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Res Publica, Res Privata

ANTONI Z. KAMINSKI

ABSTRACT: This article examines the problem of the public and the private in terms of culture and social organization. Two strategies for building societal structures are distinguished: the bottom-up and the top-down. More specifically, the liberal and the Marxist-Leninist solutions are discussed. It is claimed that only in the first case is the term "public interest" meaningful, although some elements in the organization of the liberal social order undermine the cultural norms and values of public life. The cultural aspect is examined in terms of value systems supportive of the public life and of the concept of a middle class, interpreted as a category of political anthropology, embodying its cultural ethos.

Where is the boundary between public and private? What should the relationship between public and private concerns be? Are private interests legitimate? When we pose such questions, we find ourselves close to the eternal and largely unsolvable disputes on the essence of social life. This does not diminish their practical relevance. In designing an institutional order, we often make unconscious assumptions about human nature and the nature of the social order. From these assumptions other things follow, such as the problem of the public vs. the private.

The opposition between the public and the private is central to the notion of the modern state. Like the division between church and state (Berman, 1983), the institutionalized distinction between the public and the private domains is seen to be the basis of the modern state and a fundamental turning point in the history of Western civilization (Friedrich, 1952: 215–216; Huntington, 1968: 95; Pipes, 1974: 128–129; Schumpeter, 1954).

The distinction is relevant for many different approaches to social institutions. For instance, in the analytical approach based upon methodological individualism and the model of the rational actor, attention is focused upon formal dilemmas derived from assumptions underlying the theoretical model. The dilemmas, like those of the "Free-Rider," the "Commons," and the "Prisoner" draw attention to possible pathologies of the social order. This is the case of "competitive games which yield perverse results in relation to the common pool resources" (V. Ostrom 1986: 35). At stake here is the problem of the rules of the game, which form the basis of any social order.

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The historical-comparative approach focuses on the problem of institutional development, on qualitative changes that occur in the foundations of a social system. Development consists in the growing complexity of institutional arrangements. This implies autonomy for specialized spheres of social life, such as state, religion, economics, and science. Autonomy is maintained within the realm of functional interdependence. If principles regulating interdependencies are, at least to a point, to be a product of conscious decisions, there must exist normative concepts to inform and guide these decisions. In modern societies, central among these concepts is that of the public interest. Its frequent abuse only proves its relevance.

In this article, I shall discuss some approaches to the problem of the private and the public with particular reference to the interplay between the organizational and the cultural aspects of social institutions.

The Public and the Private Domain

For every social group, one can find a state of affairs that can be considered its common interest, even if this concerns only its own survival. Thus, we can talk of the common interest of a family which is different from the particular interests of its members, or of the common interest of a peer group. Similarly, we can talk about the interest of an association, a business firm, or a country, which is different from the interests of a family or of a peer group. Finally, we can envisage, even if only in purely negative terms, certain states of affairs that are in the interest of the whole of humanity. At each level of societal organization we find certain valued goals differing from the goals of its constitutive elements. A higher level in an organization exists only so long as it disposes of means to evoke in those elements respect for its interests.[1] Every time a new organizational level is added to the hierarchy, new costs are imposed upon, and new opportunities opened to, its elements.[2]

The emergence of a new organizational level can follow from an agreement reached by various parties to better promote their commonweal.[3] Then the decision would result from a cost-benefit analysis on the part of the individuals or groups involved. But, a new level also can be coercively imposed by one element upon others. This is typical of the development of imperial structures. In this case, constitutive elements lose all or nearly all of their autonomy. When order is forcibly imposed upon constitutive elements, compulsion becomes a durable aspect of the relationship between them and the higher level even if room is left for informal bargains and compromises. The means of coercion necessary to sustain such a system put a considerable strain upon its resources and seriously impede innovation. As a result, they undercut the possibility of development in those functional areas that create the basis for a more consensual type of social relations. Because of the frailty of these areas, despotic regimes are most vulnerable when they liberalize. An order based upon voluntary associations promoting common interests among their members possesses institutional mechanisms that strengthen the bonds uniting the whole. Orders imposed from above dispose solely of negative techniques of control.

One can argue that when a society faces an external threat of great proportions, a despotic system, with its high mobilization potential, can serve a useful purpose. Democratic states, under pressure of war contingencies, do change their priorities and even modify functioning of their institutions and relations among them.[4] The extent of the change is, however, of crucial importance. All democratic regimes in modern times have been able, after completion of a victorious war, to return to their old principles of government.

There are important differences between changes that occur in democratic polities when they encounter major animosities and despotic regimes. First, despotic regimes use external and internal threats as a means to obtain legitimation. When no real threat exists, it is invented. Second, despotic regimes exert a specific impact upon society. As Montesquieu once noted, it is necessary to spoil a citizen in order to make a good slave. A despotic system of governance perpetuates itself because of the political culture it inculcates in its subjects.

When elements create a system through voluntary association, they retain their autonomy, that is, their self-organizing and self-governing capacity. The addition of a new hierarchical level, while it opens up new potential, does not significantly reduce their freedom of maneuver. This situation increases the complexity of the whole organization. When an organizational level is added through imposition, the effect is the opposite: the imposing element reduces the internal complexity of constitutive elements to the level of its own internal complexity. Otherwise, it would lose control over its constitutive elements. Lenin made a similar point in his criticism of Tsardom: by conquering societies on a higher level of civilization, Imperial Russia contributed to their regress (Lenin 1971: 166). The same is said of the system Lenin himself helped to construct (Bialer, 1989: 403).

These are, in a pure form, two strategies for building hierarchical systems: from the top downward, and from the bottom up. In each case, we obtain a different kind of hierarchy. In the first instance an agent expands, subjecting other agents to its power. In the second, agents willingly give up some of their autonomy in order to achieve advantages in other areas. Because the move is voluntary, its rationale can be easily analyzed and disputed. This order is based on rational calculation and free discourse. The elements that decide to create a new hierarchical level play a mini-max game consisting of giving away minimum autonomy while deriving the greatest possible advantage. The whole relationship is founded on negotiation and compromise. In a word, systems whose organization has been built from the bottom develop an *open public realm*, that is, an area between the state and society filled with voluntary associations, private business organizations, and independent means of communication.[5]

The term "private domain" is closely connected to the notion of autonomy.[6] The public constitutes the superior level of organization, while the private implies limits to interference by the higher level in the activities of units that are part of the organization. The public and the private are not absolutes. There are areas considered private in family life, such as the privacy of correspondence. We tend, however, to reserve the term "public" for relationships among strangers (Sennett, 1978; Wiltshire, 1989). Outside the family, boundaries between the public and the private tend to become formalized.[7] According to Sennett, the distinction opposes claims of civility epitomized in the public against the claims of nature epitomized in the family (Sennett 1978: 18–19).

At each level of political organization of society, *public* and *private* may mean very different things. *Without protection of the private there cannot be a public realm.* The public domain grows out of the private, and through the *medium* of discourse, bargains, and compromises transforms private concerns into public goals while influencing in turn the private domain by the way collective needs are met. As Susan Ford Wiltshire has aptly noted: "When the corrective ballast of private life is lost, the public front becomes a monolith, a facade behind which there is nothing except more of the same" (1989: 64).

Yet another implication follows from these considerations. In an order built from

the bottom up, the agreement must embrace only interests that are reconcilable. Those that are not must be excluded from the agreement and either forced to comply (like interests denied legality) or left to spontaneous regulation, which usually leads to the emergence of traditional institutions for conflict resolution. The agreement may also embrace the rules of the game and not the outcome itself, as in the case of the market. In this instance, conflicts are resolved by an impersonal mechanism that allows states to solve problems that would otherwise remain unsettled. Hence, when the state decides to take upon itself the task of making decisions which up to then have been "made" by the market, it engages in activities for which it is ill prepared. This point has been made by many writers, most notably by Friedrich von Hayek. When this situation occurs, such an expansion makes the state the key redistributor of wealth in society. The more it redistributes, the more social groups turn to it with their claims and grievances. Thus, what from the economic point of view appears to be the *reprivatization* of the state through the sale of capital assets that up to now have belonged to it, from the political point of view may appear to be an effort to render to the state its *public* character.

Public Spirit and Political Institutions

Let me open this section with a quote from Carlo M. Cipolla.

> The most depressing feature of the later (Roman-AK) Empire is the apparent absence of the public spirit. The motive forces seem on the one hand, compulsion, and on the other hand, personal ambition in its cruder forms. . . . Public spirit and the spirit of mutual co-operation were the basis of the growth and development of the Italian City-states in the twelfth and thirteenth centuries. They were conspicuous for their absence in the resigned, frustrated, cynical Italy of the seventeenth century. If public spirit is faltering and the spirit of co-operation is lacking, any program of renovation has scant possibility of success (1970: 13).

Two propositions can be stipulated from this statement. First, there is a connection between public spirit and economic activity, between public virtues and entrepreneurship. Second, there is a positive relationship between a measure of disintrestedness in social life (i.e., "the spirit of cooperation") and economic development. These relationships support Max Weber's thesis about the impact of the Protestant ethic upon the development of capitalism. However, one may object that the Protestant ethic appeared three centuries after the most successful period in the history of Italian city-states. Alexander Gerschenkron (1970) has demonstrated convincingly that the cultural ethos Weber attributed to Protestantism had existed long before in the cities of Northern Italy and in other medieval urban centers. The crucial element in this ethos is the universality of values. The motto "honesty is the best policy" has utilitarian overtones, but these do not make it an instrumental value. The public realm this ethos helped to create has infused social relationships with a property that has a special relevance: *trust*.

This ethos could develop only under special circumstances. Among those of particular importance is the political environment, which shapes the mutual relationship between the state and the citizen. Some basic tenets in this relationship are the legal order and taxation. Their impact is well characterized by Carolyn Webber and Aaron Wildavsky:

> The public-interest idea is a fragile one. It is slow to emerge; and a polity must

> nurture it carefully to sustain it. Financial practices in classical Athens and the early Roman republic mark a distant beginning of the public-interest idea—as in Athens' ritualized audit of officeholders. . . . For the individual to be willing to submerge private interests to collective interests by paying taxes, and by serving government with integrity, several conditions must exist, for ethical norms and high standards of individual behavior emerge only from a particular context. There must be strong and stable government with the legitimacy to establish, and then to maintain, norms of fiscal equity. Citizens will more willingly support government if its taxes are moderate, and if taxes are administered evenhandedly by officials who maintain high standards of honesty and accountability while holding public office. . . . Public officials must learn to maintain, and to respect, a distinction between private, personal interests and the collective interest embodied in a public office (Webber and Wildavsky 1986: 142–143).

From a slightly simplified economic perspective, the above discussion can be reduced to two points. First, a universal moral ethos contributes to the reduction of transaction costs and thus has a postive impact upon economic development. Second, an economic order with the qualities specified by Webber and Wildavsky should have no problem gaining legitimacy. This capability reduces the costs of maintenance of the order which are inversely related to its perceived legitimacy (North, 1981: 53). Everything is cheaper when the costs of maintaining the rule of law and of enforcing property rights are reduced because individuals develop habits of thought and action which preclude, or at least seriously diminish, the probability of their violation. Thus, public morality has an impact upon economic growth by reducing the economic burden of the state and lowering the costs of economic transactions.

The coexistence of strong political institutions with a dynamic society is rather rare in history and possible only under special institutional conditions. A vigorous society either falls into anarchy and, eventually, is deprived of its strength by a tyranny, or builds sound political institutions and "the capacity to create political institutions is the capacity to create political interests . . . " (Huntington 1968: 24). In building institutions of political life, the existence of mutual trust among people is of crucial importance:

> The absence of trust in the culture of the society provides formidable obstacles to the creation of public institutions. Those societies deficient in stable and effective government are also deficient in mutual trust among their citizens, in national and public loyalties, and in organizational skills and capacity. Their political cultures are often said to be marked by suspicion, jealousy, and latent or actual hostility toward everyone who is not a member of the family, the village, or, perhaps, the tribe (Huntington, 1968: 28).

Thus, behind the shape of political institutions we have people, with all their cultural traditions and political experiences. It may be possible for a society with a tradition of self-reliance and self-confidence to reform a bad institutional system. A society devoid of such traditions must first itself be improved from the top: a task that rarely succeeds.

The public character of political institutions has two closely interconnected dimensions which we may consider aspects of a more general phenomenon. The first aspect concerns the stratificational dimension; the second concerns the functional organization of society in general and the organization of its political system in particular.

The Middle Class and the Ethos of Public Life

Political institutions will have a public character when the social stratification produced by the organizational hierarchy of the state is one among many stratificational systems in society. This follows from the condition that non-political domains of social life must have enough autonomy to put effective limits on state interference: that is, defend their autonomy against encroachments by the state. This cannot be achieved when the state deprives groups external to it of institutional means of control and influence over its activities. When this condition is not met, politics cannot be said to have a public character.

On the other hand, the state should have enough autonomy to be able to develop procedures and cultural subsystems that contribute to effective fulfillment of its tasks. These are, for instance, the bureaucratic ethos of public service and formal perfectionism, or the responsibility and accountability of rulers before the public.

In a pluralistic social order there are other groups whose contacts with the state are less direct and more occasional. They make the internal environment of the state. The character of this environment is, as should be clear, no less relevant for the functioning of the state than attitudes and social features of groups directly working for the state and living off the state. Political literature since Aristotle, in discussing conditions conducive to the stability of political regimes and the public accountability of rulers, has emphasized the role of the middle class. According to Gaetano Mosca, a major exponent of this view,

> A society is best placed to develop a relatively perfect political organization when it contains a large class of people whose economic position is virtually independent of those who hold supreme power, and who have sufficient means to be able to devote a portion of their time to perfecting their culture and acquiring that interest in the public weal—that aristocratic spirit, we are almost tempted to say which alone can induce people to serve their country with no other satisfactions than those that come from individual pride and self-respect (Mosca, 1939: 144).

Such a stance could be easily accepted by Tocqueville or Montesquieu. The middle class in this view is not a closed, corporate group, but rather consists of people with a sufficient level of education to grasp the intricacies of public issues. Materially independent, they have proved their abilities in other walks of life and have time and inclination to cultivate a keen interest in public matters. This is an elite which does not claim the monopoly of power and does not strive to limit access to power to other social forces. For such a group to develop, a particular tradition and sense of historical mission is required. To many writers, the best society would be one consisting almost exclusively of the middle class.

The intellectual and moral level of this stratum can be enhanced by a long tradition of participation in public affairs. Alexis de Tocqueville expressed this conviction as follows:

> When a class has taken the lead in public affairs for centuries, it develops as a result of this long, unchallenged habit of pre-eminence a certain proper pride and confidence in its strength, leading it to the point of maximum resistance in the social organism. And it not only has itself the manly virtues; by dint of its example it quickens them in other classes (Tocqueville 1955: 111).

No wonder all experienced totalitarian dictators start with economic and then physical elimination of this class.

The main feature of the middle class is its intellectual, moral, and material independence from the state. All dimensions—moral, intellectual and material—are interlinked, which implies a relationship between a vigorous public life and the institution of private property, which alone can guarantee material independence from the state. The cases of democratic rule of preliberal times were founded on a democratic military organization. The central government was not strong enough, in military terms, to impose its will upon the political class if it went against the strongly held opinions of that class. For example, the "right to rebel" was not a unique feature of the Polish-Lithuanian Commonwealth. Consequently, such a state was deficient in terms of one basic element in the modern definition of the state: it lacked the monopoly of control over means of coercion. It was in the interest of the political class, and of democracy as well, to oppose any trend toward "fuller stateness," that is, a complete monopoly over means of coercion.

The liberal state can become a reality when a political class rises to a preeminence that depends upon other resources than military prowess; or, when, as in the United States, this class possessing weapons and the ability to use them explores a different type of opportunity. A social class whose material position is not tied to offices in the state hierarchy can either change the political organization to make it responsive to its interests or accept the position of an underdog. The former position led to the development of the liberal state, the latter characterized the situation of merchants and artisans in various autocratic regimes, where there was no effective formal restriction upon the powers of the state (Wittfogel, 1957: ch. 7).

The idea of the liberal state consisted in an attempt to make those who managed the state accountable to the public. This was achieved by establishment of effective external controls over the government. For this purpose, a sound judiciary body and respect for basic individual freedoms, including free access to information, were necessary. These rights are the core elements of the public domain. "Full stateness" and the open public realm thus became reconciled.

Private property as a legally established right guarantees that part of society's resources are outside the immediate control of the state. By abolishing private property, the state abolishes all materially independent political forces. It is not necessary to do so by a single stroke of the pen, as happened in communist regimes. Private property can also be abolished by excessive taxation (Mosca, 1939: 337; Bell, 1978: 240, 246). The rich find ways to escape the burden of taxation, and taxing the poor is a waste of time and resources. It is the middle class that fall prey to the state's growing tax appetite.

In political terms, the existence of a vast pool of entrepreneurial skills combined with an ethos of public commitment, which is the essence of the middle class, is a necessary condition for important changes that would remedy the evils of existing regimes by allowing for an "extensive and organic decentralization." Further, "that would not merely imply shifting prerogatives from central bureaucracies to provincial bureaucracies, and from national parliaments to local assemblies. It would imply transferring many of the functions that are now exercised by bureaucracies and elective bodies to the class of public-spirited citizens" (Mosca, 1939: 265).

Mosca thus formulates the concept of the middle class as a category belonging to the political anthropology. If a bottom-up organization of polity is to be a realistic option, it must be based upon a stratum that has the competence, resources, and motivation to work for the public good. This group must be independent of the state and capable of exercising a measure of control over it. We can talk about the public realm and the "Res Publica" to the extent that this condition is met.

The institution of citizenship is not a product of a change in formal legal procedures. The opposite is true: these procedures were devised because a political culture emerged that made them necessary. A measure of social stability is a necessary component for the functioning of the public realm, otherwise the ethos of this realm weakens, leaving the formal legal structure devoid of an essence of norms and values. The role of the citizen consists in the will and ability to look at things from a broader perspective than one's immediate wants and desires, and in the use of such insights into one's public functions. The boundary between the public and the private on the individual level is delineated by the role of citizen. If the delineation is not effective at this level, it cannot be effective on any other level of societal organization.

Public Interest as an Unintended Effect of Egoistically Motivated Activities: The Liberal Contribution

The ethos of public life, with its emphasis upon the idea of public interest and public accountability of officials, could have developed in the slave-owning society of ancient Athens or republican Rome, as well as in the essentially feudal society of the Polish-Lithuanian Commonwealth. This republican tradition still provides the cultural foundation for the functioning of the modern democratic state. There is, however, another way of thinking and another tradition that developed in the eighteenth century and that proved no less decisive in subsequent political development: the liberal tradition.

Liberalism emerged as a doctrine that opposed absolute monarchy as well as all forms of feudal society. It attacked privileges in the name of the formal equality of men, that is, of equality before the law, on which the universality and objectivity of legal principles is based. Moreover, for the idea of a top-down organization of the state, liberalism substituted that of representative government "for the people and by the people." The basis of political legitimation has been transferred from the extraterrestrial to the terrestrial: "the people" have replaced God as a source of legitimacy. But political thinkers of the period had a good enough grasp of history to know how easy it was for a democratic government to turn into a tyranny, and the tyranny of the masses was, in the view of at least some liberal thinkers, as damaging as that of a despot. They proposed the abolition of the feudal order with its traditional system of regulation and social protection. But they did not trust in the state either, though they realized it was indispensable for meeting some social needs, such as defense and foreign policy, maintenance of internal order, and sometimes, education. The vacuum left by abolition of the traditional forms of regulation could not have been filled by the state. On the contrary, ways had to be found to create a mode of organization in which expansionary tendencies immanent in the state could be effectively curtailed. The thinking of the period was well expressed by James Madison in an often-quoted passage:

> If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself. A dependence on the people is, no doubt, the primary control on the government but experience has taught mankind the necessity of auxiliary precautions. (Hamilton, Jay, and Madison, no. 51: 337).

Among auxiliary precautions, Madison saw the institutionalization of the political struggle of opposite and rival interests and the division of powers within the state.

To implement such a political order required the solution of a number of basic theoretical and practical questions. Most notable among these was the establishment of legal limits to state activities, the accountability of government before the citizenry or its representatives, accompanied by political mechanisms that would render such regulations effective. With these restraints, the state had to be able to get things done—to be an effective instrument of communal action. This required one of the greatest institutional innovations in the history of humanity.

The great institutional discovery of the eighteenth century consisted in finding a solution to the opposition between public and private interests. In fact, the liberal-state is an attempt to engage private interests in the service of the commonweal. From this standpoint, political thinkers faced a problem similar to that which the economists faced. Adam Smith's "invisible hand" had its analogy in Montesquieu's system of checks and balances among the legislative, executive, and judiciary branches of government. The competition among producers found its political analogue in the competition among specialized agencies of the state (see Lindblom, 1965; Ostrom 1987: 151). Moreover, the system was conceived with the intention of depriving the majority of an opportunity to encroach upon the legal rights of the minority (Hamilton, Jay, and Madison, no. 10).

Among problems that must be addressed in designing an institutional system, there is one the liberal doctrine undoubtedly solved better than any of its competitors: by putting the struggle for political power outside the state domain proper, in the competition between political parties for electoral support, it recognized the inevitability of errors and the need to correct them. No regime built top-down recognizes its own fallibility. It has no need for error correction: acknowledging errors undermines its legitimacy.

There is a flaw in the liberal theories of politics that relies upon the conviction that quasi-market political mechanisms can transform egoistically motivated activities into a commonweal outcome: they neglect the importance of political culture. Any organized form of competition must be based upon rules of the game. Behind rules and norms of behavior there are cultural prescriptions. When they are internalized and affect human judgments and actions, people comply with rules and norms, or at least tend to do so. When they are not internalized, the whole institutional set-up is not taken seriously by participants, and rules and norms will not be respected. No system of external control can remedy this situation. Thus, while addressing the issue of the public and the private, we have to revert to the problem of the ethos of public life, to structural conditions that help or hinder development of this ethos, and to the organization of the system of interactions through which the notion of the public interest is given an operational sense. These three elements may be treated separately, the first two having historically preceded the emergence of the modern state. Yet, the modern state will falter if it is not revitalized with values and sentiments that go well beyond private interests.

The Marxist-Leninist "Solution" to the Problem of the Public and the Private

What is Communism as a specific type of social order? The position proposed—not without a measure of irony—starts from a theoretical construct dear to the heart of Karl Marx: the Hegelian triads. Let us assume that an autocracy was the thesis. It

consisted of the strong, unlimited in principle, authority of the ruler based on a powerful state administration and an equally powerful army. Another foundation for this type of political order lay in traditional legitimation. The internal contradiction of this regime embodied a conflict of interest between the centralized bureaucratic apparatus, recruited mostly from the lower classes, and the efforts of aristocratic families to defend their traditional social status. Tradition provided the monarch with legitimacy. Thus, war against tradition could not go too far. Bureaucracy permitted the keeping of traditional groupings in check. As long as this regime persisted, the latent conflict between the centralized administration and the traditional structure remained unresolved (Eisenstadt 1969: 150–155).

Liberalism grew in opposition (antithesis) to this social order. It rejected feudal privileges and introduced the formal equality of all before the law. It thereby strengthened the position of the bureaucracy while limiting its powers by subjecting it to legislative and judicial control. State activities thereby became rational and predictable.

Many critics of nineteenth century capitalism noted that it abolished traditional protective institutions and provided nothing in their place; human beings were turned into a labor force, subject to the vagaries of the market. Both conservative and socialist critics of the liberal order acknowledged this development. The theoretical system Marxists built upon such observations predicted the demise of capitalism and its replacement by an order that would resolve the contradictions of capitalism and allow for full self-realization.

In more practical terms, the Marxist-Leninist design of the dictatorship of the proletariat can be conceived of as a synthesis of the two social orders described above. It rejected the market and the idea of representative government, crucial to the liberal institutional construction, but shared with liberalism an intensive animosity towards tradition—though it sought to abolish tradition not through implementation of the rule of law and the market, but through revolutionary terror. Thus, it opposed the traditional component of absolutism, but took from it the top-down strategy of building the political organization in society. Everything, legitimation included, was supposed to emanate from the center. If liberalism has combined elements of both strategies, the bottom-up and the top-down, socialism was built uniquely upon the latter. By the same token it had to deny private interests all legitimacy, declaring decisions of the central party/state to be the sole expression of the public interest, to which all private concerns were to be subject.

It reserved the active role in society for the vanguard of the proletariat. The state became a tool with which the vanguard molded society according to the precepts of its ideology. Considering the scope of control exercised by the socialist state over society, any change—at least in principle—was relevant to dominant political interests. Second, every change initiated from the bottom, that is, any initiative coming from society as such was a potential challenge to the privileged monopoly position of the ruling class. The system required the total deprivation of society's control over its own destiny.

By abolishing the market, socialism reintegrated the economy into the body politic. The command economy fully met the requirements of political organization. Independently of the doctrine that called for dictatorship, and an end to private property, and the introduction of a bureaucratically managed economy, group interests of the new political elite pushed it in the direction of a garrison state.

Is the term "general public interest" applicable to this case? First, it is out of place to speak here of an "open public realm." But there are reasons to believe that

something of this sort is emerging in the Soviet Union now—a symptom and outcome of the fall of the Soviet system of government. Can we say, then, that without being democratic, the system is able to serve a "general interest" of sorts? To answer this question positively we would have to demonstrate that a mechanism exists such that a reasonably conceived "commonweal" flows from it.[8]

Yet another aspect of this construction ought to be mentioned. The "open public realm," the *res publica*, by its very nature integrates people around things they hold in common, an integration that occurs through communication. By means of a common language, people discover shared values and concerns. The task of revolutionaries is to sow dissension and conflict. Once they win control over the state, they must divide and terrorize society in order to preserve their domination.

An "open public realm" is not a direct part of the state domain, although its existence depends heavily upon the particular shape of the state's institutional structure. The public realm is the domain of free communication, of concern with matters that affect everybody. Assuming that the process of relating to other human beings through communication with them is the most basic and natural feature of social life, any restriction by the state of spontaneous social intercourse has serious consequences.

The inevitable feature of all systems organized top-down is that any instance of social integration not mediated by the official power structure is a threat to its existence. It has no means to control or coopt groups that emerge from outside the power structure, for a process of effective cooptation is contrary to its institutional logic, which consists of exclusion rather than a sharing of power. Hence, the communist state, for the sake of its own survival, permeates all social relationships and all bonds among groups and individuals. This has never fully succeeded, but has been tried with varying results and for different periods of time in all communist countries (Kaminski 1989). Any revival of autonomous social life under the Soviet regime must create tensions and conflicts with which it is ill equipped to cope. The system was designed not to regulate but to impose its own variety upon the elements it integrated.

The communist experience, like that of other similar regimes, is useful in studying limits inherent in centralized control. Such control can be effective so long as the rulers have the will and ability to periodically inflict terror upon the population and their own power apparatus. They can thereby eliminate a tendency among the ruled to relate spontaneously to each other, to communicate independently, and to enter into illicit commodity exchange relations. They achieve this by creating and enforcing distrust: people afraid of each other are unable to undertake collective action against their rulers.

Renunciation of the use of terror is a turning point in the history of all autocratic regimes. Then they start using "softer" instruments of governance which allow room for some revival of society. Such phenomena as corruption and the "underground economy" are good indicators of the development. Some writers see in it signs of revival of a civil society (Besançon, 1980: 302), or a market economy and a *Res Publica in statu nascendi* (De Soto, 1988). It should be remembered, however, that the second economy is a regular feature of all despotic systems. It may be claimed that it is a necessary feature of such a form of government.

Through corruption, communist rulers tended to destroy civil society which formed the foundation of public life. The communist state became privatized, that is, it lost all vestiges of publicness it could have claimed to possess (Kaminski, 1988). The institutional infrastructure of public life became a barren landscape. This is the main

problem for post-communist societies trying to build democracy and revive public life.

Both the operations of the market and of public institutions require a great deal of technological know-how, which is another aspect of culture. The rule of law requires the existence of a large, competent legal profession, maintaining high moral standards. Running banks or stock exchanges requires many highly specialized professionals. These qualifications and professional cultures have been to a large extent lost as a result of communist rule.

Conclusions

A political order based upon an open public realm makes a high demand on people collectively and as individuals. It requires high standards of knowledge, morality, and professional ethics, and a high level of involvement in one's work and in public affairs. Another difficulty is the counter-intuitiveness of such a system and its great complexity. Each institutional sector makes claims upon the time and involvement of individuals and groups and, in competing with other sectors, questions their legitimacy and that of the whole; it is difficult, therefore, to get to the common and to the shared.

Survival of a public realm requires moderation, as well as acceptance of the inevitable imperfection of human nature and of its creations. Excessive material inequality is as dangerous for its survival as an excessive stress upon equality. An excessive push for morality in public life is as dangerous as cynicism and nihilism. Moderation is part of tolerance, but there are values that have to be defended in an uncompromising way. Thus, institutional complexity is accompanied by contradictory demands that are put upon individuals: they are expected to think, and to choose on their own.

The fall of the Soviet empire, built upon totalitarian foundations, does not automatically mean victory for the public realm and the democratic tradition either in post-communist societies or in the world. This tradition shows serious signs of weakness even in the Western world. When the base is strong, decadence can be charming; when it is weak, it causes alarm. Times of oppression can produce genuine values, while times of prosperity can produce moral and intellectual decline, often disguised behind ideas of progress and moral perfection.

Cracks in the cultural foundations of the liberal-democratic society have been analyzed by many authors. With respect to problems discussed in this article, I can mention, as an example, Richard Sennet's discussion of the replacement of the "public society" by the "intimate society," resulting in the decline of civility (1978: ch. 11); Daniel Bell's "disjunction between the social structure and the culture," that is, specialization in the social division of labor that leads to the privatization of culture (1978: 95);[9] and Aaron Wildavsky's concept of the "egalitarian sectarianism" which undermines both the "competitive individualism" of the market, and the "hierarchical collectivism" of the corporatist structures (1982).

In their struggle against tradition, not quite voluntary in the liberal case and consciously in the communist case, both regimes, albeit in different ways and with somewhat different consequences, have worked against the public. The ethos of public life is rooted in the private domain which emphasizes the transcendental, the past and the present, as did the tradition of the middle class. "When one is cut off from the past, one cannot escape the final sense of nothingness that the future then holds" (Bell, 1978: 50). How long can democratic regimes survive without a value

system that defends both the public and the private, makes rulers accountable to the public, and makes individuals responsible for their private acts? That is the question that citizens of the liberal-democratic world should ask while watching the demise of the communist order.

Notes

1. For an empirical investigation of how the distinction between the private and the public emerged in primitive societies, see Barrington Moore, Jr. (1984).
2. Hierarchy, as defined in cybernetics (see Pattee, 1973).
3. An example of this type of proceeding is provided by the history of the Common Market.
4. Sometimes inter-tribal animosities are the source of public concerns. Barrington Moore, Jr. notes that: "the feud through its creation of obligations and loyalties to a tribal segment was a step on the long road that led to identifying the public with the overriding public authority of the state. Within the state there remain, of course, numerous smaller publics. For that matter there are strong reasons for holding that some conception of public, in the sense of a generalized notion of other human beings as a source of obligations and authority, has been a universal aspect of human culture" (1984: 36–37).
5. Not only Tocqueville held the view of the public realm as a space between the state *sensu stricto* and the society. One can also find this view in Marx's *18th Brumaire of Louis Bonaparte*.
6. This point is well taken by Jack Hirschleifer (1980: 649–664). He defines privacy as "autonomy within society" and relates it both to a particular kind of social structure and to its supporting social ethic (p. 649). He also specifies a relationship between privacy and the idea of private property. Thus, in his terms, privacy is not a "withdrawal from society," it is "a way of organizing society" (p. 650).
7. Law is part of the concept of the public domain. "The formulation of law appropriate to life in self-governing communities is not an arbitrary matter but one that is constitutive of an open public realm where order conforms to the general principles of universal law" (Ostrom 1986: 31). By creating a boundary between the public and the private, the system of law becomes the crucial factor for *res publica*.
8. According to S. Huntington, the Presidium of the Central Committee of the Party represents the general interest, but he presents no supporting arguments (1968: 26–27). Unless one assumes that the presidium possesses some extraordinary intellectual and moral qualities, this position is not defensible.
9. Bell writes: "Insofar as experiences in the society can no longer be generalized into the culture, culture itself becomes private, and the individual arts either technical or hermetic" (1978: 95).

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Biographical Note

ANTONI Z. KAMINSKI is Associate Professor at the Institute of Sociology, Warsaw University. He has published three books and a number of articles on political and economic institutions. His most recent books are *The Withering Away of the Communist State,* published in the United States in 1990 and *An Institutional Theory of the Communist Regimes: Design, Function and Breakdown of the Soviet System,* Institute of Contemporary

Studies Press, San Francisco, 1991. His current research interests include the transition from communist to democratic regimes, and from centrally planned to market economies in Eastern Europe. ADDRESS: Institute of Sociology, ul Karowa 18, Warsaw 64, Poland.

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