understanding* (Princeton: Princeton University Press, 1994).

23.See Russell Barta, Minority Report No. 1 (1972) and Minority Report No. 2: *The Representation of Poles, Italians, Latins, and Blacks in the Executive Suites of Chicago's Largest Corporations* (Washington: NCUEA, 1974 and 1984).

24. See Philip Rosen, *The Neglected Dimension: Ethnicity in American Life* (Notre Dame, University of Notre Dame Press, 1981).

25. See Michael 1. Weiss, *The Clustering of America* (New York: Harper&Row, 1988). John Kromkowski, editor, *Race and Ethnic Relations*: Annual Editions 1992/93,1993/94,1994/95 (Guilford: Dushkin Publishing Groups).

26. See National Ethnic Leadership Conference, NCUEA and National Italian American Foundation (1984) and Irving Levine, *Project on Pluralism and American Identity* (New York, American Jewish Committee, 1990).

27. See *Harvard Encyclopedia of American Ethnic Groups* for a guide list of attributes of ethnic groups used by historians in the 1980s.

28. See Ralph P. Hummel, *The Bureaucratic Experience* (New York: St. Martin's Press, 1982). This account of language and behavior changes that are associated with administrative and procedural treatment of person/clients/citizens is suggestive of the translation problems that exist between the ethnic and Extra-ethnic spheres.

29. See William Julius Wilson, *The Declining Significance of Race* (Chicago: University of Chicago Press, 1978).

30.See United States Commission on Civil Rights, *Changing Perspectives in Civil Rights* (Washington, D.C.,1989).