

Civil Society

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Since 1989, European historical science has developed a strong interest in the concept of "civil society". According to a combined-definition that draws on both action-related and area-related criteria, civil society is a space and a sphere of action that exists between the private sphere, the economy, and the state. Acts in this sphere are based on a minimum consensus of norms that includes tolerance, fairness and freedom from violence. The normative content of the concept has been criticized for supposedly devoting insufficient attention to questions of religion and of gender discrimination, as well as for treating the state and the economy as mere counterparts to civil society. However, as a leading concept of empirical research, the concept of civil society has taken historical enquiry into the achievements and limits of the field of associations, and into the historical comparison of societies, well beyond the borders of Western Europe.

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The Development of a Research Theme

At the beginning of the 1990s, a new topic emerged in the historical science debate in Germany and other European countries: civil society. The 1989 end of political division in Europe brought what had once been the discourse of the political opposition in Eastern Europe into contact with new Western European discussions on approaches to fundamental concepts of political theory, and, in so doing, opened a new field of political and scientific discourse. Since the end of the 1990s numerous academic theses and other publications have made the theme broadly known in historical research.¹ Also, in 2002, the congress of German historians (*Der Deutsche Historikertag*) devoted one of its sections to the theme.²

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In this way, the concept and the theme of civil society has grown in importance in German historiography, especially at research centres in Berlin.³ This fact points to the complexity of the reasons and motives that, along with factors inherent to the scholarly disciplines themselves, contributed most to the establishment of this new field of research. The signs of the 1989 radical political change that affected the entire European continent, with consequences for the reconfiguration of science and scientific institutions, were seen with particularly clarity in Berlin.⁴ At the centre of Europe, the consciousness of having witnessed the end of the geographical division of the continent, which since 1917 had also marked a profound political and ideological divide, lent urgency to the need to create a new scientific concept that would also be able to express linguistically this radical change and the beginning of a new era. In the language of politics, the neologism "civil society" points clearly to the political origins and intentions of this newly created word that later found its way into German scholarly discourse. The neologism "civil society", and the corresponding concepts in the discourse of Eastern European and Central European opposition circles⁵, opposed the existing and encrusted political system of oppression and paternalism with arguments for individual freedom and self-determination. In this political struggle, that was conducted by the occupation of the field of political semantics on the part of internal anti-state movements, and movements outside the state, the classical West European political categories – most importantly, the English concept of "civil society" – provided not only essential points of orientation in the history of political ideas, but also became starting points⁶ for bringing political ideas into the struggle for freedom.

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All in all the success of this political impetus in preparing and carrying out the revolution of 1989 constituted the decisive political prerequisite that made "civil society" an accepted scientific term. This process was also aided by internal factors in the discipline of history: The reception of the concept of civil society was eased by those sections of historical science that, in accordance with their own theoretical foundations, had already worked with the systematically organised neighbouring disciplines, for example in projects devoted to the history of the middle classes, and had thus laid the foundation for further co-operation. It was primarily representatives of the "historical social sciences" who, in accord with a methodological shift of focus in the historical sciences, seized the opportunity to adapt their categories and the formulation of problems to the new and expanded sphere of objects. In the debate with the cultural science approaches that go under the name of the linguistic turn, the path became clear for research to look again, this time with new eyes, into civil society's structures and processes of social change, while paying particular attention to the acting parties. In view of the eminent political role that the acting persons in civil society played in the revolutionary events of 1989, especially in opposition civil rights groups in Central and Eastern Europe, the emphasis placed on their role was commensurate with the clear evidence of its reality and continued importance. After all, civil society was a genuine European theme. And, since revolutionary changes had brought an end to the confrontation of the ideological blocks and liberated the sciences in Eastern Europe, it could now, for the first time, be approached with the intention of comparing societies throughout the whole of Europe, free of the constraints of ideological camps.

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Concept and Plan

The German term "Zivilgesellschaft" ("civil society") has its place in the context of such older concepts of political theory as "societas civilis", "société civile" and "civil society". Especially the English concept of "civil society", that was re-defined and enriched during the Enlightenment, has shaped the conceptual framework of the current discussion. At the heart of the concept of "civil society" we find the idea of a progressive process of civilisation that, through work and economic competence, education and culture, and the civilising effects of voluntary sociability in associations, will overcome the traditional limitations placed on people by status and birth.

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When the term "civil society" is used in German as an analytical concept, it partakes of the ambiguity shared by other concepts of historical science that do not refer to epochs, such as "society", "middle class", and "public". In the case of "civil society" this problem is further exasperated for two reasons. First, the German term, "Zivilgesellschaft", compared, for example, with the English "civil society", is a very recent neologism. Second, and this is especially important, it was taken directly from the international language of political struggle where it has been used at many levels. At first it was closely linked to the anti-dictatorial movements and processes of transformation in Eastern Europe, Latin America, and on the Iberian Peninsula. Subsequently the concept gained currency in descriptions of problematic developments in Western societies. Here it has functioned as a guiding ideal in the pursuit of possible and desirable ways out of the highly complex crises of "post-modern" societies. In the face of individualisation and value pluralism, the chronic crisis of the classic welfare state, the credibility problems of traditional forms of political participation and representation, and the challenges presented by a globalised market economy, political actors, and many scholars, view a normative concept of civil society as a project that promises a good, or at least a better, society. Translated into scholarly language, the concept retains the genuine normative demands of the political sphere, which then shape the scientific discourse. This accounts for the concept's ambiguity: on the one hand "civil society" is a tool of social analysis, on the other it embodies a normative ideal.

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Due to the ambiguity of the concept of civil society, its introduction into the historical science debate posed a number of challenges in the creation of concepts and the making of definitions. In many cases the definitions recurred to already existing concepts from other disciplines, especially social science concepts, and thus mirrored their terminology. In this regard one can distinguish between three approaches:

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1. *Area-related Definitions*: Here civil society is understood to be a space for social action that is located between the state, the economy, and the private sphere (often called "family"). This in-between-sphere, sometimes referred to as the "third sector",⁷ is where social and political action is formed in free associations of a particular cohesion and inten-

sity. The sphere is characterized by a high degree of social self-organisation in which the actors are social movements and non-governmental-organisations.⁸ In this concept the state is interpreted most often as a territorial and institutional sphere that is separate from civil society; indeed the state is often seen as being in opposition to the third sector.⁹

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2. *Action-related Definitions:* In historical literature and theories of democracy the concept of civil society that is used most often is based on fundamental normative assumptions concerning the quality of social action, respectively, concerning a society's cohesion. Such definitions focus on the positive contributions of civil society in the establishment and stabilisation of democracy, and on civil society as the regulatory centre of democratic self-governance and the place where democratic learning processes can develop.¹⁰

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This political science way of looking at civil society, which is geared to the present, has been adopted in a number of historical studies. These formulate a canon of so-called "civil" modes of action, or virtues, that take up historically real demands (or codes of conduct) of civil society's acting persons, and bind them into a framework of value attitudes that demonstrate a trans-historical quality and systematic completeness. This canon of value attitudes and modes of conduct is a constitutive part of the demonstration of the presence of civility – in the sense of civil society – in history.

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3. *The combination of area-related and action-related definitions:* Recent social science approaches have combined the definitions of civil society that are based on specific social spaces with those that are based on normative criteria, or modes of conduct. Here civil society is defined as an area between the private sphere and the state in which "a minimum consensus of norms" exists, consisting of tolerance, fairness and non-violence.¹¹ This approach has been adopted by those in the historical sciences who wish to broaden the traditional perspectives of historical social science with the addition of action-related approaches and the analysis of acting persons. In so doing, they develop historical ideal-types of the modes of civil society interaction that include the spatial spheres of interaction. Thus civil society is twice defined: First, as a specific kind of social action¹² which differs from others, e.g. fighting and war, exchange (or the market), hierarchical domination, or private life; second, as a social area located between the state, the economy, and the private sphere of the family, which is characterised by a particularly high degree of social self-organisation.

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Areas of Research and Application

Since the 1990s the interest in civil society as an object of historical research has called forth new empirical studies that focus on its conceptual variations. The "evocation of civil society"¹³ refers to both a re-discovery and a new reading of the classical texts, and other sources that date from the time of the Enlightenment, for the purpose of seeking the ideal origins of the *civil society/société civile/bürgerliche Gesellschaft*.¹⁴ The approach has led to further research into the reconstruction of civil society motives in 19th and 20th century reform discourse.¹⁵

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Along with this development the semantic field of German words like "zivil"/"Bürger"/"Bürgerlichkeit" ("civil"/"citizen"/"bourgeoisie") gain in importance; especially in the perspective of comparative semantics, since the German word "Zivilgesellschaft" is indebted to borrowings from the English and French language of politics.¹⁶ A second focus of empirical research is connected closely to the area-related understanding of civil society and emphasises the civil society actors in the field of associations. In this regard the central question is: How is civil society constituted through the association of individuals from the local to the national level? Here, previously unexamined association activities are explored, for example those of the political estates, associations of nobles¹⁷, and also cultural organisations – as well as the goals of these associations in their local and national contexts.¹⁸ Philanthropic motives and forms of patronage found in civil commitment are the main object of these studies which have brought new empirical material to the surface, especially at the local level.¹⁹

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In the turn to the study of political and social associations as they existed at the end of the 18th, and at the beginning of

the 19th, century, religious contexts and motivations acquired more importance than they had been given in the empirical research up to, and including, the 1990s that was conducted within the framework of the secularisation thesis. Insofar, the focus on civil society and civil society associations has contributed to the "return of religion" that is part of the historical enquiry into modernity.²⁰ All in all there are more empirical studies on the constructive effect of fields of association for the organisation of civic commitment and for civil society democracy. However, such precise empirical studies also bring aspects to light, which in the past were more strongly anchored theoretically. Among others, the very effective mechanisms for the exclusion of outsiders that are found in associations that, internally, are organized fraternally and in the spirit of self-determination, e.g. Masonic lodges (→ Media Link #ad).²¹ In addition, this research supports the critique that has been raised in gender history that both the public space of politics as well as the life of associations has been viewed previously in exclusively male terms. This aspect has also been analysed and compared internationally.²² Exclusion mechanisms found at the level of the national community, and which thereby demonstrate the principle limits of the nationally constituted civil community, have been highlighted in studies that take the civil society ideal of citizen rights and equal participation to be the criterion of European societies in the 19th and 20th centuries.²³

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The important contributions made by these new studies are found in primarily two areas: First, under the guiding concept of "civil society", they have discovered new empirical material by concentrating on local communities and associative groups. Second, many studies have focused on a comparison that goes well beyond the one usually made between the classical Western countries in which the terms *civil society*, *société civile*, and *Zivilgesellschaft* originated, i.e., England, France, and, with some qualifications, Germany. The research paradigm of "civil society" has led to a large increase in the number of comparisons made between East and Central European societies, and those in the West, including the United States of America.²⁴

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Critique and Limits of the Approach

The turning of "civil society" into a research paradigm of social science triggered controversies and a fundamental critique that were continued in the historiographical debate and grew in intensity in some scholarly disciplines. One fundamental point of criticism that arises from the analytical perspective is the charge that the concept is compromised by its normative content. No one expressed this criticism more clearly than the sociologist Niklas Luhmann (1927–1998) (→ Media Link #ae), who, in regard to the scientific application of the paradigm, wrote: "Die heutige Wiederaufnahme dieses Begriffs aufgrund historischer Rekonstruktion hat so deutlich schwärmerische Züge, dass man, wenn man fragt, was dadurch ausgeschlossen wird, die Antwort erhalten wird: die Wirklichkeit".²⁵ The critique contained in this statement of the concept's semantic overextension, and the political and analytical loss of value that goes with it, led the political scientist Volker Heins (*1957) (→ Media Link #af) to speak of the term as "Worthülse" ("empty shell").²⁶

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In Germany – but also in the United Kingdom and France – the concept of civil society is not part of the mainstream of historical science and, in view of the concept's intimate and long standing relationship to the historical social sciences, is not on its way to entering the mainstream. The majority of historians in Germany whose orientation is political history,²⁷ or indeed cultural history, ignore the civil society approach; either because they are fundamentally sceptical of its relationship to theory, or due to the socio-historical form that it has received in the historical social sciences. Some reserve can also be felt in historical social science itself. Here, along with the neologism "civil society", recourse is taken to other concepts that are derived from the historical sources such as "bürgerliche Gesellschaft" ("bourgeoisie society") or "Bürgergesellschaft" ("society of equal citizens").²⁸ The critique becomes more decisive in regard to the obvious blind spots of the theoretical concept "civil society": The term is still tied to the notion that modernity means secularisation and has ignored or underestimated the role of religion in the legitimation, and practice, of civil society forms of organisation.²⁹ Parallel to this, objections were raised to the "gender blindness" of the traditional theory of civil society and civil order, i.e., to its de facto or implicitly male dominated notion of the public sphere and civic participation.³⁰

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The most fundamental critique that arose from the historical perspective was directed against the widespread concentration on the field of associations as the symbol of civil society and its sign of quality. With reference to social science's critique of those who follow Alexis Charles Henry de Tocqueville's (1805–1859) (→ Media Link #ag) idealisation of the

field of associations³¹, detailed historical research has demonstrated the weakness of the area-related concept of civil society. For example, a study of the pre-dictatorial Weimar Republic, with its widely spread and healthy life of associations, demonstrates the many practices of exclusion, some of them extreme, of the period's associations, which constituted a danger to democracy. The existence of the field of associations is not in itself proof of civic commitment to freedom, tolerance, and equal participation, as these terms are defined in civil society forms of community organisation.³² Here the paradoxes of civil society, or more precisely of the concept of civil society, become more pronounced.³³

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At the same time, the area-related model of civil society, with its apriori and implicit normative assumptions, is criticised by those who separate civil society from the state and the economy. However, historical analysis does not support the position, so often propagated by political interests, that civil society and the state stand in opposition to one another. Historically, the state with its legal institutions was not an opponent of civil society in every instance, rather in many cases it acted as an ally, protecting it from superior powers, and functioning as the guarantor of its demand for equality and autonomy.³⁴ Structurally analogous to this issue is the research controversy on whether the economy (or market) should be viewed as an historical part (John Keane (*1949) (→ Media Link #ah)) of civil society or as its foe (Jürgen Kocka (*1942) (→ Media Link #ai)).³⁵ A similar critique has been made of the separation of family and civil society.³⁶

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Research Perspectives

The critique and controversies of the paradigm "civil society" demonstrate the limits of its use in historical research. However, the controversy itself also opens new research perspectives.

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The critique of the often implicit normativity of the concept of civil society reveals how very much its use in historical research presupposes its comprehensive historicisation. In the first instance this means that the normativity of both the area-related and the action-related understanding of the concept should be made clear. This analysis leads to very different conclusions. Whereas the area-related concept is justly criticised for limiting itself to associations, the action-related concept opens the opposite perspective: The manifest normativity of the criteria of civil society action as "good" action directed toward the establishment of a "good" social order, can itself be made the object of historical research, for example, by analysing the disciplining and de-legitimation of violence. Two approaches recommend themselves here: In the first, normative action-guided concepts of civil society, which were developed by civil society actors in their time (e.g. tolerance, non-violence, self-determination, community responsibility, etc.) are examined in the light of their pre-conditions and their effects through the process of historical change. In the second, the opposite takes place and a normative ideal of action is taken as the criteria of civil society. Thus, for example, in the social theory of middle class society since the days of Georg Friedrich Wilhelm Hegel (1770–1831) (→ Media Link #aj), the expressed ideal of "cognizing the other", combined with values such as tolerance, solidarity, and reciprocity³⁷ – understood as fundamental elements of civil society and civility – are examined in long term historical perspective to see if the discourse and praxis of the historical actors led to their ideals being realised or not. In this way, civility as a normative element of action becomes the leading paradigm of historical research into civil society.

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From the foregoing, two thematic conclusions can be drawn for research practice: First, the historical semantic of "civil society", and especially "civility", will be of great importance in the inventory of civil society concepts and guides to action. In previous research, this historical discourse perspective on civil society was hardly examined, even less in transnational comparisons.

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Second, the question concerning the transfer of civil society's norms of action will shed light on many new connections: Up to now, the question of the transfer of the norms and practices of civility between a society's various social groups and actors has not been rigorously pursued.³⁸ This is even truer for the means and effects of transnational transfers and their links to discourses concerned with the concept of civility. The reception of Western discourses on civil society, for example in (post)-colonial India³⁹ and in Eastern Europe since the 1970s,⁴⁰ can shed new light on the colonial and cultural differences of power within Europe, and with regard to non-European cultures. In research concerning the civic

aspect of civil society conducted by so called "Western" and "non-Western" discourses, three basic lines of investigation have begun to emerge: First, with regard to European imperial history (→ Media Link #ak), the hegemonic claims of European political concepts dating from the colonial period, rapidly reach their limits of acceptance and usefulness in post-colonial times and areas. Second, basic differences between Western and non-Western fundamental political concepts become clear precisely at those places where there is no history of colonial relations. Third, studies of the history of the inter-relation of concepts demonstrate the changes that European concepts of civil society/*Zivilgesellschaft* undergo when they are applied to non-European contexts, and, vice versa, the effect these changed concepts have on the original European context.

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The call for the historicisation of the concept of civil society as a research paradigm, reveals that in the history of Europe since 1989 it is "less obsolete" than ever. Today the main civil society demands of legally guaranteed autonomy and equal participation in community decisions have been realised to a far greater extent than they were during the Enlightenment, when the concept of civil society was developed. At the level of Europe considered as a political community, the concept of a European civil society plays an increasingly larger role: Both in debates on the progress of economic and political integration, as well as in those concerned with deficits in democracy. It also functions as the yardstick for measuring the practicability of an integrated European society, its organisations, and cohesion.⁴¹ This does not justify the assumption of a historical victory of civil society, but it does justify the historical reconstruction of the progress – and reversals – of this ideal of society that has become attractive throughout the world.

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Appendix

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Notes

1. ^ A survey of current research can be found in: Hildermeier / Kocka / Conrad, *Europäische Zivilgesellschaft* 2000; Jessen, *Geschichte* 2004; Bauerkämper, *Praxis* 2003.
2. ^ In Halle 2002 with the theme "Civil Society as Process and Project: Concept and Research Results".
3. ^ In Germany in 1992 a research association was established at the Free University Berlin which, for the first time, conducted historical research explicitly under the guiding theme of "The Rise, Crises, and Perspectives of the Bürgergesellschaft/Civil Society from the Eighteenth to the Twentieth Century". See the series "European Civil Society", Berghahn Books (New York et al. 2006 et seq.) edited by Dieter Gosewinkel and Jürgen Kocka with the following volumes: Wagner, *Languages of Civil Society* 2006; Keane, *Berlin Perspectives* 2006; Trägårdh, *Northern Europe* 2007; Hagemann / Michel / Budde, *Gender Justice* 2008; Perez-Diaz, *Markets* 2009.
4. ^ In this connection, see the presentation by the most influential representative of this position: Kocka, *Wandel* 2006.
5. ^ For a bibliography, see for example: Arndt, *Intellektuelle* 2007; Geremek, *Polens Bereitschaft* 1991.
6. ^ In the future this widespread assumption (see the classic study Cohen / Arato, *Civil Society* 1992, p. 15 ff.) will have to be examined in more detail.
7. ^ In the scholarly discussion, the "third sector" is sometimes equated with civil society (see: Klein, *Diskurs* 2001, p. 145), and sometimes interpreted as an element or subdivision of civil society. Cf. Anheier / Priller / Zimmer, *Dimension* 2000.
8. ^ Cf. the Introduction to Bauerkämper, *Praxis* 2003, pp. 7–30, especially p. 9; Lauth, *Zivilgesellschaft* 2004, especially p. 38, first part of the definition.
9. ^ Called the "common core" of the definition of civil society by Cohen / Arato, *Civil Society*, p. 74.
10. ^ Klein, *Diskurs* 2001, p. 311 ff.
11. ^ See Lauth, *Zivilgesellschaft* 2004, p. 38.
12. ^ Kocka, *Zivilgesellschaft in historischer Perspektive* 2003, pp. 32–33.
13. ^ Taylor, *Beschwörung* 1991.
14. ^ Ellis, *Immanuel Kant's* 2000; McNeely, *Intelligence Gazette* 2000; Kean, *Old Images* 1998; idem, *Civil Society and the State* 1988; Stecker, *Solidarität* 2004.
15. ^ E.g. Jaeger, *Reformkonzept* 2004; McNeely, *Intelligence Gazette* 2000.
16. ^ Building on Riedel, *Gesellschaft* 1979; Koselleck, *Drei bürgerliche Welten* 1991; Kocka, *Problem* 2000, pp. 14–21; Wagner, *Languages* 2006.
17. ^ Mesenhöller, *Ständegesellschaft* 2004; Malinowski, *Adel und Zivilgesellschaft* 2004.
18. ^ Menninger, *Jenseits der Bühne* 2004; Ther, *Kultur* 2004.
19. ^ E. g. Adam, *Bürgerliches Engagement* 2004; Frey, *Diskretionspolitik* 2004.
20. ^ Borutta, *Religion* 2005; Herbert, *Religion* 2003; Große Kracht, *Kirche* 1997; idem, *Fremdlinge* 2004.
21. ^ Hoffmann, *Politik der Geselligkeit* 1999; idem, *Geselligkeit und Demokratie* 2003.
22. ^ Budde, *Frauen* 2004; Hagemann, *Gender Justice* 2008.
23. ^ Gosewinkel, *Einbürgern* 2003; Müller, *Nationalisierte Zivilgesellschaft* 2003.
24. ^ Cf. to this approach: Hildermeier / Kocka / Conrad, *Europäische Zivilgesellschaft* 2000, especially the contributions from Hildermeier, *Russland* 2000; Sundhaussen, *Chancen* 2000; Křen, *Tradition* 2000 and Znepolski, *Bäuer-*

- liche Kultur 2000. With empirical material this approach is explored in the contributions in: Jessen, Geschichte 2004, p. 12.
25. ^ "The contemporary return to this concept, based on an historical reconstruction, reveals such palpably enthusiastic aspects that, if one were to ask, what has been excluded from it, the answer would have to be: reality itself". (translation W. P.) Luhmann, Politik 2000, p. 12.
 26. ^ Heins, Das Andere 2002, p. 7, 16 ff.
 27. ^ For a negative view, see: Sarasin, Geschichtswissenschaft 2003; Exceptions in: Hacke, Philosophie 2006; Doering-Manteuffel / Raphael, Nach dem Boom 2008.
 28. ^ Wehler, Zielutopie 2000; Hettling / Foljanty-Jost, Formenwandel 2009, p. 5.
 29. ^ In detail with further proof in: Borutta, Religion 2005; Chambers / Kymlicka, Alternative Conceptions 2000.
 30. ^ Hagemann, Civil Society Gendered 2008.
 31. ^ The critique of the position for which Edwards, Tocqueville 2001 is representative, takes its starting point primarily from Putman's "neo-Toquevillean" interpretation in Civic Traditions 1994, and especially from the same author's, Bowling Alone 2000.
 32. ^ Berman, Weimar Republic 1997; Reichardt, Selbstorganisation 2004; Hoffmann, Geselligkeit und Demokratie 2003, p. 99.
 33. ^ Cf. the Introduction to Trentman, Paradoxes 2000, pp. 10, 15–18.
 34. ^ Gosewinkel / Rucht, History meets Sociology 2004, p. 40; against the de-politization of civil society: Hettling, Bürgerlichkeit 2004, p. 46.
 35. ^ Keane, Eleven Theses 2005, p. 26; Kocka, Commentary 2005, p. 36.
 36. ^ Budde, Das Öffentliche 2003.
 37. ^ Cf. Honneth, Kampf 1992.
 38. ^ On the transfer of middle class norms of civil society to the working class, see: Welskopp, Manneszucht 2004; Schmidt, Trägerschichten 2004.
 39. ^ For an example of such a study, see: Pernau, Bürger 2008; further Randeria, Entangled Histories 2006; idem, Zivilgesellschaft 2001.
 40. ^ E.g. Arndt, Intellektuelle 2007.
 41. ^ Kaelble, Europäische Zivilgesellschaft 2004.

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