

After civility as a lost faculty: brief aristotelian-contractualist theoretical debate
Tras la civilidad como facultad perdida: breve debate teórico aristotélico-contractualista

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Abstract:

We propose to discuss about the possession and expression of a capacity that empowers individuals to act as citizens. First, elements of Aristotelian politics are presented as arguments for civility as a capacity inherent in the social nature of human beings. Then, according a contractualist interpretations, the individual becomes a citizen to the extent that he forms an agreement with the other members of society. A first finding refers to the fact that with contractualism, the individual has lost the inherence of his civic action and must define himself as a citizen if he meets the extrinsically given requirements Likewise, it is indicated that the expression of civility has been interfered with by an idea of individual freedom understood in negative terms. However, before returning to Aristotelian perspective, it is necessary to redefine the idea of freedom that guides civic interaction, advocating for a social and intrinsically motivated citizenship.

Keywords: Civility - Citizenship - Aristotle - Contractualism - Freedom

Resumen:

Proponemos discutir sobre la posesión y expresión de una capacidad que faculta a los individuos para actuar como ciudadanos. Primero, se exponen aspectos de la política aristotélica como argumentos en favor de la civilidad como una capacidad inherente a la naturaleza social de los seres humanos. Luego, desde una interpretación contractualista, el individuo se convierte en ciudadano en la medida en que establece acuerdos con los demás miembros de la sociedad. Así, una primera constatación se refiere a que, con el contractualismo, el individuo ha perdido la inherencia de su acción cívica y es definido como ciudadano en la medida en que cumple requisitos dados extrínsecamente. Asimismo, se indica que la expresión de civilidad se ha visto interferida por una idea de libertad individual entendida en términos negativos. Sin embargo, antes de retomar una perspectiva aristotélica, es necesario redefinir la idea de libertad que guía la interacción cívica, abogando por una ciudadanía social e intrínsecamente motivada.

Palabras clave: Civismo - Ciudadanía - Aristóteles - Contractualismo - Libertad

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1. The Aristotelian side

In etymological terms, to speak of civil society is equivalent to speaking of the Latin *societas civilis* and the Anglo-Saxon civil society, the main historical precedent being, however, the Greek conception of *Polis*. According to Aristotle (384 BC-322 BC) the *Polis* is the basic social and political unit where all the individual and collective experiences of the subject in his belonging to a community are regulated. It is the setting in which people expose their opinions and points of view regarding what is just and unjust, regarding what is convenient and what is not², being characterized by being constituted as an association and civic community that tends to a supreme good:

“Every state is a community of some kind, and every community is established with a view to some good; for mankind always act in order to obtain that which they think good. But, if all communities aim at some good, the state or political community, which is the highest of all, and which embraces all the rest, aims at good in a greater degree than any other, and at the highest good.”³

Therefore, the *Polis* is a common place; it is the neuralgic center where the individual and the house subsist thanks to the political order given there. This Aristotelian position indicates that the city is previous to the house and to each one of us, because the whole is necessarily previous to the part,⁴ with which an obligation is configured in the act of living in associations, especially from the affirmation that who cannot live in community, or does not need anything by his own sufficiency, is not member of the city, but a beast or a god⁵. Thus, although men are not all equal among themselves, the task that unites them is the protection of the community, which means that even if the definition that each citizen has of himself is different from that of his peers, each one of them must be aligned with the purpose of ensuring the stability of the regime. It is in this way that the most important thing, beyond the equality and inequality between men, is the purpose for which the city has been constituted.

It is true that this conception of social and political belonging to the *Polis* excludes women, children, debtors and slaves, which can easily be used as an argument in favor of a legal type of

² Aristotle, *Politics*, I, 2, 1253a11.

³ Ibid., I, 1, 1252a1.

⁴ Ibid., I, 2, 1253a13.

⁵ Ibid., I, 2, 1253a15.

citizenship, in that one is a citizen by fulfilling legally determined criteria. However, unlike the concept of citizenship understood from the perspective of modern non-interference, citizenship of the Aristotelian order maintains its ethical robustness in that it is based on a social nature inherent in the human being and a deliberative quality that is enhanced by the expression of opinions in public interaction. In this case, it acquires greater relevance the fact that each person has a certain degree of prudence⁶, a certain degree of virtue, in whose moderation⁷ man develops in his maximum capacity for the full life in interaction with others.

The consideration of Aristotelian *Koinonia Polítike* as a representation of an era of naturalistic expressions alludes to the associative capacity of people and the objective of gathering in community according to the related ideas that they have and safeguarding the non-domination that an organ separated from this community can exercise. By "separated" we refer to a structure that exercises dominion from outside the community itself formed by the individuals and that is understood as an aptitude of governmental type to adapt the acting in the different circumstances of social interaction. The political community, on the other hand, implies a different bond based on the harmonious relations between individuals. The choice of life together implies friendship⁸, around which a political regime is built that serves the objectives of the community and for which it is necessary that each individual who is part of it be free to act in accordance with comradeship and the common good. The exercise of citizenship is then, a manifestation of friendship and collaboration as permanent guidelines in the formation of societies.

However, since the structure and organization of society are linked to a notion of freedom, both will vary to the extent that this notion does as well. It is not surprising in this case that the formation of a political regime is combined with man's own interpretation of human nature, nor that the measure of how free the individual is at any given moment is derived from it.

Furthermore, while *koinonia* is society as a whole, it should be borne in mind that this notion of society cannot be extrapolated to modern and contemporary society, in terms of its relationship to the State, and neither can it be extrapolated as a pre-state society, since the eventual

⁶ Ibid., III, 10, 1281b2.

⁷ Aristotle, *Nicomachean Ethics*, I, 11, 1101a14 and VII, 14, 1153b9-21

⁸ Aristotle, *Politics*, II, 9, 1280b13

work of such a body was inherently incumbent upon the same members of the political community. This specification is noted when describing how integrated the interests of public life were with the interests of private life, the latter being a life determined by the former.⁹ It is from enlightened thought that the relationship between state and society is materialized. As we will see later, this thought distinguishes a private sphere different from the shared space, as a result of which, *koinonia* loses its unifying value and the relations in society are interpreted in the light of the differentiation between the civic and the political.

The fact that *koinonia politikè* contains social relations in a unified sense, and not subject to a state-type regulatory body, involves the existence of a criterion of equality among the members of the political community¹⁰ that empowered them to participate and take charge of the city. Such a democratic approach has no equal in modern and contemporary societies, because membership of the political community guaranteed the exercise of leadership roles. This, although it is the basis of the criticism of the real equity of the Greek Aristotelian society, we treat it as an example of the unnecessary existence of a system of regulation different from the sole deliberative faculty of individuals, thanks to which every circumstance, debate and dissimilar position is conceived as convenient and harmonious for the good of the community.¹¹

This degree of political equality allowed each person to be called a citizen, and a principle of horizontality was found that supported the authority of the community. But at the same time, this criterion of horizontality gave civil society absolute power to determine what happened in people's private lives, with the *Polis* being valued as an ontological and moral nucleus.¹² The civil aspect - that is, the interactions in public life and its power to guide private life - corresponds to the natural aspect, with the exercise of citizenship having an intrinsic mandate that opposes the external factors

⁹ *Civitas sive societas civilis sive res publica*.

¹⁰ However, in order to observe this equality, it is necessary to adhere to the sense of belonging to the Aristotelian Politics community. Outside of it, the criterion of equality was not applicable, with women, children and slaves being excluded. Therefore, although the *koinonia politikè* is taken as a reference for democracy, it is so, saving the particularities of the time.

¹¹ Aristotle, *Nicomachean Ethics*, VIII, 1, 1155b5

¹² Adela Cortina, *10 palabras clave en filosofía Política*. (Navarra: Editorial Verbo Divino, 1998)

that could come from a state system and be considered, therefore, as regulators of acting in society.¹³

The sense of a civil society as a reference of the city government, points out that the *Polis* is the whole, it is the starting point and source of the actions of individuals. And since the city is made up of parts, these parts to be observed are the citizens. Thus, the Aristotelian argument in favor of an intrinsic citizenship is understood as the assumption of responsibility in the conduct of the *Polis*, by anyone who is a member of it and who can through his or her word "manifest what is convenient and what is harmful, as well as what is just and unjust"¹⁴ in the political and legislative task.

Aristotle's philosophical heritage should not be lost sight of, and whether he accepts it or not¹⁵, it is part of his aristocratic interpretation of the nature and order of Greek society. In line with Plato¹⁶, Aristotle will hold a discourse founded on virtue¹⁷ and on how the individual in meeting with others can provide the most optimal conditions to guarantee a good life.¹⁸ Therefore, when Aristotle points out that the political community is the place where citizens, as free men and equal in law, meet to participate and exercise deliberative and judicial functions, he refers to an invitation to act according to the mandates of excellence and optimal state, being more fruitful for the good of society that man is the one who guides, rather than being guided and that this action is performed as a member of a larger body.¹⁹

Therefore, *koinonia politikè* can be understood as a society in which the exercise of citizenship is natural and intrinsic. This equates the notions of government, society and civil society, to present us with a single scenario in which the individual exercises authority in the

¹³ In Modernity, the civil is the opposite of the natural. The state of nature predates entry into civility, which is also treated in the political liberalism of the 17th and 18th centuries by Locke, Smith and Ferguson.

¹⁴ Aristotle, *Politics*, I, 2, 1253a11.

¹⁵ In this regard, consider that "[i]f the heritage assigns us contradictory tasks (receiving and yet choosing, welcoming what comes before us and yet reinterpreting it, etc.), it is because it testifies to our finiteness. Only a finite being inherits, and its finiteness obliges it. It obliges him to receive what is greater and older and more powerful and more lasting than he is. But the same finitude obliges him to choose, to prefer, to sacrifice, to exclude, to drop. Precisely in order to respond to the call that preceded it, to answer it and to answer for it, both in his name and in that of the other", in Jacques Derrida and Élisabeth Roudinesco, *Y mañana, qué...* (Buenos Aires: Fondo de Cultura Económica, 1999).

¹⁶ Plato, *Protagoras*, 361.

¹⁷ ἀρετή

¹⁸ Aristotle, *Politics*, III, 11, 1281b8.

¹⁹ Ibid. *Politics* note n°377.

conduct of shared life. However, when the assumption of responsibility is based on the possession of virtue²⁰, the civil is diffused in its denomination as regime, since it is possible that one, several or all those who govern are there. What seems clear to us is that, in the exercise of government, the individual possessor of virtue and member by nature of a political community, works watching over the common good. But within the scope of this work, the presentation of the best Aristotelian *Polis* can be interpreted in favor of a monarchy, an aristocracy or a *Politeia*.²¹

For the purposes of our analysis on the nature and definition of civil society, we will not go into detail on the monarchy as a constitution to be adopted in order to achieve good government; both the Greek conception βασιλεία that refers us to a power founded on the throne, and the possibility that virtue is proper to a single individual, are aspects that epistemologically escape the conception of civil society as a space of social belonging and of interactions willing to government.²² What remains to be clarified is the value placed on the possession of virtue, as to whether the exercise of government belongs to several or to all.

2. Interlude

It could be said that Athenian civil society is characterized by the participation and search for the best man in the exercise of government, and it is true that, in dealing with the issue, a distinction is made between citizens with greater virtues and those who exhibit less capacity to assume this responsibility. Nevertheless, after analyzing the issue²³, it is possible to establish that the civil society can exercise the sovereignty in a better way than those subjects that being better, are few, since even evidencing certain difficulties, each one of the individuals who integrate it, in spite of being mediocre men, can be better in the set if they are all reunited.²⁴ It is not surprising that this conception of civil society and the civic work that derives from it, is a resignification of the character and the dialogical habit of each individual, as a social being.

²⁰ As a prelude, Plato (Republic, IV, 445d) maintains that government must be exercised by the best and most virtuous.

²¹ Cf. Manuel Knoll. "Aristóteles y el pensamiento político aristocrático". *Revista de Filosofía*, 73, 87-106, (2017).

²² Consider, however, that the role of the monarchy will be key to understanding the nature and definition of civil society within the framework of modernity.

²³ Aristotle, *Politics*, III, I0, I281

²⁴ Ibid., III, I0, I281b2

However, during the following centuries, the construction of the social abandons these naturalistic principles to be governed by the centrality of God as the purpose and means of all human actions, giving rise to the period of the Middle Ages and contributing until today to a debate regarding the power that religion exhibits to justify the actions that men carry out individually and as members of a system of government. In this way, the notion of civil society is subordinated to the idea that the end to be pursued in the social order is associated with the law of God and, consequently, with the reason of the monarch.²⁵

The deepening of the questions related to the idea of civil society and the civic capacities of man in this period will not be carried out in these lines; have as reference for the reflection only what has been pointed out. More relevant for the purposes of this research is the observation that during the 17th and 18th centuries, the concept of civil society regained strength and was treated as the frame of reference for the definition of society with a view to achieving peace. This in general terms, since it is in the search for how to achieve it that a new figure emerges, that of the State, and where the different ways of understanding key concepts in civic interaction, such as participation or freedom, are configured. And it is this new conceptualization of society, the moment from which civil society begins a journey through diverse definitions and configurations that have determined, within other things, the difficulty to establish today, a notion about the civic that is sufficiently consensual and that contains the diverse historical, structural, value and relational elements of the citizen task.

The denominated theoretical sources of civil society²⁶, understood here as philosophical-political proposals that look for to clarify the ways in which modern society is structured, lead us to the theorization made by authors who observed the social changes of their time and raised from them, points of view on human relations that although today cannot be replicable without a

²⁵ To better understand this idea, let us look at the historical configuration of civil society and in particular at the transition from the Middle Ages to Modernity, a time characterized by: a) the separation between political organization and social organization, which during the Middle Ages was conceived in a unified way in the figure of the feudal lord, b) the notion of subjective rights that arose when the need for the monarch's consent in the conduct of modern society became apparent, and c) the subordination of the purposes of the church to those of the nascent modern state. Charles Taylor, *Argumentos filosóficos. Ensayos sobre el conocimiento, el lenguaje y la modernidad*, (Barcelona: Paidós, 1997).

²⁶ Autor (2019)

necessary contextual adaptation, they do set the bases of the individuals' task in the ample spectrum of politics.

3. The Contractualist side

3.1. Civics as the mechanics of fear

Now of reconceptualizing the social order no longer based on divine designs or associated with the order of nature, the relations between men acquire a place of honor in the reflection of the emerging modern intellectual society of the 17th and 18th centuries. A first approach is that which understands man as a citizen subject within the framework of a state of nature that is transformed into a civil society, an idea that is protected - according to the premises of Thomas Hobbes (1588-1679) - in the anti-utopian of fear as a basis for establishing the reasons why men establish a pact of social order. In this line, if from an Aristotelian position, human nature is interpreted as possessing an inherent capacity to interact deliberately in the public arena of the *Polis*, from the Hobbesian civism human nature is interpreted as a set of capacities and virtues willing to avoid that which is undesirable more than to achieve what is desired. And in this disposition, the relations between citizens and themselves can be catalogued in one or another pole of action, in terms of avoidance as of achievement. Consequently, this Contractualist conception is governed by the calculation of reason, converting past experience into a determining factor of present action and of what is to happen in the future, but not by what this future is worth in itself, but by what it means in relation to the past from which it arises. We speak of a mechanistic conception from which man carries out his actions by making a judgment about what has happened and what happens at the specific moment in which he carries them out, and he will be guided by how advantageous the result of such a judgment is; that is, whether it allows him to obtain a greater benefit or a lesser disadvantage.

The objective that from this conception is pursued, is to provide the philosophical knowledge that allows to understand the way in which the man relates with the others in circumstances where it must meditate on the own actions and those of others. According to this analysis, there will be philosophical knowledge of the mechanics of man's interactions and

consequently of civil society, when it is understood how this has been generated from the parts that compose it and that define its properties. From the knowledge about the behavior of the individuals that constitute a society. To point out that the sufficient philosophical knowledge about something is the knowledge of the generation of that something, leads necessarily to notice how the constitution of the civic begins with human beings as individuals separated from each other and present in their state of nature, describing the behavior of these in it as an expression of capacities not normatively mediated. It is from this analysis, that the manifestations of the human being as an individual separated from his peers are conjugated with the guidelines provided by a sovereign body; the idea of the state as a "person composed of many men, whose will is maintained according to what is agreed by the general will of all" emerges.²⁷

According to this premise, the behavior of individuals must be oriented to the achievement of the precious public peace, with which the state is free to dispose of the capacities of private persons in what is required to ensure their defense and the good of all. With this, one of the defining properties of the emerging leviathan is its power to constitute society as a coherent unit, recognizing the importance of giving order and meaning to the elements that citizens need to develop in order to achieve a peace that can only be achieved in a contractual state, different from one of nature, as a single political body formed by men in concert with the common good. However, the interpretative leap from citizen capacities arranged for the common good (a common good defined with reference to a state of nature), towards a power directed to the protection of the natural rights of the individual, will be key in the understanding of the work of the nascent state, since in this second scenario, its mission resides more in the protection of the capacities and properties of the particular subject.

3.2. The Commonwealth's legislature

Up to this point, the conception of the human being as a subject of law and the consequent birth of a political society, follow the thread of agreement and harmony among men, since in general lines, it is accepted that the shared life in society results in the promotion and protection of

²⁷ Thomas Hobbes, *Del ciudadano; Leviatán* (Madrid: Tecnos, 1987), 15.

spaces where to develop the own potentialities of an interaction based on the regulated pacts, being the respect for these, what empowers man to act with freedom in his interaction as a citizen subject. In this regard, John Locke (1632-1704) will argue that the state of nature is a "state of perfect liberty", arranged so that each man "shall order his actions and dispose of possessions and persons as he thinks fit [...] without asking permission or depending on the will of any other man"²⁸, and in which equality among all is such that no one enjoys power and jurisdiction to a greater degree than the rest. It is evident to Locke the inherent equality between men, who forming a single species and having the same faculties and rank, benefit from the advantages of nature without being subject to artificial conditioning or obedience to a master.

Nevertheless, in relation to this conception of society, the existence of a political society is given from the moment that each of the individuals that integrate it renounces to their freedom and to their treatment as an equal in front of the others, to give this natural power to the community. Community that as concept is polysemic, since it can mean equally political body, society or people, but that for effects of the understanding of the citizenship as subject of right, is clarified when using the term *Commonwealth*: while civism sustained by Hobbesian fear appeals to the definition of the socio-political with reference to a state of nature, from the notion of Commonwealth, the civic is translated into a governing dialectic, in which it is primordial for the correct functioning of society that the one who governs obtains the consent of the citizens to be politically directed. In this way, the centrality of the legislative power of civil society -or indistinctly, political society- is configured. But the ideas about the conformation of civil society do not refer only to this power.

Recalling Richard Hooker, Locke points out that even in the state of nature, the correspondence between men leads them to love each other as much as each loves himself, this protected by the fact that the condition of equality inherent in this state makes the human being reflect on the possibility of committing harm if this parity is broken and he opts for the duty of granting others the same affection he expects to receive from them. Therefore, justice and charity would be an essential part of human nature and would not be mediated by the relationships that men establish based on the post-state pact of nature. What Locke means when he describes that "the

²⁸ John Locke, *Segundo tratado sobre el Gobierno Civil. Un ensayo acerca del verdadero origen, alcance y fin del Gobierno Civil*, (Madrid: Tecnos, 2010), 10.

state of nature has a law of nature that governs it and that binds all"²⁹, is that in the safeguard of equality and freedom, each man watches over the care of the life and possessions of others.

It should be noted that before Hooker, Aristotle had already pointed out that "without the need for mutual assistance, men tend to live together", calling the human being as the one who by nature is a political animal, who joins others around the force of coexistence to participate in welfare.³⁰ Despite this, with this new conception of the modern citizen subject, it happens that it is only through the same law of nature that men can in turn exercise power over others, which is explained by its necessary application in circumstances where the end it pursues has been violated: "if in the natural state any person can punish another for the evil he has done, everyone can do the same", since the lack of superiority or jurisdiction grants the right to do so.³¹ And in a complementary way, "the one who has suffered the damage has the right to demand, in his own name, reparation, and it is he and only he who can forgive it".³² The latter redefines the capacities that must be available for the functioning of political society, extending the range to the exercise of the right to punish, since in this state of nature, it is not only the violation of the law that guarantees men the exercise of power over others as a safeguard for the common good and all of humanity, but also the offense that a particular man receives as a result of the malicious actions of another.³³

What assures, then, that order in this state of nature is such as to maintain the subsistence of all men, without the need to resort to the criterion of one alone who punishes according to the offense received? At this point, the civic aspect abandons its social character to take on an exclusively political dimension, as a new scenario is generated in which man ceases to be the judge of his own cause. This scenario is no longer natural, but artificial, and unlike what would be concluded if the order of the natural law were continued, where a man can, according to his own opinion, exercise dominion over another to punish him for the wrong done, such a new condition implies that one must "establish the mutual agreement to enter into a communion and form a political

²⁹ John Locke, *Segundo tratado sobre el Gobierno Civil*, op. cit., 12.

³⁰ Aristotle, *Politics*, III, 6, I279b3.

³¹ John Locke, *Segundo tratado sobre el Gobierno Civil*, op. cit., 13.

³² Ibid., 16.

³³ Not surprisingly, this scenario supports a kind of just war, in which the slaves, "having been captured, are by right of nature subject to the absolute and arbitrary rule of their masters" (John Locke, *Segundo tratado sobre el Gobierno Civil*, op. cit., 85). In other words, what this interpretation indicates is that having been captured, the slaves renounce their lives, their freedoms and their possessions, and cannot be part of civil society.

body" based on common opinion.³⁴ It is in this unique way that the state of nature comes to an end. Any other type of alliance, however consensual, will always refer to a state of nature.

The suggestive aspect of his position is that the rectification of the inconveniences produced in this new state is the responsibility of civil society and not of any other existing social order system, since if a different regime were to be considered from the one it formed, there would be no difference between the new state and the state of nature. The explanation points to the fact that whether one speaks of arbitrariness in the application of the law of nature to those who have committed a crime or whether one speaks of despotism in a monarchical regime, in neither of these the conditions for the existence of a government of citizens exist. For this reason, political society can exist only in circumstances where all the men who belong to it renounce the power naturally conferred upon them and are prepared to abide by what is determined by the commonwealth.

3.3. Citizenship as alienation in positive sense

With regard to the importance of citizenship, the Geneva philosopher Jean-Jacques Rousseau (1712-1778) stated that "social order is a sacred right that serves as a basis for all the others", but he differentiated himself from Locke's iusnaturalist position by defending that "this right does not come from nature, but is based on conventions"³⁵, so his interest will focus on knowing what these conventions are, what motivates them and how to configure them. The protagonist of the relations between men in the configuration of the social order and the power that exists in them to agree the means and ends of human behavior, serve as argumentation to redefine the concept of freedom, transforming it into a quality inherent to the human being; freedom is part of its essence and is therefore, unrenounceable. Thus, in the exercise of his freedom, man is a being of good and that in order to achieve his desires he does not need to commit deception, but on the contrary, it is necessary for him to meet with others in order to achieve the common good.

At the origin of this conception is the belief that man is his own master because his own care and subsistence depend on him, and that even when the forces of the natural state oppose his

³⁴ Ibid., 19-20.

³⁵ Jean-Jacques Rousseau, *El contrato social o Principio de derecho político*, (Madrid: Tecnos, 1988), 4.

preservation, man can continue to subsist if he extends the exercise of his sovereignty and his own care to the assistance of other men. In other words, the principle of conservation and the freedom inherent in everyone are transverse to humans, becoming by aggregation a single force that empowers the subject to overcome the obstacles of the state of nature.

However, if man is master of himself and is the first to watch over his care and attention, then how can he compromise these faculties by virtue of their aggregation into a collective force, without being harmed or risking his own subsistence?³⁶ The answer lies precisely in the principles of meeting with others, characterized by the annulment of deception and by the search for the common good, this being a type of good that is defined as that which everyone gains by associating with a social contract and which, in the same terms, everyone can lose if they violate such a pact. Consequently, the principles of this communion are summarized in "the total alienation of each associate with all his rights to the whole community"³⁷, which, as a source for determining what is legitimate and what is not, would ensure, on the one hand, that no one wants to appropriate that which is alien to him, given the condition of equality in which he would find himself with other men, and on the other hand, that given such equality, there would be no human being who could unilaterally exercise dominion over himself and over others.

But the renunciation of liberties and the corresponding union of the members of the political community to the figure of an authority, does not translate into the exercise of government by the latter being based on forced obedience, but continues to be based on the existence of needs. The republican idea of citizenship points to a governance based on care, on law and on sensible responses to the requirements of the members of the community: "there will always be a great difference between subjecting a multitude and governing a society".³⁸ So those who govern will be able to legitimize their authority through the merit of knowing how to respond to the needs of the members, just as a head of household does for his children.

In this way, alienation as a condition of civic experience implies that the conformation of a people may take different paths, whether men deliberate about authority and the set of needs that

³⁶ Jean-Jacques Rousseau, *El contrato social*, op. cit.

³⁷ Ibid., 15.

³⁸ Ibid., 13.

unite them, or assign the power of command to one or several of them, so that they may be the ones to represent them in dealing with these issues. The inconveniences that may arise with the choice of one or another route, refer to the fact that the subjects will constantly seek to balance the interests of conservation of freedom and care for themselves, with the interests of association that defend the person and their property, so that the exercise of citizenship will deal with the resolution of the issue through the conciliatory capacity of each member of civil society. Thus, acting civically implies disposing oneself to the "supreme direction of the general will".³⁹

4. The influence of tradition

The development of ideologies as a generic concept is not necessarily limited to the political sphere, but, defined as belief systems, ideologies refer to a myriad of issues of a moral, social, religious, economic or cultural nature.⁴⁰ However, its relevance as a starting point for the treatment of judgments and relations in politics begins to be noticed from the moment in which the reflections, theories and practices about the social organization become more permanent in time and acquire more firmness in the understanding that people realize about what implies to be part of a political body. Thus, "from the 17th century and predominantly from the 19th century its political component becomes crucial"⁴¹, which turns political ideologies into an instrument of persuasion, social control and differentiation between one society and another.

Likewise, the relevance of political ideologies lies in the fact that they are typical of the social configuration of the West, so that the fruition of theories about the political organization of societies that have occurred since the dawn of modernity, allows us to talk about political traditions in the different ways of understanding the concept of civil society. In this respect, Contractualist theories claim to be a central component of the Western social configuration.

Following the same historical-philosophical sense given to the notion of citizenship in modernity, the freedom that individuals experience in their civic interaction varies according to the

³⁹ Ibid., 15.

⁴⁰ Jesús Conill, "Ideologías Políticas", in *10 palabras clave en filosofía Política*, ed. Adela Cortina (Navarra: Editorial Verbo Divino, 1998), 213-58.

⁴¹ Ibid., 216.

guidelines established by the current theory. Note as an example, the negative interpretation of freedom developed from the Contractualist theories of Hobbes and Locke. A freedom that is understood as non-interference and that, given the constitution of a subject of rights, turns society into a network of legal citizenship that validates people's participation in terms of formal politics and the protection of rights. The primacy of private life over public life is configured, with private life being defined by a voluntary and free contractual relationship from which the condition of individuality is generated. This implies that the civil society defined in the liberal tradition is one determined by the predominance of the private sector as a source of motivation, both in the individual in particular and in the market in general; a sector circumscribed to free associations of an economic and social nature.⁴²

Politically, the exercise of citizenship is represented in the aggregative democracy, and in social terms, the civic involves the free choice of what, as a member of a society, is more convenient for the achievement of particular objectives.⁴³ The decision-making capacity and autonomy will be key to defining the social and political framework of this type of society, giving greater relevance to the rationality of the subject and minimizing the presence of the state as a regulator.

However, it is questionable whether the assumption of citizenship is equivalent to having the power to satisfy all the requirements of private life. Rather, from a citizenship based on non-interference, civil society is configured as a scenario of competitiveness and individualism lacking opportunities to interact collaboratively in an intrinsic sense. According to the rules of this model, access to the satisfiers of the requirements of private life is opposed to the provision of aid to third parties.

In turn, the actions of the citizen subject in a society of a republican order are characterized by the formation (or tendency to) a single public opinion that, in terms of civic capacities, empowers the sovereign to act on behalf of all. The citizen is then situated in the encounter between the State and the other spheres in which the human being can develop, his political

⁴² Benjamin Barber, *Un lugar para todos. Cómo fortalecer la democracia y la sociedad civil*, (Barcelona: Paidós, 2000)

⁴³ Michael Walzer, "La idea de la sociedad civil. Una vía de reconstrucción", in *La democracia en sus textos*, ed. Rafael Del Águila y Fernando Vallespín (Madrid: Alianza, 1998), 375-94.

participation being defined as the presence of this general will in the economic, religious or family dimensions. The equality in the citizen manifestation is given by the communicative power of the voice that is expressed in name of the general will, being the freedom, a notion that entails that each individual member of the political community develops belonging and identification with the organization and societal structure. Remember the Rousseauian idea about the attachment of each member of society to a pact that forms a single political body and the consequent submission to the general will, validating the action of the same through the participation of everyone in it. When ascribing to the political body, each individual legitimates it by means of the respectful encounter that is established with others and by the search of the benefit of each part, whereas these objectives are fulfilled only thanks to the political friendship and the corresponding expression of civic capacities.⁴⁴ However, what are the possibilities for individual development in circumstances where the exercise of citizenship is subject to alienation by the sovereign power?

From a pluralistic language, civil society is a dynamic political body, whose demands translate into a constant interpellation to the state to meet the demands of freedom as non-domination. Nevertheless, the creation and maintenance of spaces for deliberation are aspects of vital importance if the citizen subject is to continue to be demanding and solicitous in the face of the work of the state apparatus. Otherwise, the risks of losing communicative power will show a society minimized in deliberative terms and the political body more as a mechanism of ordering, than as a common place in which to express and build a shared history. The assumption at the base of all this is that in the exercise of citizenship, each person has a capacity to govern himself and to propitiate through it, a power that has to be exercised by all. The quality of being inherent to each member of society would be a nodal aspect of this capacity.

Therefore, if from a purely republican perspective, civil society can be defined as an entity in which the people acquire their autonomy and survive in solidarity, collectivism and mutual assistance among its members, from nationalism on its part, the interests become identity-based and not regulatory, so that each citizen runs the risk of lacking guidance on how to act in matters concerning social and economic life, being interested only in the commitment to maintain the status quo and give continuity to history.

⁴⁴ Philip Pettit, *Republicanism. Una teoría sobre la libertad y el gobierno*, (Barcelona: Paidós, 1999)

With certain variations, the communitarianism position also offers a definition that from the theory, guides the development and expression of the capacities to interact in society, being its main sources the notions of responsibility and loyalty to the community, and freedom understood as participation. With this, the social and the political are equated, as synonyms, being this the main way to develop life in common. And if from the republicanism, the civic implies the adscription to a general will that defines the constitution of the citizen subject, from the communitarianism tradition, to speak of the civic is equivalent to speak about the participation in the community. Likewise, citizenship corresponds to the mutual influence between the state and the public sphere, which, even being in opposition to liberalism, exemplifies a theoretical-political predominance in the citizen manifestation.

5. Possibilities after the civility as a faculty

If in classical Greece society was understood as a civil society characterized by participation and during the Middle Ages the social fabric was defined by theocentric, the conformation of society during the 17th and 18th centuries gave way to the figure of man. He, with his ability to represent interests in individual and collective action, saw the birth of a modernity based on the social contract. However, if we analyze the current western society in the light of the conventions and the search of scenarios where everyone can protect certain freedoms, we can notice that its constitutive elements have changed and that today, more than maintaining the discourse on the establishment of a social contract, it is possible that society is experiencing a collapse of the collectivities that support the social network, and we could even talk about an eventual end of societies as they have been defined so far.

A critical perspective on this point out that the current era is a post-social era, characterized by the inability of societies to determine their own course in social terms.⁴⁵ This argument points out that societies are currently determined by the monopoly of large power systems, which control both goods as an objective and economic element, and people themselves, who build their

⁴⁵ Alain Touraine, *El fin de las sociedades*, (México: Fondo de Cultura Económica, 2016).

subjective world, their representations and opinions guided by this absolute and concentrated power that is born from the union between globalization and the financial economy.

The commonwealth that Locke conceived as the root of the political organization of society has been transformed into a network of rules that are alien to the relational capacities of individuals. They have become subjects who experience a sense of belonging to the world, who live in a global sphere and who act at the macro level of cosmopolitanism. It is not interesting to underestimate the belonging to a global sphere, but to warn that the predominance of this sphere minimizes what can happen in more reduced, local and intimate environments where individuals develop and manifest their capacities for social interaction. Such spheres, which are born in the context of civil society, refer generically to contexts where men reach agreements and agree on a common life according to their preferences and needs. The universalization of values as an objective of the social fabric is more feasible and desirable if it is born from the different and complementary spheres of civic organization and if, to the extent that there are varied and deep interactions between them, a scenario shared by all can be achieved at the micro and macro social level.

Nevertheless, what we observe at present with the advent of globalization is a stagnation of the capacity of human beings to agree and determine shared ends in terms of coexistence, which translates into that these spheres of civic organization are blurred as the behavior of man is driven by economic rules, by *dataism*, by the influences of mass identity and by everything that is not consistent with the capacity of societies to mediate their own transformation in social terms. In this sense, the robustness of a society, based on the capacity of its members, is devalued if one considers that the individual's capacities for social and political interaction are subject to the combined power of globalization and the financial economy. It is this power that is constituted today as the sovereign, so if personal interests are to be reconciled with the peace and order that arise as a result of agreements between citizens, what may arise is the abandonment by the community of the task of seeking the common good, guided more by non-social criteria than social ones.

In this context, it is valid to think that what is sought in a globalized world is authenticity in order to maintain a certain individuality and innatism. However, the predominance of a macroeconomic order and the existence of limits to action only at the global level generate the opposite. Everything that Contractualism could have configured becomes blurred, since the norms that guide the actions of the human being expand beyond the territory in which the conventions are agreed. The individual no longer differentiates himself from others, but in his attempt to do so and by being guided by guidelines coming from a single source, he has fallen into a homogenization of character.

But from a hermeneutic of the citizen exercise, it could be affirmed that civility finds its sense in the projections; in projecting an optimal life with and for the individual and collective subjects that conform the society. That is why the development of civic capacities should not have extrinsically determined borders nor be property of a tradition or political regime, but on the contrary, they must correspond to the "I" that is constructed in the interaction. Then, the reconstruction of the social thing would imply that the pact between men may well germinate from the faculties that are available for the interaction in public-shared life. With this, in no case the post-social era has to be translated as a new state of nature, but rather as a scenario that needs a rethinking of agreements to be able to grant the individual the place that corresponds to him as mediator of the social organization.

The intrinsic value of the individual in society would be given by the own motivations to participate in it and determine it in a dialectic relationship with others.⁴⁶ Then, the aspiration implies that the individual is a citizen not because he or she possesses interests given as democratic aggregations, but as a subject willing to assume a role of authority in the public debate, without this meaning to lose the discursive capacity while not participating in it. The individual thus understands that he has a role to play in the place where he interacts with others, and that given their participation in his own practices, these must be legitimized by them.

⁴⁶ Christian Rostbøll "On Deliberative Democracy", *Sats, Nordic Journal of Philosophy* 2, no 2 (2001), 166-81, DOI:10.1515/SATS.2001.166

To conclude, we assume that this objectification⁴⁷ of the individual does not correspond to the instrumentalization that occurs with selfish self-determination, which is characteristic of a negative freedom, but rather is the disposition to form part of the objectives of someone other than oneself. This objectification (as an intrinsic motivation) acts as a guarantee of adaptation to uncertainty by allowing the individual to modify his behavior in virtue of social reality⁴⁸ and according to the characteristics of the societal environment where the interaction occurs.⁴⁹ However, it remains to be seen how capable the institutional systems are of providing guarantees for these interactions. For the time being, we advocate that civil society should be able to grant conditions for the validity of an intrinsically motivated civic expression. But this issue requires both the adherence to a definition of civil society that is sufficiently attentive and universally available, and the conception of deliberation as a morally constructive scenario. Therefore, both the foundation of the institutional guarantees and the ascription to a definition of civil society are pending matters, since they involve investigating in an ethic that contains the normative; they imply to sustain a connection from which to rediscover the original sense of a social and political discourse.

⁴⁷ George H. Mead. “La génesis del self y el control social”, *REIS, Revista Española de Investigaciones Sociológicas* 55 (1991), 165-86.

⁴⁸ Marilynn B. Brewer and Wendi Gardner, “Who is this «we»? Levels of collective identity and self-representations”, *Journal of Personality and Social Psychology* 71 (1996), 83-93.

⁴⁹ Henri Tajfel, Michael G. Billig, R. P. Bundy and Claude Flament, “Social categorization and intergroup behavior”, *European Journal of Social Psychology* 1, no 2, (1971), 149-78. DOI: 10.1002/ejsp.2420010202.

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