

Autonomy, self-regulation and democracy: Tocquevillian-Gellnerian perspectives on civil society and the bifurcated state in Latin America

Carlos H. Waisman *

Civil society is a diffuse concept in the social sciences, and the fact that it has entered political discourse has limited further its applicability in academic research. In the first part of this paper, I will propose a conceptualization of civil society based on Alexis de Tocqueville's analysis and what I consider its contemporary operationalization by Ernest Gellner.¹ My focus will be the complicated issue of what constitutes a strong civil society. In Part II, I will show that, when defined with some precision, this concept can help us understand central aspects of the relationship between state and society in contemporary Latin America. I conclude that the social dualization characteristic of most countries in the region and intensified in the recent period by economic liberalization has produced what I call regime bifurcation.

I. Conceptualizing civil society

Civil Society and Democracy. The specter of civil society is haunting the enemies of democracy and the market economy. But they should feel relieved: This specter's insubstantiality has rendered it quite harmless. Since the meaning of the term "civil society" is so fluid, the propositions derived from it, loosely inspired in superficial readings of Tocqueville, are hard to test empirically. Civil society is supposed to be the magic bullet against the old and new enemies of democracy (Communism and authoritarianism in the past, Jihadism in the present) and market society, and in particular, the midwife of democracy. However, these are little more than rhetorical images, due to the extreme fuzziness of the concept.

In the world of practical politics, the opponents of Communism in Central Europe in the 1980s, initially a small segment of the intelligentsia, seized on this term as a label. Since then, opponents of authoritarian and even populist regimes (e.g. the Chavez government in Venezuela) have done the same, whatever their level of civility. Governments and international organizations, both inter-governmental and NGOs, have also appropriated "civil society," and used it vaguely, to refer to non-governmental groups or institutions. Thus, a collection of speeches by an American secretary of state, dealing with variegated subjects such as freedom of the press, human rights, the recovery of Holocaust-era assets, democracy, refugees, and freedom of religion bears the title *Strengthening Civil Society and the Rule of Law*.²

* Department of Sociology, University of California, San Diego. La Jolla, California 92093-0533.

1. See Alexis de Tocqueville, *Democracy in America* (New York: Anchor Books, 1969), especially vol. 1, Parts I and II. Ernest Gellner, *Conditions of Liberty* (London: Hamish Hamilton, 1994)

2. Department of State, *Strengthening Civil Society and the Rule of Law*

The Inter-American Development Bank points at more specific entities, and defines civil society as the “set of citizens’ activities, either individual or associative, in the economic, social and political fields.”³ This definition includes both private and public activities, and within the latter both informal and associational ones. This document classifies “civil society organizations” (CSO) as follows: civic participation and social interest promotion CSO, CSO that render social services, CSO that promote enterprises “established under a social criterion of integration and solidarity,” and CSO engaged in developmental philanthropy.⁴

The International Monetary Fund, in a discussion paper about its relations with civil society, applies the term to international, development-oriented organizations based in the North and community and advocacy groups representing or favoring the poor and the underprivileged in the South (e.g. Oxfam, Friends of the Earth, Forum of African Voluntary Development Organizations, etc).⁵ An Oxfam publication on the subject defines its subject by arguing that civil society groups coalesce not on the basis of primordial attachments, such as ethnicity, language, or religion, but rather on “small issues” that cut across boundaries and bring people together in new coalitions, and gives as examples credit schemes or health clubs.⁶

The Johns Hopkins comparative non-profit sector project is a good example of this approach. It claims that civil society is a “major social force... throughout the world... (that is comprised of) thousands of private community groups, health clinics, schools, day care centers, environmental organizations, social clubs, development organizations, cultural institutions, professional associations, consumer groups, and similar entities...”⁷

The term is used with greater specificity in academic discourse, in general meaning the realm of society that lies outside the state, but it still lacks conceptual rigor, and its operationalization is usually not very definite. Adam Seligman calls civil society all that lies within the public sphere and outside the state.⁸ Victor Perez Diaz includes markets, voluntary associations, and the public sphere, as long as they are outside the control of the state.⁹ Jean Cohen and Andrew Arato subsume the private realm within civil society. They define the term as “a sphere of social interaction between economy and state, composed above all of the intimate sphere (especially the family), the sphere of associations (especially voluntary associations), social movements, and forms of public communication.”¹⁰

3. Banco Interamericano de Desarrollo, *Modernización del estado y fortalecimiento de la sociedad civil* (Washington, D.C.: Banco Interamericano de Desarrollo, n.d.), p. 7

4. *Ibid.*, p. 18

5. Thomas C. Dawson and Gita Bhatt, *The IMF and Civil Society Organizations: Striking a Balance* (Washington, D.C.: International Monetary Fund, 2001), p. 6

6. Oxfam, *Development, NGOs and Civil Society: Selected Essays from Development in Practice* (Oxford: Oxfam, 2000), p. 128

7. Lester Salamon *et al.*, *Global Civil Society: Dimensions of the Non-Profit Sector* (Baltimore: Johns Hopkins Center for Civil Society Studies, 1999), p. xviii

8. Adam Seligman, *The Idea of Civil Society* (New York: Free Press, 1992), pp. 3, 5

9. Victor Perez Diaz, *The Return of Civil Society* (Cambridge: Harvard University Press, 1993), pp. 3, 57

10. Jean L. Cohen and Andrew Arato, *Civil Society and Political Theory* (Cambridge: MIT Press, 1992), p. ix

Robert D. Putnam focuses on civil and political associations. He argues that a civic community, the basis of democracy, is characterized by the values of participation, political equality, solidarity, trust, and tolerance, which are embodied, following Tocqueville, in civic and political organizations. “A dense network of secondary associations both embodies and contributes to effective social collaboration.”¹¹ Larry Diamond, finally, gives the term a definition closer to its Tocquevillean meaning, as we will see: “(T)he realm of social life that is open, voluntary, self-generating, at least partially self-supporting, autonomous from the state, and bound by a legal order or set of shared rules...”, excluding individual and family life, economic society (business firms) and political society (parties).¹²

Beyond definitional differences (Seligman and Diamond focus on the public sphere and autonomy from the state, Perez Diaz and Cohen and Arato include markets or family life, Putnam does not distinguish between civil and political associations), it is imperative to specify systematically what constitutes a strong civil society, or what makes a society civil. This is essential for the testing of propositions linking civil society with democracy.

The reason is clear. The proposition that the mere presence of a civil society, or even of a vibrant one is a necessary or even sufficient cause of the generation or the maintenance of democracy makes little sense. Highly mobilized and organized societies could be very highly polarized, and thus inhospitable to democratic institutions. Weimar Germany, the Spanish II Republic, or Argentina and Chile in the 1970s are cases in point. Larry Diamond and Michael W. Foley and Bob Edwards have argued that a flourishing civil society could mobilize citizens to either strengthen or undermine democracy,¹³ and Sheri Berman has documented the nefarious role of Weimar’s vigorous civil society.¹⁴

What these arguments miss is that the independent variable, in the Tocquevillean and Gellnerian tradition is, as we will see below, not just a civil society, but also a strong one, and “strong” does not just mean that major and highly mobilized social organizations exist. Moreover, of course, the proposition would be that a strong civil society is a necessary but not sufficient condition of democracy: How could a major institutional complex have a single cause, valid everywhere? Affirming the civil society hypothesis does not preclude the causal efficacy of the economic, political and cultural determinants discussed since classical times, even though the hypothesis implies that these other determinants, from Seymour Martin Lipset’s level of economic development to Putnam’s civic political culture, are mediated by civil society.¹⁵

11. Robert D. Putnam, *Making Democracy Work* (Princeton: Princeton University Press, 1993), p. 90. See pp. 86-91

12. Larry Diamond, *Developing Democracy: Toward Consolidation* (Baltimore: Johns Hopkins University Press, 1999), p. 221

13. Diamond, *Op. Cit.*, pp. 218-260; Michael W. Foley and Bob Edwards, “The Paradox of Civil Society,” *Journal of Democracy* 7,3(1996), pp. 38-52

14. Sheri Berman, “Civil Society and the Collapse of the Weimar Republic,” *World Politics* 49, 3 (1997), pp. 401-429

15. Seymour Martin Lipset, *Political Man* (Baltimore: Johns Hopkins University Press, 1981), pp. 27-30, Putnam, *Op.Cit.*

The Tocquevillean-Gellnerian Position. As is well known, Tocqueville argued that the central political process of the contemporary world is the spread of equality of condition, or the democratization of society, by which he basically meant the abolition of ascriptive privilege. When arguing that the process of democratization is irresistible and necessary, he referred to this sense of the term. He did not expect a democratic polity to be the necessary, or even likely correlate of democratic society. In fact, his central point was that a democratic society would generate a strong tendency toward despotism. For Tocqueville, the state as an organization is inherently driven toward centralization. Unless societal forces check this tendency, a despotic regime would be the natural outcome.

He contended that equality of condition had two consequences: the disappearance of powers that had, in aristocratic societies, mediated between the state and the citizenry,¹⁶ and the growth of political apathy. His argument in this regard represents an early use of an explanation based on mechanisms. Equalization of condition would lead to apathy because of the operation of two micro-mechanisms, which facilitate the centralization of power: First, modern society produced growing individualism; and second, people are more interested in equality than in liberty.¹⁷ Therefore, citizens are prone to surrender to the state.

The task of preserving political democracy, then, consists in creating countervailing forces not controlled by the state, which would involve citizens in the public sphere and block centralization of power. He was interested in studying the American polity because, from the standpoint of his theory, it appeared as a deviant case, a democratic society whose polity had remained democratic. As is well known, he concluded that this was due to a combination of peculiar factors: mores, institutions, and physical circumstances, in descending order of causal efficacy.¹⁸ However, in the end his general argument (i.e. what is generalizable from the American case) turned out to be more institutional than cultural. He focused on variables such as the existence of a strong web of independent voluntary associations, the separation of church and state, the existence of administrative decentralization and strong local government, the jury system, an independent press, etc.

His well-known conclusion was, of course, “Tocqueville’s Law”: “Among laws controlling human societies, there is one more precise and clearer . . . than all others. If men are to remain civilized or become civilized, the art of association must develop and improve among them at the same speed as equality of condition spreads.”¹⁹

Gellner’s analysis represents, in my view, the most encompassing and systematic application of the Tocquevillean concept to contemporary societies. As John Hall has pointed out, his focus was on understanding civil society as the self-organization of

16. See Alexis de Tocqueville, *The Old Regime and the French Revolution* (New York: Doubleday, 1955)

17. In this regard, see Tocqueville, *Democracy*, pp. 507-509, 503-506

18. *Ibid.*, p. 305

19. *Ibid.*, p. 517

strong and autonomous voluntary groups that balance the state.²⁰ Civil society is autonomous in the sense that its constituent units are self-governed, but it is still linked to the state, and it operates within its institutional channels. Gellner defined civil society as “that set of diverse non-governmental institutions which is strong enough to counterbalance the state and, while not preventing the state from fulfilling its role of keeper of the peace and arbitrator between major interests, can nevertheless prevent it from dominating and atomizing the rest of society.”²¹

As Tocqueville before him, Gellner has argued that a strong civil society is inherently connected with democracy, to the extent that the two are different labels for the same type of society (and part of a broader institutional package involving the decentralization of economics and culture). “Without these institutional pre-conditions, ‘democracy’ has little clear meaning or feasibility.”²² However, separating analytically the system of voluntary associations from political and governmental institutions allows us to return to Tocqueville’s original question, and look into the relationship between civil society and democracy. If we make the distinction, Gellner’s response in this regard would be consistent with Tocqueville’s: A strong civil society is a necessary foundation for democracy.

Operationalizing a Strong Civil Society. I will now attempt to operationalize the term, in the sense most consistent with Tocqueville’s and Gellner’s arguments, and for the purpose of examining the relationship between characteristics of civil society and the existence and quality of democracy.

Civil society is a slice of society, whose core is the web of voluntary associations that articulate interests and values, and their system of interaction, as long as these units are not under the control of the state. It may contain *Gemeinschaften*, and eventually civil society as a whole may generate a strong *Gemeinschaft*, but it consists of (relatively independent) *Gesselschaften*. This slice of society, for Tocqueville, is different from what he called political society, and thus from the party system. Of course, this conception of civil society also excludes economic society, and the family and other institutions in the private sphere.

This definition has an important implication. In the tradition inherited from classical theory, and *pace* international agencies and NGOs, civil society includes associations representing both the under-privileged and the privileged, the excluded and the included (and also the excluders), the poor and the rich, in sum, the “good” and some of the “bad” people as well.

We can now address the operationalization of civil society strength. For this purpose, it is useful to consider that three analytically distinguishable dimensions, density, autonomy and self-regulation, constitute civil society.

Density refers to the extent to which all the major interest and value communities existing in the society are organized and mobilized. Elites usually are, so the issue is the

20. John A. Hall, ed., *Civil Society: Theory, History, Comparison* (Cambridge: Polity Press, 1995), p. 15

21. Gellner, *Conditions*, p. 5

22. *Ibid.*, p. 189

extent to which non-elite social forces are also organized and mobilized. Autonomy implies self-rule, rather than absolute independence from the state. Of course, there is no reason to assume that civil society organizations will always have an anti-governmental orientation or will refuse to participate in governmental activities. Self-regulation means that the units of the associational web, in representing the interests and values of their constituencies, function within the institutional channels of the democratic state. They may form coalitions and engage in conflict, but they act within the boundaries of the constitution and the laws.

These dimensions are relative, of course: In the most democratic of societies, some significant interest or value groups are not organized, associational autonomy is formally constrained by the laws and formally and informally limited by the government, and self-regulation is always bound by the legal, administrative, and political framework of the society.

Based on the dichotomization of these dimensions we can formulate four ideal types of society:

- I. Density is Low.** In this kind of situation, few or no autonomous groups exist, because of either non-mobilization or exclusion/repression. The latter is the simplest mechanism available to the state for reducing or blocking the autonomy of society. Russia in the Tsarist period is an example.
- II. Autonomy is Low.** A situation in which there is a dense web of associations representing interests and values, but the web is heteronomous. State corporatism is a second, and more sophisticated, mechanism for the control of society by the state. If density is high, this is the pattern of relationship between the state and associations characteristic of totalitarian and some populist regimes. The Soviet Union is an extreme case, Mexico under the PRI, a more partial one.
- III. Self-Regulation is Low.** Whenever this happens in societies in which the web is dense and its constituent units are highly autonomous, but there are intense cleavages, high polarization ensues. Weimar Germany, Lebanon today, Argentina or Chile in the 1970s are instances of this situation.
- IV. All the Variables are High.** Only when the associational web is dense, autonomous, and has a high capacity for self-regulation, i.e. for conflict resolution within the institutional channels of democracy, civil society is strong. For this to happen, Tocqueville's "art of association" should be supplemented by the "art of negotiation."

Therefore, what the Tocquevillean-Gellnerian proposition asserts is that this type iv of society is a necessary, albeit not sufficient, condition for the generation and maintenance of a high-quality democracy. This latter criterion implies that the dependent variable itself also requires conceptualization. Indeed, it is possible to have a democracy, and a stable one, without a strong civil society. However, it is likely to be what Juan Linz and Alfred Stepan have called a low-quality democracy, varieties of which are

Guillermo O'Donnell's delegative democracy (a democracy with deficient accountability), Fareed Zakaria's more extreme illiberal democracy (i.e. a democracy in which the rule of law and civil rights have a low level of institutionalization), and Diamond a pseudo-democracy (an authoritarian regime with electoral façade).²³ In fact, there are at least three different types of democracy, with ascending levels of quality. These are the basic electoral or Schumpeterian kind; the Dahlian or liberal one, characterized by high levels of inclusiveness and contestation, and strong institutionalization of civil and political rights; and the republican type, which includes, in addition to the institutions of liberal democracy, a highly active and organized citizenry.²⁴

Based on this conceptualization, I will now examine the emerging relationship between state and society in contemporary Latin America.

State and society in contemporary Latin American democracies

The Articulation between Society and the State in Latin America

There is a rich tradition of associational life in Latin America. Since the re-establishment of democracy old organizations, such as trade unions, professional associations, entrepreneurial groups, churches, community organizations of all kinds, sports clubs, etc., have sustained a vigorous internal life and a very visible public presence. New organizations representing the poor and the excluded, many of them the victims of recent processes of economic liberalization, have come into being in the recent period (e.g. the landless movement in Brazil, the organizations of the unemployed, or *piqueteros*, in Argentina, etc.), and some of them have displayed a high capacity for mobilization. Finally, organizations based on ascriptive identities (gender, sexuality, race and ethnicity), akin to their counterparts in advanced industrial societies, have mushroomed. However, this intense associational landscape is not indicative of a strong civil society, at least in the sense discussed above. Large segments of the society are not organized, and some of the organized are not very autonomous, or not very civic.

Social and economic dualism has been a central, and enduring, characteristic of most Latin American societies.²⁵ For most of the 20th Century, only Argentina and Uruguay, the region's most developed countries, which had eliminated their peasantries in earlier periods, and whose population consisted largely of European immigrants, had avoided this trait. Dualism has intensified in the past two decades, this time in all

23. Juan Linz and Alfred Stepan, *Problems of Democratic Transition and Consolidation* (Baltimore: Johns Hopkins University Press, 1996); Guillermo O'Donnell, "Delegative Democracy," *Journal of Democracy* 5 (1994), pp. 55-69; Fareed Zakaria, "The Rise of Illiberal Democracy," *Foreign Affairs* 76, 6 (1997), pp. 22-43; Diamond, *Op. Cit.*, Ch. 1-3

24. See Joseph A. Schumpeter, *Capitalism, Socialism, and Democracy* (London: Allen & Unwin, 1976), Ch XXI-XXII; Robert A. Dahl, *Polyarchy* (New Haven: Yale University Press, 1971)

25. For a survey of inequality in Latin America, see World Bank, *Inequality in Latin America: Breaking with History?* (Washington, D.C.: World Bank, 2004)

countries, because of intense economic liberalization and most states' limited capacity to implement effective compensatory policies. Throughout the region, social polarization (and in at least one case, Venezuela, political polarization as well) has increased. Dualism has major implications for civil society, state-society relations in general, and the quality of the new democracies.

The institutions that are being consolidated in some of these polities differ substantially from those advocated by the classical liberal model, and from the norms and practices that prevail in the established democracies of Western Europe and North America. These differences appear in three layers: the preservation of authoritarian residuals, the weakness of the rule of law, and the articulation between state and society. I will focus on the third.

The first layer consists of the preservation of authoritarian residuals (e.g. in Chile, where the Senate has been packed with "institutional representatives," mostly of state agencies that were the core of the previous military regime; or Argentina, where presidents routinely circumvent Congress by abusing decree powers). The second is the fact that the rule of law has a low level of institutionalization in most of these polities: Governments make an instrumental use of constitutions and laws, the judiciary is ineffective, dependent or even venal, and substantial corruption exists.

Finally, there is the third layer. Clientelism has been pervasive in Latin America, state corporatism was an important feature of the institutional structure of some of its larger societies (Brazil, Mexico, Argentina) during the period of intense urbanization and industrialization that followed World War II, and almost all the countries in the region have experienced protracted authoritarian regimes, some of them quite coercive. These three institutional frameworks represent varieties of a state-society relationship in which government is the principal and citizens the agent: The exact reverse of the relationship presupposed by the ideal model of liberal democracy. An interesting peculiarity of Latin American states is that, while being in most cases weak *vis-à-vis* their elites and major powers, they have nevertheless developed these relationships of vertical control with their societies.

State corporatism became unviable once the newly urbanized and industrialized societies outgrew its straightjacket. Authoritarian regimes succumbed to legitimacy vacuums, the mobilization of their societies, international demonstration effects, and big powers' distancing from them. However, clientelistic tendencies persist, and mark the new democracies as fundamentally different phenomena from their counterparts in advanced industrial societies. As we will see, dualism and clientelism are inherently tied and persisting, to the extent that they could be considered the "deep structure" of Latin American societies. The overall effect is partial democracy, or what I will call the bifurcated state.

I hasten to point that "old" or established democracies have also been characterized by considerable dualism and some clientelism in the past (and some residues are still around), but the difference between them and the new Latin American democracies is substantial enough to produce a different relationship between state and society as a whole.

Dualism, Economic Liberalization, and the Bifurcated State

My argument can be summarized in three propositions: First, economic liberalization intensifies traditional dualism, and it has a contradictory effect on civil society. Second, a dualized society generates affinity with a bi-facial state. Third, the dynamics of democracy tends to reinforce dualism. The evidence is as follows.

I. Economic Liberalization Intensifies Traditional Dualism, and it has a Contradictory Effect on Civil Society. The liberalization of previously semi-closed economies (privatization, de-regulation, and the opening-up of the economy) is governed by the logic of differentiation.²⁶ The first effect of economic liberalization is the increase in both vertical and horizontal differentiation. Polarization between the affluent and the deprived widens, but there are “winners” and “losers” within most social classes, sectors of the economy, and regions, be they rich or poor. As some industries expand, either because they are internationally competitive or because they serve an expanding local demand, the social classes connected with them and the regions where they were located improve their fortunes. Conversely, as industries that contract because of their inability to withstand foreign competition or because they serve markets hurt by economic liberalization, their owners and workers suffer, and so do the areas in which they operate.

The experience of advanced countries indicates that the very dynamics of capitalism (and, in some cases, policy) reduce the overall level of differentiation in a second stage (even though the development of capitalism keeps producing differentiation, both at the micro and the macro levels). However, this happens when effective market institutions and states are in place, something that does not happen in most Latin American countries. Thus, one can break the eggs and in the end fail to make the omelet. This may be the outcome of economic liberalization in some parts of the region. In medium and large Latin American countries in the 1990s, the period of large-scale liberalization, income inequality, measured by Gini indices, has been substantially reduced only in Chile and stabilized in Mexico. It has grown in most other countries, spectacularly in Argentina.²⁷ Whether and when this second stage will occur in Latin America is still an open question.

The consequences of this economic transformation on civil society have been contradictory. On the one hand, the strengthening of market mechanisms has produced the social dislocation discussed above; on the other, it has reduced the control of society by the state, and solidified autonomous associations in some areas of society within the class segments and regions that can be considered the “winners” in the process of economic differentiation. As I noted above, these “winners” are located in all social

26. For a discussion of this process, see Carlos H. Waisman, “Civil Society, State Capacity, and the Conflicting Logics of Economic and Political Change,” in Philip Oxhorn and Pamela Starr (eds.), *Market or Democracy?* (Boulder: Lynne Rienner, 1998). See also Ahrend Lijphart and Carlos H. Waisman (eds.), *Institutional Design in New Democracies* (Boulder: Westview Press, 1997, pp. 235-237

27. World Bank, *Inequality in Latin America*, p. 8

classes: If the Brazilian automobile industry is internationally competitive, the companies producing cars benefit, and so do the unions, the firms related to this industry via forward and backward linkages, and the regions in which the plants are located. The ensuing social environment has been conducive to the generation and strengthening of associations within these groups and the establishment of “civic” relations among different interest constituencies and between them and the government. An open market economy contributes to the emergence and consolidation of a bargaining culture among interest groups. This facilitates the spread of mechanisms for the management of social conflict that do not involve the state as a decision-maker (a situation compatible, of course, with a governmental role as a regulator or last-instance adjudicator). This is the institutional environment in which societal self-regulation is likely to grow. Also among the “winners”, relations with the government have tended to be the ones characteristic of democracy: demand-making, offering of contingent support, etc. Overall, these are the traits of what we have called above a strong civil society.

The other side of the picture is the weakening of civil society among the “losers.” If the Argentine textile industry is not competitive, its firms disappear, their workers become unemployed, and the areas housing the mills turn into rust belts. The logic of differentiation has intensified pre-existing economic and regional cleavages, and the outcome is the segmentation of society into a “civic” pole, characterized by strong associations and capacity for self-regulation and a “disorganized” or marginalized one, with a low level of autonomous group organization, and a low capacity for sustained, organized, independent mobilization.

A gulf in this regard exists in all democracies, to the extent that Ralf Dahrendorf has argued that the cleavage between the “organized” and the “disorganized” sectors is becoming the central one in advanced capitalist countries.²⁸ However, the level of deprivation and inequality in the U.S. or Western Europe is incomparable with that of Latin America: World Bank income distribution tables contain empty cells for these countries in the column “Population under \$2 a day”, but the proportions were 43% in Brazil and 40% in Mexico at the turn of this century.²⁹ The ratio of income received by the 10th to the 1st deciles of the population was, at that time, 17 in the U.S. and 14 in Italy, vs. 54 in Brazil and 45 in Mexico.³⁰

The extent to which cleavages are cumulative is especially important for political institutions. Where the spatial organization of the economy into cores and peripheries produces a territorial concentration of civic and disorganized fragments, more or less like in the Italy described by Putnam,³¹ and real or imagined cultural differences between the areas in question exist, there is a potential for serious state crises. Such a situation

28. Ralf Dahrendorf, *The Modern Social Conflict: An Essay on the Politics of Liberty* (Berkeley: University of California Press, 1988)

29. World Bank, *World Development Report 1998/99* (New York: Oxford University Press, 1999), pp. 196-197

30. World Bank, *Inequality in Latin America*, p. 2

31. Putnam, *Op. Cit.*

could lead to the development of centrifugal forces in “rich” regions, or the breakdown of state control in the poorer ones.

Thus, the effect of this fragmented society on democratic institutions is complex. There is no automatic link between a rich associational life and a high-quality democracy. The civic pole generates an involved citizenry that, in the process of advancing or protecting its interests and values cooperates with or opposes the government, and at the same time limits or balances it. At the same time, the mere existence of a large disorganized pole invites governments and parties to relate to it through one of the several non-democratic linkages institutionalized in Latin America’s recent historical trajectory.

II. A Dualized Society Generates Affinity with a Bi-Facial State. A setting of this type generates a propensity for what I have called a bifurcated state. This is due to two facts: the forms of political action to which the two poles of society are prone, and politicians’ incentives.

First, it should be obvious that two poles generate very different kinds of social input into politics. The civic pole produces citizens and citizen groups, i.e. forms of political action characterized by the making of demands and the offer of supports, in which individuals and the associations they form view themselves as principals and the politicians as agents. The disorganized pole, on the other hand, is more likely to generate apathy, perhaps punctuated by short-lived mobilization, or the dependent participation characteristic of clientelistic or corporatist arrangements. People living below the poverty line, who are either unemployed or employed informally or intermittently, and who in some cases live in environments characterized by social disorganization, lack the resources or the inclination for the sustained exercise of citizenship. Moreover, their deprivation renders them the ideal candidates for clientelistic or corporatist co-optation. Instances of independent mobilization are likely to be short-lived, and often non-institutional and in some cases violent. Since re-democratization, urban or rural *jacqueries* have occurred in several Latin American countries (Argentina, Bolivia, Ecuador).

Politicians’ incentives, especially in a democratic setting, are the other factor. Politicians and governments respond to demands, and marginal sectors and regions are unlikely to sustain high rates of social and political participation, and to manage resources convertible into political influence. Political parties and government agencies will be more likely to interact with, and engage, the civic segment, and to deal with it based on the rules of citizenship. Therefore, democracy may become the game the winners play, or at least a game whose most permanent players are the organizations and groups within the civic pole.

Parties and governments may build constituencies within marginalized groups and regions, of course, and these constituencies may jump to the center of the political stage in some situations (especially when they display non-institutionalized forms of behavior). However, the relationship between them and government and parties are likely to be clientelistic or state-corporatist, and thus not conducive to the strengthening of civil society. Finally, if sectors of the marginal pole resort to violent forms of collective

action, coercion may become the standard state response. Hence the bi-facial state: liberal democratic *vis-à-vis* the civic pole, and clientelistic, corporatist or coercive *vis-à-vis* the disorganized one.

III. The Dynamics of Democracy Tends to Reinforce Dualism.

It could be expected that democratic institutions, whose dynamics depends on citizens' preferences, will generate, unlike the authoritarian regimes that preceded them, incentives among politicians to focus their agendas on the reduction of the gulf between the two poles of society. The fact that, in many of these societies, almost half the electorate lives under the poverty line should concentrate democratic politicians' minds.

It is not so obvious that this will be the case. In societies whose economic performance is not impressive and whose governments' ability to extract revenue is limited, shifting resources to the poor and the excluded would imply withdrawing them from other groups, elite or non-elite, but still part of the civic pole. This does not mean, of course, that re-distributive policies are impossible in the absence of sustained economic growth, but they are unlikely. Governments undertaking this road in the periods of fiscal stringency so common in Latin America would collide with the segments most able to deploy political resources in all but the lowest social strata.

In fact, the norm seems to be that for democratic governments, even those on the Left, law and order and macroeconomic stability, i.e. the "winner's" agenda, seem to loom larger than re-distributive policies, which are consigned to the realm of political rhetoric, token social programs, or some effective but narrowly targeted ones. Even in the face of massive poverty and dislocation, attempts to reduce subsidies and dysfunctional entitlements to the non-poor have been sparse and limited. This in societies where, in many cases, the affluent profit from credits, specifically targeted tax benefits, and toleration for large-scale tax evasion; and the middle classes also enjoy the latter, plus generous pensions for high government officials and free higher education. Likewise, the privileged segment of the working class, those who participate in the formal economy, is assisted with public-sector featherbedding and rigid labor markets.

As we can see, the relationship between civil society and democracy is very complex in Latin America. What are the prospects for these partial democracies? The desirable outcome, the emphasis on policies designed to reduce inequality, and its consequence, the strengthening of civil society and the expansion of citizenship, presupposes a strong state. This road is easier for countries with effective economic institutions or locked into expanding trade areas, such as Chile or Mexico. However, the very establishment and maintenance of these institutions implies a high level of state capacity: In order to have a sustained high-level performance, an open market economy requires a state able to deliver rule of law, manageable levels of corruption, effective regulation of markets, adequate levels of revenue, etc. This presupposes a government relatively insulated from distributional coalitions, and a (albeit modestly) Weberian state apparatus. These are in short supply in Latin America.

The alternative is not the centralization scenario predicted by Tocqueville for situations in which societal barriers fail to prevent state expansion, for *both* civil society and the state are weak in most of Latin America. Rather, the alternative is the further decay of democracy, and its transformation into a mere façade. This would happen if this Janus-like state articulated with the large civic and marginal political cultures that exist in the two poles of the society is institutionalized. This would amount to a return to the past: the renaissance, under a new guise, of the “liberal” limited democracy regimes that existed in much of the region before industrialization.

