

# BOISI CENTER INTERVIEWS



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**YONDER GILLIHAN** is an assistant professor of theology at Boston College, whose research focuses on sectarianism in early Judaism. He spoke with Boisi Center associate director **Erik Owens** before his presentation on the risks of civil society in both ancient and modern contexts at the Boisi Center.

**OWENS:** Let's start with a basic question: What is civil society?

**GILLIHAN:** My working definition comes from Hegel's description of civil society in his *Philosophy of Right*, and its development in modern political philosophy and the social sciences. In this work "civil society" refers to an arena of social action that lies between the private sphere, to which the household belongs, and the state sphere, where political action occurs. Within civil society individuals engage in transactions and cooperation to advance specific common interests.

The most important feature of civil society is the free pursuit of private interests, especially freedom to associate, organize, and cooperate with other individuals in the pursuit of shared goals. Through free cooperation and transaction individuals forge new identities apart from those of household and state, always in relation to others engaged in similar cooperation and transaction. The most obvious and important new identity is that of individuals who belong to organized groups—the voluntary associations that interest me. Within associations, individuals deemphasize some aspects of their private identity and emphasize other aspects that define them in relation to others. Hegel's study laid the foundation for the current idealization of civil society

as territory within which members of a diverse population unite over common values that transcend private differences like ethnicity, religion, place of birth, gender, and so on.



In theory, the social habits of identifying common values and cooperating to achieve common goals, and allowing others with different values to do the same, foster widespread trust and tolerance, a sense of common purpose and identity, a sense of belonging and commitment to the society as a whole. In theory, the greatest benefit of civil society is its power to integrate an internally diversified society.

Another benefit is that civil society allows the members of the private, household sphere to engage the state in meaningful and productive ways. Voluntary associations, a key indicator of a robust civil society, can act as interest groups that petition the state collectively to take action that promotes members' interests. Regular engagement between state and associations promotes a sort of "vertical" integration of state and subjects. Vertical integration is essential for the state's legitimation. State responses to subjects' collective petitions offer empirical evidence that authorities authentically care for subjects' welfare. If the authorities are successful, they earn subjects' appreciation and its essential concomitant, allegiance. It is not uncommon, especially in the West, for states to promote civil society and associations with the strategic aim of convincing subjects that state authority not only benefits them, but that, apart from this particular arrangement of power, subjects cannot obtain what they value. A state that succeeds in this strategy has achieved legitimation. Its subjects voluntarily assent to its authority and participate in the processes that it has established—voting, petitioning, military service, pursuit of political office. They understand their engagement with the state as free, un-coerced, in service to—not merely compatible with—their own interests.

In typical models of civil society, voluntary associations are essential for the horizontal integration of a diverse population of subjects, and the vertical integration of subjects with the state. In theory associations offer uniquely efficient ways for the state to engage subjects and, through regular and conspicuous benefactions, to cultivate and organize mass voluntary assent to its authority.

**OWENS:** So if civil society can provide these integrative and unifying benefits, what's the risk? What's not to like?

**GILLIHAN:** That is a great question, the main question that really stirred my interest. When I started this project, I was investigating the community of the Dead Sea Scrolls, a sect that called themselves something like “the Covenanters”; they were probably the same group called “Essenes” by outsiders. From a state perspective, the Covenanters is a thoroughly hostile association: it is aristocratic, presumably with means to stir up trouble if inclined. It is sectarian, cutting its members off from many political, economic, and cultic affairs. It is secretive. It is apocalyptic, untied to the current political order because they anticipate its imminent destruction. They hate all governing authorities, from the rulers of Judea to the Romans. For instance, they call the Roman Senate the “House of the Guilty.” The Roman troops are even worse and the Judean leaders are even worse than the Romans.

The Covenanters' sect lasted a surprisingly long time, given its anti-state ideology, at least 170 years, maybe longer. So my first question was, how did an association with such virulent hostility toward Roman and Judean leaders last for such a long time? Also, were there other associations that had similar anti-state ideologies that similarly endured? I found several, both among early Jewish and Christian groups, among the Greco-Roman philosophical schools, and in highly idealized Roman history.

I scoured literature on modern voluntary associations to understand why groups like the Covenanters appear and are tolerated, despite their apparent threat to the state. Repeatedly I found that the study of voluntary associations attached to scholarship on civil society. So I had to learn about that. Everyone I consulted, professors and students in law, political science, sociology, insisted on starting with Hegel.

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When I read Hegel's theory of civil society, I noticed right away that there was no discussion of any anti-state sectarian or revolutionary sort of association. Associations do good things, they help to spread and disseminate the virtues of the state. So I wondered, why are there no political, antagonistic associations in his model?

Before I could apply a Hegelian model to antiquity I had to make sure that ancient society was sufficiently similar to modern to justify the appropriation. I read constitutional literature, especially Plato and

Aristotle, as well as Xenophon, Cicero, and the Roman legal digests. Like modern writers, the ancients were concerned with how to ensure that a constitutional state is stable. Like Hegel they dwelt at length on the problem of cultivating shared values between state and subjects, and between a diverse population of subjects. Like Hegel they discussed the role of local associations in achieving these aims. Unlike Hegel, Plato and Aristotle devoted considerable space to tactics for dealing with the appearance of revolutionary or anti-state movements and groups. This suggested, it seemed to me, that perhaps Hegel deliberately omitted this risk from his model; it is really utopian. But so, too, were Aristotle and Plato's ideal societies: while they addressed the risk of anti-state groups, they did not to include such groups among those that would naturally form in a context that encouraged associational activity.

More recent scholarship has, I discovered, added the nuance I found lacking in Hegel's model of civil society: today scholars recognize that the same civil liberties and social circumstances that promote Scout troops, the Red Cross, and bowling leagues, also produces the Hell's Angels, Militia of Montana, and David Koresh's cult. The first risk of civil society, and the risk of extending civil liberties to subjects at all, is that anti-state movements and associations can form. This is the first risk.

The second risk threatens horizontal integration. Civil society can fragment societies rather than unite them. Sometimes, as people develop networks and join communities defined by particular interests, the process of group formation increases and amplifies divisions between groups. Instead of uniting, diverse populations can become badly divided groups that clash over interests rather than by shared values that transcend particular interests.

You see this sort of thing on Facebook. Ads to join different groups and sub-groups that pop up on your page based

on what's in your profile, what political or entertainment or consumer themes show up in posts, and what other groups and subgroups you've already joined. Facebookers will join groups that amplify interests that they've already expressed; they won't join groups that they disagree with. Not only do Facebookers tend to associate with like-minded people and not associate with people whose views they reject; sometimes they actively seek out or create new groups solely defined in opposition to another group. You often see new groups that might better be called "anti-groups," lists of people who "Like" some page whose only purpose is to disparage the views of some other group. Maybe Facebook exaggerates divisions—maybe in regular society we would have only two opposing groups, say pro-red on one side and pro-green on the other. Facebook makes it easy to multiply identities so that you have pro-red and anti-green groups opposing pro-green and anti-red. And their sub-groups.

**OWENS:** It would help if they had a "dislike" button on Facebook.

**GILLIHAN:** Yes! Of course I would like that.

So, along lines similar to the exaggerated Facebook analogy, within civil society the proliferation of voluntary associations can *dis-integrate* a diverse population. As groups multiply they can amplify divisions between subjects. In some cases—and our current society contains many examples—groups are created for the purpose of exposing and magnifying divisions that already exist.

Civil society can also threaten the vertical integration of subjects and state. I've mentioned one way that this happened in antiquity: anti-state associations, like the Covenanters of the Dead Sea Scrolls, can form. The risk of anti-state associations within civil society is my main interest, but there is another important risk: Rather than encouraging habits of mutuality, trust, and cooperation that translate into participation in political processes,

associations can substitute for political and civic activity. People can become so interested in their bowling club—to use the most popular form of a volunteer association—that they devote all of their energies to this community to the neglect of all others. This is a complaint in some important recent studies: civil society can turn politics into a spectator sport.

**OWENS:** This is an interesting set of problems. Is the problem of fragmentation you are talking about unique to fully free societies, or does it happen to all societies that have some space for civil society? And does fragmentation follow unity, or develop alongside it?

Take Libya, for example, where the conventional wisdom today is that resistance movements are especially weak because meaningful civil society hasn't existed for forty years. What happens, in your view, when Libyan civil society begins to open? Do civil associations immediately represent both the strengths and weaknesses of the construct?

**GILLIHAN:** That is a really good question. I can't comment meaningfully on Libya at all—far beyond my expertise. But ancient theorists, Plato and Aristotle, identify two essential components for political and social stability. Perhaps these components will be useful for predicting how a particular society will function once its subjects gain civil liberties.

The first component is a state that has sufficient stability and power to enforce its laws. There has to be political stability as well as a certain threshold of economic stability; people cannot organize around interests outside the household if they are worried about putting food on the table.

But before these integrative associations can exist across a diverse population, there also has to be some threshold of trust already established between the groups. I think that the failure to establish an integrative civil society in Iraq, for example, shows that introducing civil liberties and promoting a bunch of

non-governmental organizations is not sufficient to create a stable, integrated society. Nor can you simply implement democratic processes and expect that everybody is going to feel that they have a voice. I think of the problems of fragmentation can evolve gradually as a result of economic conflicts and struggles for resources and so forth that intensify over time, as Marxian literature emphasizes. Or, they can sort of erupt out of divisions already inherent in a particular society, such as ethnicity, religion, and so forth.

**OWENS:** Your research is deeply rooted in classical antiquity. What are the salient distinctions between the ancient and the modern understandings of civil society? Can we combine lessons from Aristotle and Plato with lessons from Hegel, or Robert Putnam today? What disjunctions or continuities do you see?

**GILLIHAN:** We'll have to ask Plato to leave the room at this point, since he offers no hope for anything resembling civil society. In his *Republic* and *Laws* he brings all forms of social activity we associate with civil society under the direct control of state authorities. Cultic activity, education, mutual aid activities, social clubs that meet for meals and wine, all these are regulated by state authorities. Plato recognized that citizens have to be in the habit of cultivating familiarity and trust and common values, but he brought these habits firmly under state control so that no anti-state movements will evolve out of citizens' habits of associating with each other. Karl Popper was not wrong to list Plato among enemies of "open society" as we understand it today.

If we bring Aristotle into conversation with Hegel, Tocqueville, and recent scholars, we can identify fundamental continuity in concerns. Both modern and ancient theorists are concerned with the problem of cultivating common identity and values among a population of diverse subjects. They also see cultivating subjects' trust of state authorities as essential to establishing the legitimacy of the state.

Aristotle, like modern theorists, developed his ideal social system partly in response to worries about the problems of horizontal and vertical integration. Essential to his solution is something very much like what we find in modern theories of civil society—a sphere of social action in between and overlapping the private and state spheres. Freedom from state interference in assembly, association, and speech are essential to its appearance, and the formation of voluntary associations is one important measure of its vitality.

Contemporary theories of civil society are peculiar for their emphasis on democracy and what civil society can or ought to contribute to it. Aristotle, in contrast, treats civil liberties and the formation of civil society in the context of his treatment of kingship, and his discussion of a benevolent monarchy as the best type of constitution. Aristotle's approach reminds us that civil society is not necessarily a product of democracy but can, in theory, flourish in other constitutional contexts. Analyzing civil society through Aristotle, in fact, leads back to Hegel, who idealized a constitutional monarchy with parliament.

Perhaps bringing Aristotle into discussions about contemporary civil society will help us identify ways to promote horizontal and vertical integration that are not dependent on democratic governance. Or, we may develop a more precise account of why democracy and civil society belong together, or we'll identify peculiar ways in which democratic systems present barriers to civil society or make it more dangerous.

At this point I think the most valuable insights of ancient theory might be, more than content, the ways that ancient political theorists emphasize certain aspects of state initiative. Aristotle and, in a rather perverse way, Plato, seem to suggest that the best forms of civil society depend on vigorous state involvement beyond granting civil liberties. At minimum the

state should regulate economic activity to promote a stable and fair distribution of resources; just as important is some common, accessible form of education that promotes a shared sense of identity and values. Aristotle's society was much less diverse than ours, and Plato's utopian states are virtually homogeneous. Yet both Aristotle and Plato advocated for a sort of civics and social values oriented education with as much or more urgency as modern folk. Plato's fears may be well worth considering, that without a common and consistent civic education, even the most homogeneous subjects will quickly forget what they have in common and divide over things like economic interests, political ambitions, and cultic affiliation. They'll also lose sight of the state's role in securing all subjects' welfare; they'll no longer assume that it is good personal policy to participate in political processes.

Finally, Plato's paranoia about civil liberties and Aristotle's hostility toward politically active groups seem rather in line with Hegel's odd silence on subversive associations and movements in his discussion of civil society. Plato was too pessimistic, Hegel was too optimistic;

Aristotle did not integrate his analyses of various types of associations. More recent studies, like Mark Warren's remarkable book *Democracy and Association*, allow us to think more precisely and with greater nuance. While a stable government can benefit tremendously from a thriving civil society, civil society does not automatically produce stable governments. Indeed, even in the best cases, a robust civil society inevitably entails the risks of social and political dis-integration. I admit my suspicion of what probably seems obvious: a comparative history of experiments in civil society will show that its benefits are sufficiently substantial, enduring, and frequent to justify its risks. But I suspect that the benefits are not fully realized unless authorities acknowledge risks and take steps to minimize them. My working hypothesis is that the most effective tools are political and economic stability, a transparent, fair legal system, and an educational system, very broadly conceived, that cultivates common political identity, values, and habits of participation among as many subjects as possible.

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