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The role of civil society in health care reforms: An arena for hegemonic struggles

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ABSTRACT

The present paper argues that current mainstream understandings of civil society as ontologically different from the state and essentially positive (either normative or functionally) are problematic in order to understand the development of health care reforms. The paper proposes to ground an explanation of the role of civil society in health care reforms in a Gramscian understanding of civil society as analytically different from the state, and as an arena for hegemonic struggles. The study of health care reform in Israel serves as a case study for this claim.

1. Introduction

Since the late 1970s, health care services around the world, and especially among the richer countries, have undergone reforms, which in most cases implied the introduction of market mechanisms and partial commodification of services. These processes did not only involve the state and the market, but also civil society organizations, which have been increasingly involved in the organization and delivery of health care. One of the forms in which the re-commodification of health care has taken form is the proliferations of "third sector" organizations that take responsibility for service provision (Alexander et al., 1999). A central claim that characterizes reforms is that non-profits or non-governmental organizations (NGOs) are more efficient and effective providers of services than the public sector (Altenstetter and Busse, 2005). Civil society played an important role in this process, mostly in the form of partnerships between governments and NGOs, in the form of quasi-markets and public-private partnerships (a form of privatization of services) (Annheier, 2004). On the other side, civil society organizations, both local and global, have been involved in the struggles against the privatization of health care services. Most of the papers addressing the role of civil society in health care reform, use the concept as it its meaning was self-evident, assuming the 'conventional' view that opposes civil society to the state (or to both state and market). Thus, they are at difficulties to explain its contradictory role in processes of neo-liberal reform of health care systems. However, as discussed in the next section, the notion 'civil society' is complex and allows for different conceptualizations.

The present paper argues that a conceptualization of civil society grounded on Antonio Gramsci's insights is better fit to explain civil society's role in the processes of neo-liberal health care reform. The paper builds on conceptualizations of the regulation approach on the transition to a post-Fordist/neo-liberal model of accumulation (Jessop, 2002), and on Esping-Andersen (1990) analyses of commodification and welfare to examine the reform of the Israeli health care system. This analysis will illuminate the limitations of conventional conceptualizations of civil society to explain the reform and will show that the Gramscian perspective articulates a better explanation of the processes of commodification of health care.

2. What we understand as civil society?

The concept of civil society is not univocal. Both along history and nowadays many different definitions and understandings have been proposed, poorly articulated with each other (Edwards, 2011: 3). The Dictionary of Civil Society provides a generic definition of the term, as "the set of institutions, organizations and behaviors situated between the state, the business world and the family. This would include voluntary organizations of many different kinds, philanthropic institutions, social, cultural and political movements and dimensions of the public sphere, forms of social capital, political participation and social engagement, and the values and behavioral patterns associated with them. In its transnational dimension, the term goes beyond the notion of both nation state and national society" (Annheier and List, 2005: xiii). This definition fits Michael Walzer's claim that "[T]oday the most common understanding of civil society is as a sphere of society distinct from both state and markets" (Walzer, 1998: 123–4). However generic,

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this definition does include some conceptual choices. The first one is the understanding of civil society as a distinct sphere, essentially different from the state. The second one is the conceptualization of civil society as also different from the business world (the market). While most contemporary conceptualizations of civil society consider it as essentially different from the state (I will go back on this point in the next section), the differentiation between civil society and the business world is more controversial. For example, for the libertarian Cato Institute, "civil society means fundamentally reducing the role of politics in society by expanding free markets and individual liberty" (quoted in Edwards, 2004: 2). From a different perspective, Michael Foley and Bob Edwards point to the difficulties in considering civil society as completely different from the business sector, when they ask whether civil society "include business ("the market") as well as voluntary organizations, or does the market constitute a separate, "private" sphere? If we exclude the market, should we nevertheless include economic associations–trade groups, professional organizations, labor unions, and the like?" (Foley and Edwards, 1996: 38).

The concept of civil society is not only polysemic, but has changed through history. For the early modern political philosophers civil society was opposed to the natural state. Scottish Enlightenment philosophers (Ferguson, Smith) and Hegel developed conceptions of civil society as different from the state. Today, although different theoretical traditions differ in their definitions, most contemporary conceptualizations of civil society agree to see it as a sphere of uncompelled, voluntary association, different from the state; a sphere in which people undertake collective action for different purposes. Thus, in most contemporary views civil society has two main characteristics: it as a sphere or a realm and it is conceptually distinct from the state (Jansen, 2011).

Common also to most contemporary conceptualizations is the positive value attached to the concept civil society. There are those who consider civil society as normative or morally positive, being in its essence a locus of freedom. Others consider it functionally positive, promoting the stability and well-functioning of the democratic polity. For the first approach, civil society represents per se an ethical space (Jansen, 2011). It is a realm of freedom and pluralism, thus positive in itself. It is the locus that allows organization and resistance to a tyrannical regime, or more generally, resistance to any undemocratic state activities (Foley and Edwards, 1996: 39). This was a view adopted by thinkers like James Madison in The Federalist Papers, Alexis de Tocqueville and, in the 1970 and 1980s, by eastern European dissidents and Western scholars analyzing processes of democratization in eastern European countries (Edwards, 2004: 7). Apart from being a realm of freedom, civil society is also considered as essentially positive because it is the realm of pluralism. Since civil society is characterized by voluntary association, it is necessarily plural in character. (Jansen, 2011: 29). Libertarians and classical liberals consider civil society as the opposite of the state. Since for them the state is a wrong [albeit necessary in a minimal form], civil society is essentially positive. Even liberal egalitarians understand civil society as an essentially positive sphere. Liberal egalitarians do not consider the state and civil society as opposite, and they even contemplate the possibility that the state regulates civil society, in order to limit the effects of "bad civil society" (Chambers and Kopstein, 2001). However, they too consider that civil society is the realm "in which citizens pursue their comprehensive ends and develop the principles, practices and virtues conducive to democratic government" (Jansen, 2011: 40).

For the second approach, the fact that civil society is mainly a dense network of voluntary associations; means that a well-developed civil society strengthens democracy. Civil society's positive outcomes are achieved "through both the effects of association on citizens' "habits of the heart" and the ability of associations to mobilize citizens on behalf of public causes" (Foley and Edwards, 1996: 38). In this view, civil society becomes a realm that fosters patterns of civility and virtuous citizenship. This approach is closer to civic republicans' conceptualizations. The consolidation of the common good requires the cultivation of civic capabilities and virtues. In their participation in civil society's myriad of organizations and associations, individuals develop those civic virtues that enable them to consolidate a functioning democratic polity (Jansen, 2011).

While the communitarian ontology is radically different from the liberal one, they share the view of civil society as a realm of the good. For communitarians, concepts of the good emerge from shared understandings consolidated in specific communities with specific political cultures (Cohen and Arato, 1992). Communitarians, similarly to civic republicans, consider that "[C]ivic virtue … the public good … democratic participation … involve a communal practice of citizenship that should pervade the institutions of society on all levels and become habitualized in the character, customs, moral sentiments of each citizen." (Cohen and Arato, 1992: 10). Communitarians consider that civil society, its organizations and institutions, are the realm in which these shared understandings are developed (Edwards, 2004).

This view of civil society as an essentially positive realm is not only common to liberalism and civic republicanism, but also to Habermas and other critical theorists. In their view, civil society is the realm of the public sphere, the space in which power-free communication may take place. Civil society provides the social basis for a democratic public sphere (Jansen, 2011). Civil society is the locus of deliberations and political will formation. For thinkers as Arato and Cohen civil society is the realm where the opposition between the possessive individualism of liberalism and the potentially totalitarian view of communitarianism may be overcame. An associational understanding of our social existence, an understanding in which civil society as the realm of uncompelled associations plays the central role (Cohen and Arato, 1992), may supersede the opposition atomistic/communal selves. Civil society is the realm in which "the radical opposition between the philosophical foundations and societal presuppositions of rights-oriented liberalism and democratically oriented communitarianism dissolves." (Cohen and Arato, 1992: 23). Civil society is the terrain on which we learn how to compromise, take reflective distance from our own perspective so as to entertain others, learn to value difference, recognize or create anew what we have in common … " (Cohen and Arato, 1992). For Habermas and other ' critical theorists', a healthy civil society is one 'that is steered by its members through shared meanings' that are constructed democratically through the communications structures of the public sphere (Foley et al., 2001: 9). They consider civil society as the source of self-reflexivity, as the locus in which an autonomous public opinion can emerge and develop. The institutions of civil society protect the public sphere from being colonized by the power of the state or of the market (Habermas, 1992).

In sum, most contemporary approaches to political and social theory agree in considering civil society as a sphere fundamentally different from the state, and in considering this sphere as essentially positive, either as the locus of freedom and pluralism, or as the realm in which civic virtue develops.

3. A Gramscian view of civil society as an arena for hegemonic struggles

Common to the approaches presented in the previous section is a certain "blindness" to the effects of power in civil society, a tendency to overlook the structural characteristics that allow for some