

## Of the good usage of the Civil Society

### Forces in presence

Let us assume that Civil Society might eventually be caught, willingly or not, in a **struggle against the State** in the context of the Informatization Revolution. How would State react?

On one side, we see for example that **states are trying to integrate the civil society** as a partner in public private partnerships (GOLDSMITH S. a., 2004). Why would a government do it? Is the fact that states can use third parties to do its job better a good enough answer? We believe not. Civil society constituents form primitive structures of state that may explain why it is inclined to find in the civil society structures that look akin. Thus, for a government, taking civil society on board of e-Governance projects seems quite natural. It has additionally the advantage of potentially neutralizing – by giving positive response to concerns – the possible discontent or frustrations that brought on, at some point in the past, the creation of that particular association, NGO or any other interest group.

On the other side, it is well known among sociologists that the state has the unique **power to exert legal violence** on the citizen and its enterprises. Of course no civil society has such a power. This brings us to believe that Public Private Partnership could be an attempt to neutralize contestation in a typical asymmetrical game of power so frequent in vertical organisations.

Finally **ICT and Internet create horizontality**. It can be expressed in many forms. Technically, an individual can access via the Internet to market places all over the world. Access becomes, days after days more and more comfortable and affordable. Access mobility further strengthens the trend. Only ten years ago, the telecommunication networks were mostly under control of monopolistic structures that dictated network topologies, service offering, prices, etc. The users were kept under the ladder of verticality (that some incumbent still try to keep up). Demonopolization was the key ingredient to permit the deployment of Internet thanks to many Internet Service Providers that took the risk to compete. The move to Internet Telephony that will eventually kill the market of circuit switched based vertical telephony. Horizontality brings up to the mind remnants of philosophies like libertarianism, even anarchism in some situations. This brings us closer to the informatization revolution. Should civil society, empowered by ICTs, be dissatisfied by eParticipation or other forms of eGovernance and decide to “take power”, than the situation would becomes complex but interesting.

Our thesis swings between a Civil Society that risks disappearing under the empowerment of the state on one hand or tends to take advantage of the power of ICT and networks to promote its ‘revolution’.

## Sources of perturbations in the balance of power

We shall try to give hints to solve this very difficult question. For the purpose of our thesis, we shall however take the party of the e-Civil Society, a civil society that has learnt to use ICT and Internet to empower itself, to promote horizontality and endeavours to keep up with governments as they develop their own e-Governance. Knowing this *parti pris*, the reader wishing to promote eParticipation from the point of view of the government will simply have to transpose it.

We believe that the Civil Society has an important role to play as a counter-power to the classical organs of State and the political parties. The Cato Institute following libertarian declarations<sup>1</sup> show the institute's clear view on the present situation of the Civil Society, a point of view that I share:

*“Thomas Jefferson observed in 1788 "the natural progress of things is for liberty to yield and government to gain ground." The truth of his observation has been amply demonstrated in recent decades. As political society – government -- grows civil society retreats. It is in civil society--the realm of liberty--that mankind flourishes. It is from civil society that industry, civility, rectitude, science, and prosperity arise”.*

This is the foundation of liberalism in economy. It is also, though slightly less connected, the foundation of the globalisation of markets that is a result of the virtuous circle of the mutual development of ICTs and economy as described by Castells.

*“No challenge is more serious today than the restoration of civil society. Pundits cite violent crime; family breakdown; the waning of some traditional institutions; blighted inner cities; and a decline in civility, honesty, and trust as evidence of a crisis in civil society. Moreover, few topics have received as much attention in recent years as this one. Politicians and pundits on both left and right have attempted to exploit the theme for their own purposes, which often hinge on expanding governmental powers to manipulate citizens in order to attain whatever outcomes the manipulators desire. The impulse to do so, however, is fundamentally at odds with civil society, as it has been commonly understood for centuries. As the distinguished historian of civil society Antony Black has noted, “We may identify the central ideal of civil society as personal independence, and its central imperative as respect for persons”.”*

Group processes – violence of groups – and Government's communication – to manipulate the citizen – are introduced in this declaration, both subjects we try to emphasize in our thesis. But Civil Society is not always praised like this. As an example, consider revolutions. By definition, they were always made by the Civil Society,. Some succeeded to see notable elements of the civil society transforming into state sector. This might contribute to the understanding of the ambiguous relations that State has with its Civil Society!

We shall try to determine the position of the IUCN on that subject at chapter 4.

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<sup>1</sup> <http://www.cato.org/pubs/handbook/hb105-2.html>; accessed on 23 April 2007

## Governance of the Commons

A typical and very interesting effect of Group Processes is found in the much discussed so called Tragedy of the Commons. A famous and pessimistic article published in 1968 in the revue *Science* by Garrett Hardin with precisely that title: “The Tragedy of the Commons” influenced for decades the reflection of the commons. Later, in her book “Governing the Commons”; Elinor Ostrom (OSTROM, 1990) demonstrated that solutions exist to good governance of the Commons and that they can be a source of inspiration.

In short, the Tragedy of the Commons tells us that, when confronted with the use of a limited resource, individuals tend to over consume that resource motivated by the fear that if they don't, their neighbour will do, thus leaving the resource exhausted and depriving them of the benefit. A typical example of the Tragedy of the Commons is the overfishing that tends to make certain species of fish to disappear. To restore hope, Ostrom in her book gives us very good examples of solution based on voluntary cooperation inside a bounded group with the use of peer pressure to enforce rules set by the members of the group. This is a pure product of horizontal organisation and simultaneously a very primitive form of state.

There is no peaceful human society without rules. A horizontal institution is not an anarchical institution. We shall keep in mind that institutions can be defined as the sets of working rules that are used to determine:

- Who is eligible to make decisions in some arena?
- What actions are allowed or constrained?
- What aggregation rules will be used?
- What procedures must be followed?
- What information must or must not be provided, and
- What payoffs will be assigned to individuals dependent on their actions (E. Ostrom 1986a)?

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