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Egor Fedotov:
Problematizing the Notion of 'Civil Society' in Ukraine. A Call for a Different Research Agenda

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About the author:

Egor Fedotov received his master's degree from the University of Oregon in 2008 and went on to do his Ph.D. at the University of Aberdeen in Scotland. He is interested in comparative politics with a current focus on Eastern Europe and democratization. Among political scientists, his heroes are Mark Blyth, Jeffrey Checkel and Craig Parsons. The present paper is part of a project undertaken in the US in 2007 and is not related to his doctoral dissertation. It is a very rough draft – much can and will be changed. This project is in an early stage of development and is not intended for publication.

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Abstract

The term 'civil society' has become something of a buzzword in the literature on democratization in Eastern Europe since the end of the Soviet Union. Despite increased attention to the phenomenon, however, there remain a number of ambiguities about the use of the term. This paper attempts to problematize them by drawing on the example of post-Soviet Ukraine. I argue that the way the concept of 'civil society' is being used by area specialists in Ukraine suffers from two empirical and methodological problems. The debate on civil society in Ukraine is driven almost entirely by internal feuding over the meaning of Ukrainian national identity and the direction of state- and nation-building. Further, there has been a marked tendency in the literature to sidestep a critical examination of the workings of civil society in Ukraine. According to some, effectively any form of protest and activity there is to be seen as a sign of a functioning Western-style democracy. In order to alleviate these problems, the paper proposes an alternative framework for conceptualizing the term 'civil society' in future research.

1. Introduction

The dissolution of the Soviet Union in the early 1990s inspired a surge of literature on civil society in Eastern Europe. The rise of the Solidarity movement in Poland in the late 1980s sparked initial debates on the analytical boundaries of the term, its empirical basis, and the potential dangers arising from the unchecked expansion of civil society vis-à-vis the state.[1] Two decades later the dénouement is not in sight. The Orange Revolution in Ukraine in 2004 has revealed a discrepancy between the upbeat rhetoric – reflected in the literature in titles like 'The Triumph of Civil Society' and 'Pora – "It's Time" for Democracy in Ukraine'[2] – and a lack of theoretical clarity about what is to be made of civil society in post-Soviet Europe generally and in Ukraine in particular. Kuts poses the problem well: 'Civil society, as a concept, remains fuzzy in the mainstream Ukrainian academic discourse which lacks uniformity on what is [precisely meant by it].'[3] Before we proceed further, a few words about the relevance of conceptual clarity in social inquiry are in order.

Concepts are tools we use to order the empirical complexity of social phenomena. Following Sartori, they are 'conceptual containers' essential for two purposes.[4] A classificatory activity attempts two goals:

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[1]   Arato, Andrew: Civil Society Against the State. Poland 1980–81, in: Telos, 1981 (Vol. 47); Arato, Andrew: Empire Versus Civil Society. Poland 1981–82, in: Telos, 1982 (Vol. 50); Kumar, Krishan: Civil Society. An Inquiry into the Usefulness of an Historical Term, in: The British Journal of Sociology, 1993 (Vol. 44), No. 3, pp. 375–395; Kumar, Krishan: Civil Society Again. A Reply to Christopher Bryant's 'Social Self-Organization, Civility and Sociology', in: The British Journal of Sociology, 1994 (Vol. 45), No. 1, pp. 127–131; Bryant, Christopher: Social Self-Organisation, Civility, and Sociology. A Comment on Kumar's 'Civil Society', in: The British Journal of Sociology 1993 (Vol. 44), No. 3, pp. 397–401; Bryant, Christopher: A Further Comment on Kumar's 'Civil Society, in: The British Journal of Sociology, 1994 (Vol. 45), No. 3, pp. 497–499.

[2]   Diuk, Nadia: The Triumph of Civil Society, in: Åslund, A. / McFaul, M. (eds): Revolution in Orange. The Origins of Ukraine's Democratic Breakthrough, Washington D. C.: Carnegie Endowment for International Peace, 2006; Demes, Pavol / Forbrig, Joerg: Pora – "It's Time" for Democracy in Ukraine, in: Åslund, A. / McFaul, M. (eds): Revolution in Orange. The Origins of Ukraine's Democratic Breakthrough, Washington D. C.: Carnegie Endowment for International Peace, 2006.

[3]   Kuts, Svitlana: Civil Society in Ukraine. Driving Engine or Spare Wheel for Change?, in: CIVICUS Civil Society Index Report for Ukraine, Kyiv: Center for Philanthropy, Counterpart Creative Center, CIVICUC: World Alliance for Citizen Participation, 2006, p. 19.

[4]   Sartori, Giovanni: Concept Misinformation in Comparative Politics, in: The American Political Science Review, 1970 (Vol. 64), No. 4, pp. 1033–1053.

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to accumulate knowledge through a more precise and orderly collection of data and to make sure that our findings are comparable and additive to an existing body of knowledge. How much discriminating power can be imputed to our conceptual container depends on the level of generality of the categories used in the analysis. This is not to say that the researcher's concepts are necessarily compatible with the particular task at hand only. A more fundamental implication is that our classificatory schema 'be mutually exclusive and jointly exhaustive' such that 'an orderly series of well sharpened categories'[5] could follow. In a globalized world, '[n]o comparative science of politics is plausible', Sartori writes, 'unless we can draw on extensive *information* which is sufficiently *precise* to be meaningfully *compared*.'[6]

The major question to be addressed in our discussion of the concept of civil society in Ukraine is an apparent loss of discriminating power due to the conceptual stretching and empirical looseness of the term. According to Sartori, general concepts do not necessarily have to be empirically imprecise. As long as they retain so-called 'differentiae' allowing us to tell to which specific empirical referents the concept applies, the concept is precise enough to be capable of empirical testing. The differentiae are attributes or properties ascribed to the concept's empirical referents; they signify the concept's connotative meaning. Regardless of how small their number is, the concept must be able to select a finite number of referents that are included in its 'data container'. In their totality, these referents signify the concept's denotative meaning. We render concepts more general, therefore, by increasing their extension – i.e. the number of their empirical referents – *at the expense of* their connotative dimension, which is the number of attributes ascribed to these referents. The result is a more general concept which still has a meaningful degree of empirical precision. Accordingly, conceptual stretching occurs when we attempt to increase the concept's extension *without* diminishing its connotative dimension. The result, according to Sartori, is not 'a more general concept, but its counterfeit, a mere generality […] conducive only to vagueness and conceptual obscurity.'[7]

The distinction between connotative and denotative meaning/dimension provides a backdrop to my discussion of the concept of civil society in Ukraine. At this point, I must interject a small caveat about Sartori's argument. It merits emphasis that Sartori was writing for scholars who are primarily interested in *theoretical* explanations of social phenomena and who aim for meaningful – i.e. sufficiently precise – generalizations *through* small-N comparisons. However, there are at least two reasons why area specialists should be concerned with Sartori's argument for greater awareness of the problem of conceptual stretching. For one, students of comparative politics often do not possess sufficiently detailed knowledge of the phenomena of interest and thus find it necessary to rely on secondary sources to collect data that are suitable to their analytical and comparative purposes. Although this problem is likely to be especially acute in historical analyses proper,[8] the issue of weighing the validity of claims and findings from secondary sources is just as relevant for those interested in contemporary affairs. Reliance on the area literature for secondary data cannot be written off as a mere matter of careful reading; time and

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[5]   Ibid., p. 1039; see also Parsons, Craig: How to Map Arguments in Political Science, Oxford, New York/NY: Oxford University Press, 2007.

[6]   Sartori, Giovanni: Concept Misinformation in Comparative Politics, in: The American Political Science Review, 1970 (Vol. 64), No. 4, p. 1040, emphasis in original.

[7]   Ibid., p. 1041.

[8]   Skocpol, Theda: States and Social Revolutions. A Comparative Analysis of France, Russia, and China, Cambridge: Cambridge University Press, 1979, xiv-xv.

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material resources have to be invested in any such undertaking before the collection of primary data can begin.

Second, area specialists are rightly credited with having a remarkably detailed knowledge of what is going on at any given time in any given area of major interest to them. At the same time, however, it should be noted that many of the issues debated by area specialists often – and not surprisingly – have a direct bearing on the political, social and cultural relationships among members of their own societies. Such debates may not necessarily serve a political purpose and can be tendentious, of course. However, as the example of post-Soviet Ukraine illustrates, the potential for this can never be discounted by academics, especially when the clarity of the concepts we use to communicate our ideas and arguments is at stake. The current usage of the concept of civil society in Ukraine demonstrates this well and underlines the fact that Sartori's call for greater conceptual clarity is just as relevant for comparativists as it is for area specialists.

How the concept of civil society is being used and abused in the Ukrainian academic discourse is the subject of this paper. In what follows I attempt to outline and critique – in rather brief compass – two conceptual issues that run through the literature on civil society in Ukraine, both of which are found questionable on empirical and methodological grounds. First, there is a common tendency in the literature to approach the debate on civil society from the vantage point of domestic politics. Two issues are especially important to this tendency: the role of Ukrainian national identity in state- and nation-building and the influence of the Russian-speaking lobby in contemporary Ukraine. Second, an equally common practice has been to sidestep a critical examination of the anatomy of civil society in Ukraine. The problem of delineating the analytical boundaries of the concept and of showing how they fit into the conventional understanding of a Western-style civil society remains neglected in current research.

After reviewing these two strands in the literature, I propose an alternative framework to analyse the concept as a way of alleviating and coping with these problems in future research.

2. Problems with the literature

There is general agreement in the literature on civil society in Ukraine that there are higher levels of political/social activism in western Ukraine than anywhere else in the country. In particular, the city of Lviv stands out as a notable exception in the region in terms of greater public awareness of social and cultural affairs and more active civic participation in politics. By contrast, the city of Donetsk in eastern Ukraine is commonly regarded as being the inverse of Lviv.[9] A few statistical details will help to make this difference apparent. Evidence from elections demonstrates, for example, that the region of Lviv shows consistently higher rates of electoral turnout than any other region in Ukraine. In four presidential and parliamentary elections from 1998 to 2004, the average turnout rate in Lviv was higher than the

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[9] Hrytsak, Yaroslav: National Identities in Post-Soviet Ukraine. The Case of L'viv and Donetsk, in: Gitelman, Zvi / Himka, John-Paul / Solchanyk, Roman (eds): Cultures and Nations of Central and Eastern Europe. Essays in Honor of Roman Szporluk, Cambridge/MA: Ukrainian Research Institute Distributed by Harvard University Press, 2000, p. 264; Åberg, Martin: Putnam's Social Capital Theory Goes East. A Case Study of Western Ukraine and L'viv, in: Europe-Asia Studies, 2000 (Vol. 52), No. 2, p. 300; Nemiria, Grigory: Regionalism. An Underestimated Dimension of State-Building, in: Sharon V. Z. / Wolchik L. (eds): Ukraine. The Search for a National Identity, Lanham /MD: Rowman & Littlefield Publishers, 2000, p. 184.

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national average by 7.3% and 8.16% higher than in Donetsk.[10] Likewise, based on the results of a survey conducted in the mid-1990s, Åberg shows that Lviv residents tend to be considerably more active in social and political affairs than residents of Donetsk.[11] The former are approximately three times more likely to sign a petition or participate in a demonstration than the latter. Even on the lowest score – the likelihood of contacting any of the mass media – Lviv residents are more proactive than their Donetsk counterparts. In sum, one could not agree more with the conclusion by O'Loughlin and Bell that Lviv has 'consistently stood out in terms of high electoral turnout, local party activism, and vocal participation in national debates over issues of language, culture, and political reform.'[12]

The stark difference in patterns of political/social activism in eastern and western Ukraine provides a 'territorial baseline' for my discussion of domestic politics in Ukraine. The distinction between the 'two sides' of Ukraine is a useful point of entry for our discussion of the concept of civil society in the context of Ukrainian politics. Though it may seem a bit unsubtle, the distinction effectively captures the territorial cleavage, which overlaps significantly with the ethno-linguistic composition of the population. Briefly, an overwhelming majority of Russian-speakers is concentrated in the eastern and southern regions of Ukraine, whereas Ukrainophone or ethnic Ukrainians are more heavily represented in the western part of the country. To develop this theme further, I propose to distinguish between two issue-areas that simultaneously animate Ukrainian politics and underpin the academic discourse on civil society. Due to space limitations I will outline these issue-areas only briefly. Then I will discuss the usage of the concept of civil society in the Ukrainian academic discourse.

To better understand the context in which the concept of civil society is used by area specialists in Ukraine, it is necessary to discuss in some detail the nature of Ukrainian nationalism in contemporary Ukraine. There is a broad consensus in the literature that a distinctive feature of Ukrainian nationalism is rooted in two factors: the cultural-linguistic closeness of the Ukrainian and Russian peoples and Russia's long-standing political influence in the territory of today's Ukraine. The close intertwining of the two cultures led – under the conditions of Soviet/Russian control – to the emergence of a common perception among ethnic Ukrainians that their native tongue and traditions are somehow inferior to the Russian language and/or culture.[13] Further, one should consider that attempts to impose Russia's influence on Ukraine have been a recurrent practice, spanning several centuries. Such attempts, according to Ukrainian nationalist discourse, were tantamount to a full-blown threat to the existence of the Ukrainian nation.[14]

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[10]   Wilson, Andrew: Ukraine's Orange Revolution, 1st edn, New Haven/CT: Yale University Press, New Haven and London, 2005, p. 116. One exception which I did not include in my calculation of the average ratio is the second run-off of the presidential election in Ukraine in the wake of the Orange Revolution in 2004. The discrepancy rate in voter turnout in this election jumped overnight from 2.7% in favour of Lviv to 13.2% in favour of Donetsk (the national average remained still lower than that of Lviv) (p. 116). The second run-off of this election is regarded as illegitimate due to massive electoral fraud in the eastern and southern regions of Ukraine. See Myagkov et al. forthcoming.

[11]   Åberg, Martin: Putnam's Social Capital Theory Goes East. A Case Study of Western Ukraine and L'viv, in: Europe-Asia Studies, 2000 (Vol. 52), No. 2, p. 302.

[12]   O'Loughlin, John / Bell James: The Political Geography of Civic Engagement in Ukraine, in: Post-Soviet Geography and Economics, 1999 (Vol. 40), No. 4, p 2.

[13]   See, for example, Podolyan, Ilona: How Do Ukrainians Communicate? Observations Based upon Youth Population of Kyiv, in: Journal of Intercultural Communication, 2005 (Vol. 9).

[14]   Wilson, Andrew: Ukrainian Nationalism in the 1990s. A Minority Faith, Cambridge, New York/NY: Cambridge University Press, 1997, p. 151.

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To keep the implications of Ukrainian history and the perception of threat to the Ukrainian language/culture in proper perspective, we need to factor in the power of the Russophone lobby. D'Anieri illustrates this point well: 'Even at the nadir of their political power, eastern Ukrainian interests have been impossible to exclude from power in Kyiv.'[15] In sum, there are three factors that are important to understanding correctly the nature of Ukrainian nationalism and which go a long way toward explaining patterns of political mobilization in eastern Ukraine. These factors are the history of Soviet/Russian control, the cultural-linguistic closeness between the Ukrainian and Russian peoples, and the resultant perception of threat to the Ukrainian language/culture. In their combined effect, these factors constitute the major lines of conflict in the domestic politics of today's Ukraine.

The second issue-area to be addressed here is the pro-Western orientation of Ukrainophone or ethnic Ukrainians and the attendant disassociation from the Soviet past. According to surveys conducted in the 1990s, respondents from western Ukraine were more likely to consider freedom the most important element of democratic governance. Fifty-one percent of the general population supported this view, as did 28% of the elites, whereas only 40% and 17% of the respective groups in eastern Ukraine held this view.[16] Furthermore, there is a remarkable correlation between geography and political attitudes toward Ukraine's integration into Europe. Western Ukrainians are two times more supportive of EU membership and more than eight times more in favour of NATO membership than eastern Ukrainians. Not surprisingly, the opposite holds true with respect to membership in the CIS or the Common Economic Space. A strong pro-EU attitude among western Ukrainians is one of the several factors identified above which helps to explain the higher levels of political activism in western Ukraine.

As noted in the introduction, the events associated with the Orange Revolution in Ukraine in 2004 have brought to the fore two apparently contradictory patterns. On the one hand, area specialists use perhaps unjustifiably optimistic language to describe the surge of civil society activities during the revolution, yet there remain important ambiguities about the use of the term by these same specialists. The writings of Taras Kuzio are among the more subtle takes on the strength of Ukrainian civil society. His work clearly illustrates how the nature of domestic politics in Ukraine – especially the configuration of national identity – affects the conceptual frame used to describe patterns of political activism in Ukraine.

Taking Russia as a foil, for example, Kuzio claims that 'Ukraine's vibrant civil society stands in sharp contrast to Russia's passive and inactive civil society.'[17] More specifically, he argues that when citizens have a strong sense of national identity, they are more likely to create a successful civil society, whereas in places where people are still struggling with their sense of identity, civil society will fare poorly.[18] The underlying assumption is that a stronger sense of identity is conducive to a more robust civil society. By contrast – as in eastern Ukraine – 'the amorphous identities' of the Russian-speakers are not 'conducive to the creation of either national identity or civil society.'[19] For this reason, Kuzio writes that a single

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[15] D'Anieri, Paul: Ethnic Tensions and State Strategies. Understanding the Survival of the Ukrainian State, in: Journal of Communist Studies and Transition Politics, 2007 (Vol. 23), No. 1, p. 20.

[16] Miller, Arthur / Klobucar, Thomas / Reisinger, William: Establishing Representation. Mass and Elite Political Attitudes in Ukraine, in: Wolchik, S. L. / Zviglyanich, Vladimir (eds): Ukraine. The Search for a National Identity, Lanham/MD: Rowman & Littlefield Publishers, 2000.

[17] Kuzio, Taras: Ukraine is Not Russia. Comparing Youth Political Activism, in: SAIS Review, Project MUSE, Scholarly Journals Online, 2006 (Vol. XXVI), No. 2, p. 71.

[18] Kuzio, Taras: Ukraine. State and Nation Building, Routledge Studies of Societies in Transition; London, New York/NY: Routledge, 1998, ch. 7.

[19] Ibid., p. 144.

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sense of identity is likely to 'remove many of these multiple and mixed identities' in the future and will be 'based around a Ukrainian "We" [that] would build on [western Ukrainians] who have a clearly developed civic and national identity.'[20]

Importantly, there is an apparent ambiguity in the train of thought developed by Kuzio and other area specialists on civil society in Ukraine. This ambiguity is manifested in the loss of discriminating power as to what *kind* of political activism we can claim to see in Ukraine. An analysis of the Orange Revolution in Ukraine will help to bring this out more clearly. The most optimistic assessment of civil society in Ukraine is probably given by Nadia Diuk. In a book commissioned by the Carnegie Endowment, she claims that:

> A review of civil society in Ukraine at the time of the Orange Revolution provides quite an impressive picture. Without doubt, Ukraine has had the most mature civil society of any post-Soviet state.[21]

Like Diuk, Kuzio holds that the role of 'civic nationalism as a mobilizing force for civil society […] was clearly confirmed'[22] during the Orange Revolution. What exactly gave rise to the Orange Revolution and how it fits into the conventional understanding of a functioning Western-style civil society – i.e. sustained, voluntary participation of citizens in non-state organizations and associations – remains neglected in area study research. Several factors militate rather strongly against the area specialists' optimistic assessment of civil society in Ukraine. Arguably, the most serious one is the lack of public involvement with participatory activities. According to O'Loughlin and Bell, 24% of the NGOs in Ukraine are in the region of Lviv – the highest number of NGOs in the country – despite the fact that the region accounts for only 5% of the Ukrainian population. These figures seem even more striking given that fewer NGOs (19% of the total) are based in Kyiv than in Lviv. However, once we factor in the level of public involvement with these NGOs, the higher number of NGOs in Lviv loses its apparent significance. Among all NGOs included in the sample, those from Lviv have the highest rate of non-reports in the category of membership size, adding up to a whopping 82.03%.[23] A qualitative assessment by another observer points in a similar direction:

> Though Lviv is about as far from Budapest…. as is Ljubljana, it seems, again to have little in common with [Ljubljana]… [A]s for civil society: the visitor will find plenty of associations and organizations, but they are usually located up the back stairs, past the doorman who checks one's identification. Whether the measure is internet domains per capita or average income, these two cities inhabit, it seems, different Europes.[24]

If we consider further factors inhibiting the development of civil society in Ukraine – such as the particularistic networks which are a legacy of the Soviet shortage economy; vertically integrated institutional arrangements diminishing public trust in formal institutions; and a poor economy – the claim of a strong civil society in Ukraine during or after the Orange Revolution may seem at best unsupported and at

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[20]   Ibid., p. 162.

[21]   Diuk, Nadia: The Triumph of Civil Society, in: Åslund, A. / McFaul, M. (eds): Revolution in Orange. The Origins of Ukraine's Democratic Breakthrough, Washington D. C.: Carnegie Endowment for International Peace, 2006, p. 82.

[22]   Taras, Kuzio: Everyday Ukrainians and the Orange Revolution, in: Åslund, A. / McFaul, M. (eds): Revolution in Orange. The Origins of Ukraine's Democratic Breakthrough, Washington D. C.: Carnegie Endowment for International Peace, 2006, p. 62.

[23]   O'Loughlin, John / Bell James: The Political Geography of Civic Engagement in Ukraine, in: Post-Soviet Geography and Economics, 1999 (Vol. 40), No. 4, pp. 18–20.

[24]   Kenney, Padraic: The Habsburg Empire (Re) Disintegrates. The Roots of Opposition in Lviv and Ljubljana, 1988, in: Gitelman, Z. Y. / Szporluk, Roman (eds): Cultures and Nations of Central and Eastern Europe. Essays in Honor of Roman Szporluk, Cambridge/MA: Ukrainian Research Institute Distributed by Harvard University Press, 2000, p. 329.

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worst counterproductive (in that it confuses the analytical boundaries between a Western-style civil society and other forms of political behaviour).

To alleviate these problems, I suggest the following framework to analyse the concept of civil society in future research. It is beyond the scope of this paper to argue for concrete parameters in defence of one definition of civil society over another. My sole motivation is to tease out one reasonable view of components essential to the functioning of an active Western-style civil society that is potentially applicable to Ukraine. To this end, I distinguish between three ideal-type dimensions built into the conceptual framework of civil society. The first two dimensions are interrelated and built along the lines of the actual composition of civil society; as such, they are intimately tied to the function or role of civil society. Here I am interested in the autonomy of civil society vis-à-vis the state and its capacity for sustained aggregation/articulation of diverse interests. The third dimension is intended to problematize and make explicit the normative implications arising from this.

3. Framework for analysing the concept of 'civil society'

There is a general – though at times contested – consensus among political scientists about which elements ought to be subsumed under the term 'civil society'. In the most straightforward definition, the major building blocks are 'a space or arena between household and state, other than the market, which affords possibilities of concerted action and social self-organization.'[25] It is important that we include in our definition of civil society only those activities in which people choose to associate freely. It is a misnomer to call associational participation free and voluntary if people perceive that 'exit is [not] possible without loss of status or public rights or benefits.'[26] Another building block of civil society is its raison d'être. According to conventional wisdom, it is centred on the notion that there ought to be some countervailing force possessed by the people against the arbitrary powers of the state. At its most extreme, this view asserts that people are sovereign and possess a mandate to impose their will upon the state.[27] This line of argument finds its fullest expression in the political thought of Antonio Gramsci. He contends that attacking the state directly in traditional Western-liberal democracies is not a feasible option, because the state's powers of mediation are firmly and legitimately built into the workings of civil society. The dangers of civil society in the Gramscian conception are succinctly expressed by Kumar's observation that 'society could be as pathological as state.'[28]

A common solution to the problem has been to grant a meaningful degree of autonomy to both civil society and the state and let them be each other's guardians. However, Kumar and other theorists are not sympathetic to this idea because it contributes to theoretical opacity. They argue for a novel interpretation of the relationship between civil society and the state. Clearly, the way forward is not without theoretical difficulties. With respect to post-Soviet Europe, they claim, the Gramscian idea of civil society, i.e. a force rebelling against a chronically delegitimated state, is compelling enough given the series of popular liberation movements *in the 1980s*. However, the usefulness of 'civil society' as an analytical

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[25]   Bryant, Christopher: Social Self-Organisation, Civility, and Sociology. A Comment on Kumar's 'Civil Society', in: The British Journal of Sociology 1993 (Vol. 44), No. 3, p. 399.

[26]   Edwards, Michael: Civil Society, Malden/MA: Polity Press, 2004, p. 20.

[27]   Cahoone, Lawrence: Civil Society. The Conservative Meaning of Liberal Politics, Malden/MA: Blackwell Publishers, 2002, p. 226.

[28]   Kumar, Krishan: Civil Society. An Inquiry into the Usefulness of an Historical Term, in: The British Journal of Sociology 1993 (Vol. 44), No. 3, p. 389.

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tool in the context of today's Europe should probably be taken with a grain of salt, especially if the concept of 'civil society' is meant to include behaviour observed in traditional Western liberal democracies. In this, I side with Mark Howard, who argues that 'the form of *oppositional* civil society in the late 1980s was clearly very different from the *democratic* civil society in today's context.'[29] To bring this in line with our above discussion of Ukraine, claiming the Orange Revolution to be a sign of a Western-style civil society may therefore be empirically and conceptually unjustified.

How well civil society can enter into dialogue with the state depends on its capacity to aggregate and articulate the citizens' interests. In their review of Putnam's *Making Democracy Work*, Boix and Posner argue that civic associations can be most fruitfully divided into two types – private- and public-goods-producing associations.[30] The former are less conducive to social capital. They only require coordinating efforts to be operative and produce little incentive for defection (e.g. playing football). By contrast, the public goods associations are more essential for social capital accumulation because they require *both* coordinating and cooperating efforts among members, who then have a bigger incentive to defect (e.g. neighborhood watch).[31] Consequently, the more people are affiliated with the latter type of association, the more likely it is that a stronger civil society will emerge.

Lastly, civil society's autonomy vis-à-vis the state – a requisite condition for its meaningful existence – can lead to actions of normatively questionable character. An inherently ambiguous process, the 'birth or rebirth of civil society is always riddled with dangers, for it gives freedom to despots and democrats alike.'[32] The dangers inherent in an unchecked expansion of civil society vis-à-vis the state may therefore be a useful reminder for a balanced approach to studying new patterns of political behaviour. This is all the more relevant for post-Soviet states, where civil society is often conflated with social movements and along the lines of civic and ethnic cleavages. One reasonable way forward is to critically study the notion of civil society and base our conclusions on empirical evidence rather than on the often questionable normative expectations. Otherwise we may run the risk of succumbing to the euphoria of promoting civic virtue while in effect '[giving] civil society its head and [letting] it run away with itself.'[33]

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[29] Howard, Marc: Conceptual and Methodological Suggestions for Improving Cross-National Measures of Civil Society. Commentary on Heinrich, in: Journal of Civil Society, 2005 (Vol. 1), No. 3, p. 231, emphasis in original.

[30] Boix, Carles / Posner Daniel: Making Social Capital Work. A Review of Robert Putnam's 'Making Democracy Work. Civic Traditions in Modern Italy,' Harvard University, Working Paper 96-04, 1996.

[31] Private-goods producing activities, like playing football, can be sustained without cooperation of a larger part of the population. If one single person doesn't show up for a game, only he/she will lose out on the apparent pay-off derived from playing soccer (e.g. satisfaction), and the game will most likely still take place. By contrast, public-goods-producing activities, such as keeping your neighbourhood clean, are much more difficult to sustain due to the endemic problem of free-riding. To be sustainable, such activities require more than the individual effort of a single person and are contingent on the cooperation of the whole neighbourhood. Accordingly, where we see such type of activities we can claim there is more potential for a strong civil society to emerge due to stronger social ties and altruistic motives.

[32] Keane, John: Civil Society. Old Images, New Visions, Stanford/CA: Stanford University Press, 1998, p. 45.

[33] Kumar, Krishan: Civil Society: An Inquiry into the Usefulness of an Historical Term, in: The British Journal of Sociology 1993 (Vol. 44), No. 3, p. 390.