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“Civil society and sociality: An alternative approach”**

One can easily argue that civil society is a much discussed and highly contested idea that fits the category of the “essentially contested concepts”. Central concepts in politics are contestable, in the sense that their definition and meaning are open to contestation. Whatever rational criteria are used, their meaning and definition depends on the general theoretical tradition within which they are analyzed and used, that is the broader conceptual system within which they are elaborated. This article aims first at presenting the theoretical foundations of the concept and the problems involved in its use and abuse. Second, to seek ways of combining the concept of civil society with the concept of public sociality, and to investigate whether this may lead to an analytically useful framework. This movement will be based on an eclectic use of Foucault’s analytics of power and his idea of “programmes of conduct” and governmentality.

1. Civil society: the theoretical roots

The theoretical tradition of liberalism provides the general framework within which the concept emerged and its main principles mark the current debates from Hume, Hegel and Tocqueville, to Habermas, Walzer and Arato. According to the eighteenth and nineteenth century European thought, civil society “would provide a space for the expression of individual and group differences, thus creating an arena of freedom.” Closely associated with this view was the idea that civil society “would somehow ensure the harmonious integration of these differences and provide the site for reconciling the competing pulls of individuality and community, public and private.” From these principles emanates the normative dimension that characterizes the idea – and the ideal – of civil society. The idea of civil society entered political philosophy and political theory as a site of self-organization and action bridging the gap between public and private, the

individual and the state. Since in liberalism the idea of the morally and economically autonomous individual remains the fundamental premise of political and social life the major problem is “to provide a vision of unified social order that at the same time recognizes the legal, moral and economic autonomy of its constituent parts.”

Liberal theory had to tackle the problem of presenting a social whole that existed beyond the particular interests that define human existence. In other words, the central problem of liberal ideology, aptly stated by Seligman, is “how to constitute a sense of community among and between social actors who are conceived of in terms of autonomous individuals.”

These actors are not only conceived as individuals, but as individuals acting in accordance with heterogeneous principles of subjectivity, that is the subject with specific economic interests, that the homo economicus, and at the same time the subject with legal – political rights. The answer was to present civil society as a natural field which includes economic, political and cultural subjectivities, organized - or disorganized - in different forms, a field which is simultaneously autonomous and subject to governmental regulation.

Several problems emerge from the liberal theoretical framework, which continue to attract the interest of current studies. For example the size and the ingredients of civil society is a major issue.

Moreover, how one deals with the “bad” or “uncivil” section of civil society, that is groups and organizations using illegal and violent means and seeking illegal or immoral ends? A further problem, particularly important for the purposes of this paper, is the relationship between civil society and the state. In some analyses civil society is opposed to the state, while in others is viewed in cooperation and collaboration with the state.

Moreover, within the above theoretical context it is easy to detect an either explicit or implicit normative dimension. Civil society is viewed in a positive manner, as something good and necessary for the effective functioning of liberal democracy.

The purpose of this paper is not simply to criticize the normative dimension; civil society may also have a non normative dimension. It may also act both in a positive and in a negative manner for the functioning of liberal democracy. However, it is not simply a

field for the open and autonomous expression of ideas and interests but also a field of conflicting actions and power relations. The concept, therefore, must be reworked and approached from a different perspective through the help of different theoretical traditions. It is to these traditions that we now turn, in an effort to arrive, if possible, at a fruitful synthesis.

2. An alternative approach

Foucault does not use the term civil society as a central analytical concept in his studies; he is making indirect references to it in the context of his critical analysis of liberalism. However, like Marx, he accepts the differentiation between state and society, and treats the latter as the locus of modern power relations, independent of and distinct from the sovereign state. Liberalism for Foucault should not be seen as an ideology nor as a set of institutions, but as a regime of practices that creates new forms of social control and a new type of individuality. It is a regime of practices that reveals a new form of political rationality marked by new governmental practices and technologies of government.

For Foucault civil society is not “a natural given standing in opposition to the timeless essential nature of the state. Nor is it an ideological construct or something fabricated by the state. It is, he says, the correlate of a political technology of government. The distinction between civil society and the state is a form of “schematism” for the exercise of political power”. Foucault, therefore, perceives civil society as an open ground for the development of new technologies of government; disciplinary techniques, health practices and education mechanisms thrive in the context of what is called civil society, thus creating a complex network of “micro-politics” and techniques for the integration of the individual in the social order. Often, the state supports and sanctions some of these techniques blurring the boundaries between state and civil society. Particular aspects of an individual’s or a group’s action and conduct are shaped and directed by the development of individualizing political technologies.

If power is, as Foucault sees it, action upon action, civil society is the field par excellence where individual or group action affects other’s action in an endless play of

power relations. In his own words, “power is a way in which certain actions modify others...A set of actions upon other actions...The exercise of power consists in guiding the possibility of conduct and putting in order the possible outcome.” Power relations always involve resistance: “Where there is power, there is resistance, and yet, or rather consequently, this resistance is never in a position of exteriority in relation to power.” Civil society can be approached as the terrain where a multiplicity of actions emerge and affect, influence, transform, restrict, reshape, limit or change other actions; in this process wherever power is present points of resistance also emerge given that power is always linked to resistance. Within this context civil society designates a social field marked by antagonism and cooperation, conflict and alliances, power and resistance. We thus avoid the normative dimension; it is an open field without any a priori positive or negative position.

It can be argued, therefore, that civil society is the field of action upon action involving all kinds of groups and voluntary associations that may or may not present explicit demands – towards the state or other groups – and operate in a specific historical context. This action can be organized and channeled through institutions, can be prescribed by ideologies and can be shaped and routinized in various cultural forms. This field can be approached and studied through the analysis of regimes of practices and programmes of conduct.

In his own words, “the target of analysis wasn’t “institutions”, “theories” or “ideology” but “practices” – with the aim of grasping the conditions which make these acceptable at a given moment; the hypothesis being that these types of practices are not just governed by institutions, prescribed by ideologies, guided by pragmatic circumstances – whatever role these elements may actually play – but possess up to a point their own specific regularities, logic, strategy, self evidence and reason. It is a question of analyzing a “regime of practices” – practices being understood here as places where what is said and what is done, rules imposed and reasons given, the planned and the taken for granted meet and interconnect. To analyze “regimes of practices” means to analyze programmes of conduct which have both prescriptive effects regarding what is to be done (effects of jurisdiction), and codifying effects regarding what is to be known (effects of “veridiction”). By “regimes of practices” Foucault refers to relatively organized and

routinized ways of doing things which possess their own logic, which has to be explored and analyzed. They have to be analyzed because they are often presented as natural and self-evident. In this approach practices are not simply the empirical ways that individuals or groups go about doing things, but a field of problematizations aimed at showing how a specific way of doing things was accepted and came to be regarded as natural and self-evident.

To analyze regimes of practices according to Foucault means to analyze programmes of conduct, that is actions and events by groups or individuals regarding what is to be done and to be known and which by creating regularities advance a specific logic about the manner things are done in a specific historical context. The connection between what is to be done and what is known, that is the relationship between knowing and acting leads to the exploration of new subjectivities or the reshaping of old ones. The programmes of conduct can be inscribed in institutions and presented with ideological and/or cultural elements, thus connecting them with the imposition of rules and the foundation of their inner reason. Programmes of conduct refer to the “attempt to govern human conduct on the basis of the truth produced by veridical practices...These effects, however, are multiple and diverse and a matter of empirical inquiry”. In other words, the analysis of a programme of conduct refers to the general context, that is what is presented as rational and natural and the related mechanisms used for this purpose. As Foucault put it is “a set of calculated, reasoned prescriptions in terms of which institutions are meant to be reorganized, spaces arranged, behaviours regulated”. In order however to analyze the actual effects of a programme of conduct and the agents involved in specific historical action we need a different concept that complements our analysis. The idea of public sociality may prove useful in this approach.

Sociality is the process through which actors engage in public action, usually collective action. And enter in a complex web of meanings, antagonisms and alliances. Sociality refers to the process of action by groups and individuals which shapes and reshapes relationships, confers a specific meaning on each action and constitutes or transforms identities. It is a complex procedure of subjectively shared practices which constitute collectivities and their identities. It is the process where actions and relations are invested with a particular ideological or cultural frame and become publicly visible and at



the same time contestable. By constituting identity and otherness sociality is the field par excellence for cooperation, collective action, antagonism and resistance. Moreover, it is the field where the effects of “bio-power” can be detected, explored and analyzed. However, sociality develops within the context of a programme of conduct which circumscribes what is said and what is done. Within this context specific actions acquire their specific meaning and specific intentionality. Actions affect other actions and in this process they form new subjectivities and reform old ones. Similar actions can be presented in different ways and invested with different meanings. The act of giving provides an obvious example, as it can be conceptualized and promoted as philanthropy, voluntary action, gift, Christian love, humanitarianism or social solidarity.