

# The state and civil society

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## France:

### The state and civil society

*Civil society and state in contemporary France: the trap of counter-democracy*

Wojtek Kalinowski

One falls easily into clichés and simplifications when talking about state and civil society in France. Arguably, the country possesses a strong tradition of *étatisme*, and references to the ‘Jacobean heritage’ and state centralism still flourish in the political debate, almost thirty years after the first decentralization laws. The reasons for this are deeply embedded in French political thought, and French politicians and senior civil servants have often been portrayed as the archetype of an elite distrusting all sorts of *corps intermédiares* that might interpose themselves between the individual citizen and the ‘general will’ (as expressed, not surprisingly, by the state). The French historian Pierre Rosanvallon calls it a ‘polarized’ vision of democracy, a vision that imposed itself in the aftermath of the French Revolution and where the nation state and its central institutions are thought to completely express the sovereignty of the people. Even today, we have no difficulty in seeing its imprints on French society. The most obvious example is the relationship between the state and religious communities, shaped as it is by the struggle with the Catholic Church and the difficult recognition of religious identities in the public sphere. But there are many others, for instance, the historical weakness of French trade unionism and the central role played by state legislation in a field where other countries, like Germany, Denmark or Sweden, rely extensively on labour market partners to regulate their own affairs.

Nevertheless, French society has always been much more complex than this intellectual reading of the ‘republican tradition’ might suggest. As some historians have shown, notwithstanding the ‘Jacobean’ state, local movements and non-government organizations have been active throughout 19<sup>th</sup> century France, and gained increasingly in importance and recognition at the end of that century. Today, French civil society is a surprisingly vital one: for instance the non-profit sector repre-

sents over 1.1 million organizations, employing over 1.6 million people and putting into work an additional 15 million volunteers. This sector grows faster (2.5 per cent a year on average) than the French economy as a whole; far from struggling against it, the state encourages this trend through tax deductions on charity donations (in 2005 for instance, some 6 million households donated over 2.5 billions euros). At a different level, if we take a broader look and consider the place given to civil society within the ‘machinery’ that regulates public life, we discover that a lot of responsibilities have been delegated: a whole range of public agencies are co-managed by trade unions and employers’ organizations. Even in the most controversial area of civil society, the religious one, we can see a difference between national policies and local practice. On the local level, sociologists such as Riva Kastoryano, have observed since the 1990s a sort of implicit politics of recognition, especially addressing the minority communities; while direct public subsidies to religious communities remain illegal in France (as famously stated in article 2 of the 1905 law still in place, the ‘Republic does not recognize, does not pay for, and does not subsidize any worship’), mayors and county officials bypass this rule by distinguishing cultural activities from religious activities.

Does this mean that the French ‘political tradition’ is just something French intellectuals talk about, an ideological discourse disconnected from everyday practice, that turns out to be much more pragmatic? Whatever the case, it affects the practice in a more discrete way. What characterizes the French case is not the absence of civil society or the apathy of citizens towards an omnipresent state, but the fact that the relationship between them and the state does not ‘work out’ – since it is built on distrust and competition, rather than trust and complementarity. When we examine more closely what actually happens when the political field interacts with civil society, we discover habits and mechanisms that produce setbacks in spite of all the good intentions. These mechanisms are numerous; I will limit myself here to point out three of the most obvious ones:

### Political instrumentalization

Arguably, there is nothing particularly French about it: in all democracies, politicians try to exploit the popularity of community leaders and NGO executives, offering them a place within the administration as soon as they become known to the wider public. In the French case, this 'tradition' goes back at least to the 1980s, when the Socialist party created strong 'organic' ties with new social movements such as SOS Racisme, movements that had emerged spontaneously but were transformed into the party's semi-official 'grassroots spokesmen', losing a lot of their initial strength and dynamics. More recently, the French political right used the same strategy when it invited to the cabinet public figures such as Fadelah Amdara, the founder and director of Ni Putes ni Soumises network, and Martin Hirsch, the former president of Emmaüs France, one of the best-known French NGOs fighting against poverty. This 'cherry-picking' among media-friendly NGO executives, effective as it is in terms of political communication, is not likely to improve the overall relations between the political elite and civil society leaders.

### Lack of consistency and mixed signals

The most recent case comes from the labour market. For years, there has been a growing political consensus in France that trade unions and employers' organisations need to take more responsibility for regulating labour market relations and what happens in the workplace. Thus, in 2004, the right-wing government passed a law obliging the legislator to let the social dialogue have its say before passing any new law concerning labour law or the way the labour market is organized. This spurred both trade unionists and employers to new negotiation rounds that eventually gave birth to new collective agreements, something actually quite rare in French labour market history. However, less than four years later, the same political majority broke the rule in passing a law quite different from the agreement reached some months earlier by the labour market partners. This move surprised even Laurence Parisot, the leader of the French employers' organization MEDEF, who, though surely delighted about the content of the new law (which goes further in liberalizing official working

hours), urged the government to respect the agreement. This is just one example among many of how the state breaks its own commitments and distils distrust.

### Mistrust in the civil society's capability to regulate itself

Notwithstanding the 'cherry-picking', most French political representatives and civil servants seem to have only a vague idea of how civil society actually works. The non-profit sector is a case in point: its actors have a long tradition of peer evaluation and self-regulation (signing charts obliging them to follow rules of quality and of transparency, etc.). And yet, in 2007 the government suddenly announced its plan to create a brand new 'NGO label' in order to – as a member of the Cabinet, Roselyne Bachelot, put it – assure transparency and good governance. As explained by Julien Adda of CPCA (Conférence Permanente des Coordinations Associatives, one of the major NGO federations in France), when the news was announced at a meeting of the National Council of Non-profit Organizations (a consultative body attached to the Prime Minister's office), all NGO representatives present were taken by surprise, while others concerned (mostly public servants) seemed to have been informed in advance. What is more, the government seemed not to notice that the sector already had several NGO labels in use, and that those labels, free of charge, were adapted to activities of specific sectors (health, poverty, sports and so on), while the new one is not only extremely expensive but also designed to cover the sector as whole. This cast severe doubts about what it will actually measure in the end. If it is adopted, the new label would come with an audit that is so expensive that only the biggest non-profit organizations could afford to buy it. But what is important in our context is the process itself: instead of making a thorough overview and discussing the matter with those concerned, the government simply commissioned a 'one size fits all' solution from a private firm, without any consultation whatsoever.

These three points are far from being the only ones, but the conclusion seems clear enough already: the problem lies not in the 'big picture' but in the details. As it is, all the required forums

for dialogue and deliberation already exist, and the importance of civil society participation in public affairs is underlined time after time by leading politicians – and yet the ‘nuts and bolts’ of the relationship between state and civil society do not work as they should. As a result of this systemic failure, French civil society often seems at its best when mobilized *against* the political system, rather than involved in a constructive dialogue – on the streets rather than at the negotiation table. It becomes, so to speak, the mirror of the political claim to express wholly and exclusively the nature of democracy. The current French debate about ‘participatory democracy’ is marked by this fundamental fault line: one ideal of democracy seems to compete with another, rather than trying to improve it. This is what the historian Pierre Rosanvallon calls a ‘counter-democracy’, a democracy where civil society leaders, precisely because they feel neglected by politicians and state officials (even by those who claim to cherish above all the virtues of a strong civil society), spend much of their energy on forming blocking majorities in order to stop particular government measures, rather than on seeking to promote constructive solutions.

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## Germany: The state and civil society

Martin Schaad

In the broadest sense, civil society refers to a social sphere, in which social, political, cultural and welfare-oriented activities are organized not by the state, nor by the profit-seeking market sector, but by voluntary associations of citizens. In the Federal Republic of Germany, this sector of society is very broad and immensely active, ranging from the local sports club to broadly based political parties, from philanthropic initiatives to large membership organizations such as the trade unions. All these organizations, networks and institutions are not subordinate to the state, but their contribution is considered a vital precondition for the workings of democracy as such. Not least due to the historical experience of *Gleichschaltung* (forcing into line) under the Nazi regime, associational life is therefore explicitly protected by the constitution, and its conduct is regulated by a number of sector specific legal codes such as the *Vereinsrecht* (codes applying to voluntary associations) or the *Stiftungsrecht* (codes applying to foundations).

Yet, whenever there is talk about civil society, or *Zivilgesellschaft* today, one can almost be certain that this very broad definition only comes into play whenever the debate concerns a foreign country, in which the preconditions for a vibrant associational life are lacking. Indeed, in these cases, Germans consider themselves experts, ready to give advice on how to strengthen civil society. It is not only that the German NGOs concerned with foreign aid offer corresponding programmes around the world. Even the military engagement in Afghanistan is often portrayed essentially as an effort to enable civil society to take hold there. For those who do not, as yet, consider themselves experts, the left-leaning daily national newspaper *TAZ* even offers *Reisen in die Zivilgesellschaft*, educational tours to visit civil society (or the lack thereof) in Mexico, the Ukraine, or Ramallah.

At home, however, the scope of the debate tends to be much narrower. Here, it seems that civil society is almost exclusively seen as part of the debate about welfare state reform, about the balance of re-

sponsibility between the individual and society and thus, ultimately, about the future role of the state. Rather than being a precondition for democratic governance, civil society is increasingly seen as 'filling the gap' wherever the state is on the retreat. Yet, as the erstwhile assumption that the state is responsible for most, if not all aspects of social life is waning, the new ideal that civil society is there to 'fill the gaps' faces serious funding difficulties. In Germany, the private and corporate willingness to financially support civil society initiatives appears to be less pronounced than in other countries. Some experts view the existing tax provisions and other legislation concerning foundations and sponsorship as obstacles in this regard. In any case, it is once again the state that is (co-)financing many activities of civil society. This may not be problematic in principle, were it not for the state imposing its own budgetary rules (in particular, annuality), which makes it difficult, if not outright impossible, for many an institution of civil society to develop sustainable, long-term programmes. In the longer term, state funding for civil society projects may have two further unintended and indeed, negative consequences: firstly, the repeated approval procedures may lead to a marginalization of dissent, thereby undermining civil society in its role in the system of checks and balances. Secondly, the near incalculable redistributive effects may undermine democratic politics by favouritism.

These points have all been raised in the current debate about the respective roles of civil society and the state. While the financial arrangement of welfare provision is, undoubtedly, an important question, the exclusive focus on it tends to disregard two other essential functions of civil society: furthering social integration and cohesion on the one hand, and providing a platform for debate and for the formulation of political objectives (commonly referred to as *Willensbildung* in the German context) on the other.

In these two respects, civil society performs rather well, though it appears to be facing mounting challenges. The willingness – not infrequently even enthusiasm – for self-organization is pronounced among citizens in Germany. In rural areas, for instance, social life would be unimaginable without the work of institutions such as the voluntary fire

brigade, the *Landfrauenverband* (association of female farmers) or the churches, to name but a few. Even in the cities, where the trend towards ever greater individualization is said to be most pronounced, it is the sports club, the local tenants organization, the youth centre or the *Arbeiterwohlfahrt* (workers' social clubs) that provide the much needed societal 'glue'. Yet, all these initiatives, projects and institutions face two challenges: firstly, the widening gap between rich and poor will deepen the fragmentation of society along socio-economic lines, making it difficult for civil society to promote cohesion and integration across the societal spectrum, leaving each institution to cater for one sub-group only. A related second challenge lies in the very real danger of isolation for the poorest and least educated, who do not or cannot take part.

With regard to the role that civil society institutions play in the formulation and debate of political objectives, the picture is once again a mixed one. On a positive note, it is noticeable that the long tradition of extra-parliamentary political activity, which perhaps began with the student revolt of 1968, developed into the broad-based citizens' initiative movement (*Bürgerinitiativen*) of the 1970s and culminated in the parliamentary success of the Green Party, is still very much alive. Yet, it seems that active citizenship in the strictly political sense increasingly focuses on short-term, single-issue campaigning rather than on the deliberation of the public good at large. Perhaps this should not come as a surprise, given that this concentration is not only 'closest to home' but also often the most promising route to change: it is far simpler to mobilize local residents for or against the extension of an airport, or for or against the teaching of Islam in state schools, than it is to promote more abstract values such as tolerance and respect.

What appears to be needed to improve civil society as a public space for the deliberation of the common good is what one may call 'bridging activities', fostering the debate between the particular interests voiced by existing initiatives. However, in doing so, great care needs to be taken so as not to exclude dissenting voices, non-mainstream voices and, above all, the voiceless sectors of society. Nowhere was the need for (and the associated dif-

ficulties of) bridging activities more obvious than in the so-called 'Integration Summits' convened by the Federal Government to bring together representatives from politics, the media, migrants' associations, trade unions, employer associations and sports organizations to debate problems relating to the integration of immigrants into German society. Even before the deliberations began, the initiative was criticised as *Symbolpolitik* and some organizations decided to boycott the event. Thus, where identities are at stake - but perhaps also in all other contexts - those bridging activities should probably not be left to the state, but should themselves be part of citizens' self-organization.

On the other hand, it may not be advisable to either wait for disinterested mediators to emerge spontaneously on the scene (i.e. a charitable trust), or to set up yet another organization with the specific task of bridge-building. Though the state does not appear to be the right organiser, it may nevertheless jump-start bridging activities in more subtle ways. The present disadvantage of civil society's heavy reliance on (co-)funding by the state may be turned into a temporary advantage in this respect. Perhaps one could make a portion of that funding conditional upon the recipients' efforts to counter the fragmentation of civil society. The relevant sector-specific legal codes may also offer an opportunity to induce existing civil society initiatives to take bridge-building on board (though this is something for the legal experts to determine and cannot be done in this paper.)

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## The Netherlands: The state and civil society

Farid Tabarki

People play all manner of roles in various groups. The more abstract the group, the easier it is for institutions such as the state and schools to make mistakes appealing to the group's members. This makes it all the more of a challenge to frame interests in such a way that someone says: 'Yes, I think that's important, this concerns me'. You don't need to engage in soap-box politics to achieve this (although that does work, as we have seen in the Netherlands on a number of occasions) but you shouldn't forget that in our chaotic and multifaceted society, people are first and foremost individuals. Their membership of larger units depends on mutual commitment. This commitment cannot be conjured into existence by a government, political party or other sublimated form of collective action. Those in power are faced with a challenge, but need not be afraid: people are prepared to contribute to society through their own efforts and they display a new idealism. But these people tend to be the younger generation, for now at least.

The parents of the babyboomers built a wealthy society on the ruins of the Second World War. Their moral convictions disciplined society for decades. Some did so on the basis of a sober socialism, others on the basis of religion. This was translated into the social order of the day: work until you drop and be happy with the results, bear someone else's heavy responsibilities without complaint and look to the heavens for guidance on the difference between good and evil. Unequivocal and successful, but their children, the babyboomers, had no interest in spending their lives under this strict regime. They replaced the functional, but asexual marriage of 'De Avonden' by Gerard Reve (a Dutch author) with free love. On the economic level they built the welfare state, whilst breaking down all manner of moral barriers. The top-down leadership now no longer focused on morality, but on the economy. Strongly politicized and divided into ideological factions (in particular the various left-wing flavours, from communism to social democracy) belief in God slipped away, to be replaced by confidence in the state.

The problem is, however, that the state no longer guarantees our daily bread, let alone something to spread on it. The welfare state is dead. People realize that. Neither God nor the state provides a future for you, either economically, or morally, but there are plenty of chances and opportunities. There is just so much to choose from! Unaffected by unfeasible idealism and cynical hedonism, these teen- and twenty-somethings are, thankfully, sufficiently flexible. The old collectivism just doesn't work any more. This generation's sense of *us* starts with *me*. Because healthy self-awareness and development offer more options for opening your heart to another.

A new generation should be able to distinguish between morals and standards of decency, but should combine morals with sharing things fairly. The old term 'solidarity' hardly suffices any more because it primarily seems to mean that *you* have to get some from *me* because you cannot get it yourself. This entails negative empowerment for the recipient. How can you feel that you are taken seriously if you are cared for from the cradle to the grave? The new generation's motto is: don't tell the social story from the government's point of view or that of a fairy tale, but from the individual's perspective. The constitutional state is more important than democracy. Defend business-like thinking to public institutions. The artist is more important than his/her audience. Think secularly, however pious you might be. Only then can you provide a healthy breeding ground for a community that means something, for honest redistribution that provides a safety net to those that need it, for truth and beauty and for a country in which religion contributes to unity instead of undermining it. Multicultural societies explode due to imagined unity. Do not pressure people into becoming part of a community, but stimulate their self-respect. That is the only way empathy towards the 'other' or towards society as a whole can grow.

This idea shows a slight similarity to the republican citizenship which sociologist Herman van Gunsteren posited in 1998. He had already realized that – in a multicultural society – unity cannot be imposed from above. However, his theory is firmly based on the political institutions in which young

people no longer really believe. Actual change starts in people's minds, not in a constitution, or with government institutions which take a hard line on the enforcement of freedom of speech.

Interestingly enough Dutch political parties are trying to do the exact opposite. As a matter of fact, the Dutch elections of 2003 and 2006 had one recurring theme: the standards and values that had been put high on the agenda by Balkenende, the current prime minister. 'Balkenende deserves praise for putting the topic on the agenda', the newly elected leader of the Partij van de Arbeid (PvdA), Wouter Bos, said during his first frontrunners debate for RTL4. The next day Bos was lauded in the press for his stance during the debate, which was perceived as evidence for the fact that, in addition to the Christen Democratisch Appel (CDA), the party of the prime minister, the PvdA, had also adopted the new 'we' style of thinking. The individual-oriented way of thinking of the nineties – everybody happy in his own way – was now replaced again with the idea that ultimately we are all in it together.

The image was clear: the purple liberal carelessness, which had characterized the Netherlands while entering the new millennium, had been torn to pieces by the rise of Fortuyn: the population was dissatisfied. Balkenende had picked up that signal very well. Now that it had finally become acceptable to talk about minorities, it was no longer possible to avoid the discussion about public corruption. The PvdA and VVD jumped on the bandwagon of the CDA. In an article from 1998, the public administrator, Mark Bovens, discusses the rise of communitarism in Dutch politics. Communitarism, as opposed to liberalism, sees the community as the solution to a problem. Liberalism emphasizes the role of the individual; the importance of a government that leaves its citizens in peace and that ensures that citizens also behave in this way towards each other. Bovens notices that in addition to the market place, morality becomes an important issue. He is surprised (already in 1998!) that not only the Christian parties hijack this idea. In 1994, the PvdA had referred for the first time since the 1950s to the notion of civil responsibility and the party had asked what it is that binds people together. The VVD also contributed to the debate via

its leader Frits Bolkestein, who wanted to make a clean separation from the so-called Veronica liberalism, which the VVD had followed in the eighties, and drew attention to the 'Christian background' of his party.

In the Netherlands, communitarism is spread across several parties. The CDA and the small Christian parties refer to the Christian tradition, whereas the PvdA and SP call for solidarity. In practice, it manifests itself as an obligation to support the education of children, the reduction of the number of coffeeshops, the battle against alcohol abuse, a ban on the wearing of the *burka*, a ban on violent video games, and so on. There is also a call for a 'Charter of responsible citizenship'. This reveals a weakness in the debate surrounding standards and values. The debate tries to open up the discussion about etiquette, the rules governing people's behaviour towards each other. However, the slogan *fatsoen moet je doen* [mind your manners] touches upon a crucial element. Indeed, it is about people behaving with decency. The government does not have much to do with this. 'Standards and values do not belong on a banner' was the opening line with which the Scientific Council on Government Policy began its piece on the standards and values in Dutch society. This is a serious blow to a government that has been over-ambitious, which can easily lead to a loss of confidence. After all, it is about individual action, personal virtues which can possibly be taught, but which people primarily have to implement themselves. Loutish behaviour and a lack of responsibility are mostly faults of individuals. The problem of unrealistic ambitions lies in the fact that the government promises to make these people more decent, something it will never succeed in!

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## Poland: The state and civil society

*Poland after Communism: the withering of civil society*

**Konstanty Gebert**

'An accidental society has no right to vote on divine law'. Thus the ultra-Catholic MP, Halina Nowina-Konopka, commented in the 1990s on the proposal that a draft law banning abortion be first submitted to the nation in a referendum. The movement in favour of such a referendum was Poland's broadest civil society initiative since the fall of Communism. Grassroots activists, without the support of any party, had collected over half a million signatures in a matter of weeks in favour of letting the nation decide.

To no avail: the very popularity of the measure, presumably mainly among the opponents of such a ban, solidified opposition to the referendum among parliamentary 'pro-lifers'. They managed to push the ban through Parliament (Nowina-Konopka, for some reason, did not deem the body, just as 'accidental' as the society which had voted it into office, unworthy of voting on that), and abortion has been illegal in Poland ever since, with the predictable consequence of a thriving black market in abortions. What is more interesting is that Polish public opinion eventually followed its Parliament's lead: while most Poles had initially supported keeping abortion legal, an anti-abortion majority emerged in the years following the ban.

At first glance this result seems surprising. While the 'pro-life' majority in Parliament can be explained in political terms, especially given the importance of the Polish Catholic church, the shift in public opinion was puzzling. Reasons to oppose abortion had, if anything, been validated by the rise of expensive and potentially dangerous illegal terminations. Furthermore, Poland had, just a few years earlier, scored a historic victory by peacefully overthrowing the Communist regime – a textbook example of civil society triumphing over the state. The underground Solidarity movement had described itself in terms of 'independent civil society' and had, in fact, been just that. Not only

the persecuted trade union, and non-Communist political parties, illegal to begin with, had gone underground – much of civil society had done so too.

The underground included a vast independent publishing movement, uncensored education from the high school level upwards, social movements – greens, pacifists, professional organizations, down to underground theatre performances and clandestine medical journals. Nor was the underground a niche activity: it is estimated that about one hundred thousand Poles were active in it, and that this activity reached millions of others, consistently, over the eight years of military rule. Yet this thriving and dynamic civil society, still aglow with its success against the hated regime, had dismally failed to oppose an unpopular and restrictive move rammed through a democratic Parliament by a determined radical minority. Not only that, but it had ultimately ranged itself, at least publicly, on positions it had hitherto rejected.

It is hard to escape the conclusion that this vibrant civil society had simply petered out after its resounding triumph. This is confirmed by sociological indicators: in the numbers of NGOs, and especially in the percentage of citizens involved in them, Poland today is at the bottom of the European pile. In fact, in calling Polish society 'accidental', Nowina-Konopka was not wide of the mark – and today, over a decade later, the situation remains largely unchanged. This gave the state a huge advantage – and this advantage accrued to groups determined enough to seize the state in order to promote their ideological agenda. Not that the state was, in terms of participation, much more popular among Poles than civil society: voter turnout in national elections usually hovers around the 50% mark. But, as opposed to civil society, the state does not wither away when citizens lose interest: its institutions assure its permanence.

One reason for the triumph of the state over civil society in post-Communist Poland is that this description is somewhat misleading: in the transformation initiated in 1989, civil society had largely become the state. The massive transfer of political and social elites from the underground into officialdom, visible from the level of the national Parliament to that of the local city hall, had left civil

society decapitated – and confused: why should we oppose ‘them’, when ‘they’ were, in fact, ‘us’? The new political elites, soon to be bitterly divided among themselves, played endlessly on this syllogism: each tried to convince the electorate that they, and only they, were still ‘us’, while their political opponents, though originating from the same underground movement, had now become (or, worse, had always been) the hated ‘them’. The citizens, predictably, reacted to this by withdrawing from politics – yet the transfer of elites left them leaderless and increasingly cynical. Why bother setting up social movements, since they will fatally become only a springboard for leaders, eventually catapulting them into positions of state power, leaving the activists behind?

But, just as importantly, the underground civil society had organized around a political goal: throwing the Communists out. The social movements composing it were but instruments in achieving that goal; victory had left them without a mission. Had the new democratic state been as intrusive as the Communist one had been, people might have been forced into action. But, as the anti-abortion law had proven, this time the state’s bark was worse than its bite. There were very few prosecutions under that law, though the existence of a widespread black market in abortions is public knowledge. Since the state does not interfere brutally, there is no major reason to oppose it. On the contrary – one should rather be thankful for its tolerance of what it officially condemns. The new majority behind the anti-abortion law does not indicate that most Poles now agree that abortion is a crime; what it really expresses is an appreciation of the fact that one can live with the way the law is being implemented. For most of the last 200 years, Poles mainly had to live under different actively repressive and illegitimate regimes: surely one that is both legitimate and repressive in word, but not in deed, deserves some appreciation? Even if not so, there is no reason to organize outside it: everyone can find ways to come to terms with it individually.

And thirdly – not only was there no reason to organize outside the state, and no more leaders to show the way, but there was nothing to organize around. The underground had perceived itself not only as a political movement, but, indeed, as a

national one, in the ethnic sense – the social embodiment of the Polishness which the regime had betrayed not only politically, but culturally and spiritually as well. The only road to redemption, for its representatives, was to search for common ground with the movement and strike a compromise with it. Labour leader Lech Walesa’s famous ‘We spoke Pole to Pole’ after the successful conclusion of negotiations with the government after the great strike of August 1980 had set the tone: Poles will find a way to understand each other. One year later the regime betrayed that trust by imposing martial law on Poles, and Poland, not only Polish civil society, went underground. Those who chose not to were therefore seen not only as political opponents, but as national traitors: agents of Russia.

But this meant that the society which developed in the underground was in fact an ethnic, rather than a civil one, the bonds of solidarity based on ‘Pole to Pole’, rather than a civic compact. Had Poland, and therefore its underground, been more ethnically and religiously diverse, this bond could possibly have been challenged and transformed – but in a country made up of 95 per cent ethnically Polish Roman Catholics, this was hardly the case. 1989 saw underground Poland victorious and the state was once again invested with the ethnic bond. This, however, left society at large bereft of a unifying cause – but still rather unable to develop new compacts, transcending the ethnic bond. To this day, the visible presence, in a civil society movement, of Polish citizens who are not ethnically Polish – Jews certainly, but also Ukrainians or Germans – is reason enough to make it politically suspect in the eyes of the ethnic majority. An ethnic society masquerading as a civil one, also fooling itself, and getting away with it, for opportunities to see that a civic bond can be shared even in the absence of an ethnic one, are few and far between.

No cause, therefore, no leaders and no bond: no surprise therefore that Polish civil society is weak even now, almost two decades after the breakthrough. And yet this picture is changing as we speak. Single-cause movements: greens, feminists, gay rights are emerging, especially among the younger generation, for whom the story of the underground is no longer the reference point, but rather a closed chapter of the past. These

movements both have ample grievances, dedicated leaderships with no hope of being assimilated by the state and a self-perception totally disassociated from visions of 'Pole to Pole'. As Poland rids itself of the disastrous legacy of the 20<sup>th</sup> century, it enters the 21<sup>st</sup> as an 'accidental society' indeed, but in a novel sense. Not one made up of leaderless individuals, forced to submit to a state incarnating the nation, but an aggregation of different collective interests striving for recognition. In other words, a civil society. Its prospects finally start to look bright.

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## Sweden: The state and civil society

*The state and civil society: Sweden and the end of Swedishness*

**Göran Rosenberg**

There is nowadays little doubt that the nation-based welfare states of Europe largely owe their triumph to the successful combination of their constituents' loyalty to their nation as a warm circle of community and identity and their loyalty to their nation as a cooler and principled system of justice. The institutions of democracy have been equally defined by the craving for collective belonging, for a common 'we' in a world of 'others', as by the ideals of a universal brother- and sisterhood.

Even mature national democracies where the warmer elements of nationhood had seemed safely submerged in a universal system of justice, like Denmark or Holland, have in recent years experienced the visible reemergence of the border between 'we' and 'them', between those to whom we can extend our emotional loyalty and those to whom we cannot, between those whom we can trust with our commitment and those whom we cannot. Even in the most principled democracies we can now imagine points of conflict where justice for *all* breaks down into loyalty to *your own*.

Sweden has arguably been one of the most ethnically and culturally homogenized nation-states of Europe. It has also arguably been the nation-state with the most distant and feeble collective memories of ethnic violence and war. Not only was it spared the great European wars of ethnic conquest and cleansing of the 20<sup>th</sup> century, but it was also allowed to effectively forget, or disavow, the memories of those sometimes violent and destructive wars in the 16<sup>th</sup> and 17<sup>th</sup> centuries in which the Swedish nation was politically and culturally defined. The formal concept of Sweden, embedded in the institutions of the state, and the informal concept of Swedishness, embedded in the traditions and notions of civil society, had thus not been in a visible conflict with each other in living memory. The Swedish state was increasingly perceived as a 'natural' extension of civil

society, while the civil society in Sweden increasingly shared in the formal functions of the state. The potential conflict between justice and loyalty was thus effectively made invisible or rendered irrelevant, allowing for the Swedish nation-state to perceive itself as a product of purely universal and rational ideas and notions.

In twenty years all this has changed, partly due to rapid changes in the ethnic and cultural make-up of the population of Sweden, partly due to the individualization and fragmentation of a rapidly globalizing society. Already in 1998 the Swedish government officially declared that the general policy of the state 'must originate in and reflect the ethnic and cultural diversity of Swedish society in a wholly new way'. It also stated that 'since a large segment of the population originates from another country, the population of Sweden lacks a common history'. The ideal of assimilation was thus decisively replaced by the ideal of integration, which is an ideal that calls for a continuous process of mutual accommodation between old Swedes and new Swedes. The outcome of 'integration' is still far from clear, while the specific government authority created for this purpose, The Swedish Integration Board, *Integrationsverket*, was subsequently disbanded (2007).

What does seem clear is that the potential conflict between state and civil society has again become visible, as emerging differences in cultural traditions and preferences have exposed the sometimes not so universalistic principles at work even in this, the most principled and universalistic of nation-states. The growth of socio-ethnic segregation and the widening of socio-ethnic gaps have most likely not been *caused* by the policies of integration, but they have certainly been highlighted by them.

The occurrence of genuine cultural differences in the *demos*, the people, the agent of *democracy*, is therefore a testing condition for any democracy, but perhaps more so for societies where the experience of cultural difference is relatively new and where the political implications of such differences have so far been largely avoided or ignored. A specific trait of the Swedish democracy is the notion that its citizens share a wide set of common values, that they are able to solve their conflicts in a spirit of

matter-of-factness and consensus, that the nation is a home and the people a family. The Swedish ethnologist Åke Daun explicitly includes 'conflict avoidance' among the features of a 'Swedish mentality' and defines it as 'a tendency to avoid direct conflict with people with whom you deeply disagree'.

The notion of Swedishness has thus turned out to be not so much a political or a legal category but a cultural construct. One might argue that such a construct must be reconstructed as its building blocks are crumbling, but these things don't change easily. The social and economic gaps between 'Swedes' and 'Immigrants' are persistent, as is the perception of Swedishness as a notion of cultural affinity.

Cultural pluralism is a far-reaching concept – if we take it seriously. It means that we must find ways to combine culturally embedded values, ideas and life-styles – with political institutions and procedures that can command the loyalty of all. Cultural bias with culturally blind justice. Cultural pluralism with political loyalty.

If these implications have not yet been perceived and digested on the Swedish national level, then even less so on the European level. Pluralism and diversity have largely become empty catchwords, touted in endless lifestyle commercials and political proclamations. Few European leaders will publicly come out against cultural pluralism, but undercurrents of xenophobic isolationism are presently affecting the political climate of several European countries.

The traditional explanations of xenophobia being the result of social and economic grievances do not seem to explain very much. Denmark is a prosperous country with a booming economy, relatively modest unemployment and relatively few immigrants, but the public rhetoric against non-European immigrants in general and Muslims in particular is brutal and uncompromising. Foreigners threaten the welfare of the elderly, the safety of families, the Christian values of genuine Danes.

Here Sweden still remains an exception. No openly anti-immigrant or xenophobic party or movement

has so far managed to capture or redefine the political agenda. The violent anti-Muslim public rhetoric of Denmark is still unconceivable in Sweden, although Sweden harbours far more Muslims than Denmark. However this might not reflect a significant difference in popular sentiments and opinions. Rather it might reflect a significant difference in political culture and traditions.

What perhaps so far has made Sweden somewhat more resilient to the disintegrating and xenophobic potential of an increased ethnic cultural diversity, I would argue, is the still deeply rooted perception of the Swedish state as a basically fair and impartial institution, embodying universalistic principles and just procedures. The ongoing quest for policies and procedures to handle 'fairly' the challenges of cultural and ethnic pluralism has therefore so far been perceived as politically more credible and rewarding than the potential quest for policies and procedures promising the return to a more homogeneous past. This has also created a surprisingly broad political support for a policy that effectively purports to the decoupling of the notion of Swedishness from the notion of nationality and nationhood, and thereby to the continuous renegotiation of the cultural foundations of the Swedish state.

In a society where the institutions of the state have historically commanded strong popular support, such a process of renegotiation can still perhaps be initiated and fostered by institutions of the state itself, making the state a vehicle for the defusing and transcending of potential inter-ethnic conflicts within civil society.

But probably not for long. The bonds between state and civil society in Sweden are under pressure. If the historical trust between the two is further weakened there is no reason to believe that Sweden would be spared the emergence of openly populist and xenophobic parties and movements. The authority of the state to foster policies of cultural adjustment and accommodation would be further undermined.

At the end of the day we are facing the historical challenge of having a state based on democracy and difference, and a *res publica* based on ethnic and cultural diversity.

Diversity is not a choice but a human condition. Or rather *the* human condition. Our ability to imagine diverse worlds, telling diverse stories, finding diverse meanings to our lives, creating diverse societies, is what makes us human. We can choose to have it divide us. We can, perhaps, also choose to have it unite us.

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## The United Kingdom: The state and civil society

*Issues of relevance and problems of access*

Tony Breslin

### Society, state and government

Any discussion about the state and civil society is beset by problems of definition, both with regard to the terms set out in the title for this paper – ‘state’, ‘civil’ and ‘society’ – and with regard to a broader range of related concepts, notably ‘government’, ‘civic’ and ‘citizenship’. Let me start with issues of ‘society’, ‘state’ and ‘government’.

A long-standing mentor, colleague and friend makes particular play of the term ‘society’, imploring each cohort of Advanced Level Sociology students that he encounters to conclude the introductory phase of the course by *drawing* society – the students then give presentations to their peers outlining their portrayals (Moore, 2006). There is insufficient space here to explore precisely what we might mean by the term or how we might ‘draw’ it but there remains sufficient life in the concept to spark national debate whenever it is purposefully invoked on the public stage. In reflecting on our ‘broken society’, David Cameron might not agree with one of his claimed role models, Margaret Thatcher (Breslin and Dufour, 2006), that ‘...there is no such thing as society’ because ‘...we are all individuals now’ but, like his predecessor, he has provoked significant debate by talking about society, a point that was underlined to me recently by an adviser to one of Cameron’s political opponents – a serving and prominent junior minister – when he acknowledged that “...we might not like Cameron’s ‘broken society’ line but we’re *all* in the same territory”. Quite; whatever the definitional disputes, the strap-line of the organization that I lead,<sup>1</sup> the purpose of building *res publica* and the concerns of progressive and conservative politicians alike centre on how we might make society work better, how we might live together more effectively within

and across community boundaries – note the significant concerns about ‘community cohesion’ that run through many of our current national debates – and how we might bring proper governance to those communities so that they are effective, just and sustainable in their form.

Although the terms are similarly contested, definitions of ‘state’ and ‘government’ are easier to pin down, at least for the purpose of the discussion that follows. Thus, we may think of the ‘government’ as that group, howsoever constituted, that is in power at any one point in time and has, therefore, significant control over the direction of public policy at that time. By contrast, in this context,<sup>2</sup> the ‘state’ is the formal and permanent machinery and agencies of government, or as two authoritative writers put it ‘the general system of authority in a country, made up of the government *and* (my italics) all the other institutions through which people are ordered and controlled’ (Thorpe and Jarvis, 2006). For the purposes of this discussion, our interest is twofold: We are concerned with the balance of power and the associated dynamics between the government and wider state – because if the state’s power is all-encompassing, then elected politicians are its puppets rather than our servants – and with the relationship between individuals and the state and the civil and civic mechanisms through which this is expressed. Again, with space at a premium, let us assume that in each of the countries engaged in the *res publica* exercise the government does have sufficient sway over the broader state to make democracy worthwhile. With such an assumption in hand, we are left to explore the latter concern and, here, notions of what constitutes the ‘civil’ and the ‘civic’ are critical, as is the conception of ‘citizenship’ with which we move forward.

### Distinguishing between ‘civil’ and ‘civic’

In discussions about how the individual or group interacts with the government and the state, it is common to use the terms ‘civil’ and ‘civic’ interchangeably, to consider them synonymous. This

1 The Citizenship Foundation, in an attempt to express the organization’s approach to ‘citizenship’, uses as its strapline ‘Individuals engaging in society’.

2 More benign notions of the ‘state’ (or ‘nation state’) refer simply to ‘a country or community with its own government’ (Thorpe and Jarvis, 2006).

is an error. Critically, in reflecting on the different *res publica* discussions, it is clear that the process through which individuals interplay with the state is mediated through two channels: a set of 'civic' conduits and institutions and a wider set of 'civil' relationships (Jochum, Pratten and Wilding, 2005). Very broadly, the 'civic' conduits operate in the formal sphere, while the 'civil' domain describes a much more complex, untidier and informal space.

Thus, in terms of the 'civic', we would certainly think of formal politics – locally, regionally, nationally and, increasingly, beyond – and we would also think of long-standing organizations linked in to formal politics: political parties, trade unions, chambers of commerce. Finally, we might include larger 'voice of the sector' bodies such as, in the UK, the Trade Union Congress (TUC) and the Confederation of British Industry (CBI). Those that operate in the civic sphere are either a part of the apparatus of state or they are hard-wired into that apparatus by virtue of their influence, status and, perhaps, longevity. By contrast, 'civil' society consists of a myriad of usually smaller organizations and campaigning groups that range from locally based tenants' action groups and community support networks to nationally prominent charities and campaigning bodies, broadly defined in the UK as the 'third sector'.

Against this background, I want to suggest three things: first, that civil society is in better health than the civic frameworks with which it works from time to time; second, that the civic and civil spheres are becoming increasingly separated and that this is problematic for the future health of our democracies; third, that civil society needs to do better in reaching and including a far greater range of participants.

### The perceived irrelevance of the 'civic' sphere

Shot through the *res publica* discussions and, in the UK, a range of recent reports (Power, 2006; Goldsmith, 2007; NFER, 2008) is a concern with declining levels of participation in formal politics, or, as we have it here, the 'civic' sphere. An initial response to these has been to cast the problem as one of apathy. However, the relative healthiness of the 'civil' sphere is a challenge to this – in the UK

the numbers of (especially young) people active in a range of campaigns and campaigning bodies that span the political spectrum – from the Countryside Alliance through Make Poverty History to the Stop the War Coalition – are hardly an indicator of apathy, although, as I shall outline later, the apparent narrowness of the demographic involved in these campaigns is a cause for concern. And if the problem is not apathy (or not *just* apathy), the required solution is different. Where apathy is the problem, the solution is to find ways of enticing reluctant voters to the polling station; where the problem lies in the nature and perceived irrelevance (and perhaps obsolescence) of the civic structures, the challenge lies in the renewal of these structures.

The UK government's Governance of Britain agenda (Ministry of Justice, 2007) is, in part, an acknowledgment that the latter concern is at least as significant as the former. The problem is less about political issues (although the protagonists may not define them as such) and more about a lack of faith – or 'trust', as it is often configured – in the systems and personnel of (formal) politics. The pan-European popularity of 'vote-them-off' television programmes such as *Big Brother* and *The X Factor* suggests that voting itself is not the problem – the way we 'do' formal politics is. Moreover, the increasing mood amongst activists in the civil sphere that formal politics lacks the wherewithal to address its issues suggests a separation between the civil and civic domains, a development to which I now turn.

### The separation of the 'civic' and the 'civil'

Of course civil society activists have always questioned the value of formal politics. Such a question, whether reasonable or not, has been posed by just about every major protest movement. I want to suggest, though, that the separation between the two spheres, at least in the UK, is in danger of becoming entrenched and that this entrenchment results from two related dynamics.

The first of these dynamics relates to the long-term decline of those organizations that bridged the civil and civic spheres, creating reasonably clear route ways from community or workplace based

civil participation to a place in the civic realm. Thus, the decline in the power, influence and profile of organizations such as the trade unions<sup>3</sup> has a direct impact on the ability of these bodies to prepare activists not just for *civil* engagement but also for political participation in *civic* life. The car factory apprentice encouraged (or sometimes obliged) to first join a trade union, then to attend union meetings and then to stand for some minor office has set out on a path that may subsequently lead to an invitation to join the local Labour Party – and standing for election to the local council at some later point. Until recently, this was not an uncommon biography for a Labour activist seeking nomination as a parliamentary candidate to bring to the selection process but a range of changes – notably in our industrial infrastructure, our methods of manufacture and the nature of our local communities – has unwittingly conspired to bring this particular production line to a close, and this has been helped by an additional dynamic: the professionalization of the routes into formal politics.

Herein lies the second dynamic that has contributed to the separation between the civic and civil spheres. When a current and comparatively youthful English Secretary of State talks of being ‘the first Labour MP in my constituency not to have worked down the mine’, he tells a story not just about industrial decline but about the changing ways in which those with political aspirations are recruited into formal politics, following a very particular induction that serves as preparation for a life in formal politics. Such an induction might typically involve a period working as an MP’s researcher, a period in the employment of a (deservedly) prominent think tank and a spell as a ‘Special Adviser’ to a senior political figure. Of course, much of this is good for the efficiency of politics and it attracts many of the best young brains into the formal political infrastructure. The risk, though, is that it recasts political representation as a full-time, lifelong, graduate entry career, by definition impacting on the diversity of backgrounds from which candidates are drawn and the breadth of

experience that they are able to draw on from outside what is increasingly referred to, somewhat pejoratively, in the UK as the ‘Westminster village’ – a difficult village for the experienced civil society campaigner or the community or workplace activist to enter and one that can appear irrelevant and aloof. This narrowing of the routes into formal politics has real implications for the *res publica* project.

### The need to broaden access to – and across – the ‘civil’ sphere

These criticisms of the civic sphere must not, though, mask problems within the civil domain and these too need to be addressed if the objectives of *res publica* are to be achieved. Here two observations, drawn, it must be conceded, largely from anecdote and personal experience, are pertinent: first, with the exception of local community or workforce based organizations, the internal diversity of third sector bodies is rarely as rich as the diversity that these bodies rightly campaign for externally – the typical third sector workforce is graduate educated (often to second degree), tightly networked, white and usually of middle class origin; second, there is a widening gulf between a small number of ‘super charities’ – which do enjoy good connections with the civic sphere not least because of their increasing role in the delivery of public services – and the wider third sector. Moreover, these problems have been accentuated by some of the initiatives designed to encourage wider participation: as I have argued elsewhere (Breslin, 2008), these well-intended initiatives have tended not to broaden the numbers involved but, instead, have opened up further opportunities for those already expert in participating, widening the ‘participation gap’, rather than closing it, in the process.<sup>4</sup>

If the sector as a whole is not to enjoy the credibility problems with the wider populace ascribed to formal politics earlier in this paper, these issues of diversity and access need to be addressed – and there is an accompanying need to ensure that

<sup>3</sup> In 2005 there were just under 6.4 million trade union members in the UK (Department for Trade and Industry, 2006) compared with 13.2 million members in 1979 (Annual Report of the Certification Officer, 1980).

<sup>4</sup> The author has developed this concept of the ‘participation gap’ in a series of seminar discussions during 2008 as part of a critique of participation initiatives to date.

the substantial benefits of engaging the 'super charities' in major service delivery programmes are dispersed all the way down the third sector food chain, delivering resources to locally based community activists and demonstrating to these activists that there is a conduit that they can progress through: from civil to civic to state. Only if we presume, as we should, a conception of civil society that embraces those active all the way across the third sector, can we talk meaningfully of the relationship between 'civil society and the state', for the term 'civil society' only has meaning if it is plausibly accessible by all citizens.

### Civil society, the state and a conception of citizenship

Citizenship is a contested term: at one level it describes literally the legal relationship between the citizen and the state (and, in this context, civil society is the lubricant that allows the two to work together), an approach that drives us towards a conception of citizenship as 'status'; at another, it describes the way in which individuals and groups, whatever their legal status, engage in public life (through both the civic and civil domains) as 'individuals engaging in society', an analysis that has us working towards an intrinsically inclusive notion of citizenship as 'process'. The citizenship education community has always tended towards the latter, developing the model of the 'citizenship rich' school, college and community in so doing (Breslin and Dufour, 2006; Citizenship Foundation, 2007), but perhaps ignoring a third conception of citizenship in the process.

This third conception of citizenship is the one that has exercised us greatly during the *res publica* discussions: it is around an understanding of citizenship as 'identity' or 'belonging'. Traditionally, the citizenship education community, in particular, has steered clear of debates about citizenship and identity (Interfaith Network, 2006; Breslin, 2006), essentially because matters of identity blur into matters of national identity which, in turn, blur into a conception of citizenship more concerned with matters of status than matters of process. In truth, this has left this community struggling to comprehend the debates about national identity – manifest in the UK around the current debate about 'British-

ness' – that come through in the range of papers detailing the *res publica* discussions about national identity in a range of settings (Pinto, 2007-2008). The reality is that in an increasingly post-modern world where perpetual population movements, transient and fluid communities, less stable family arrangements and employment and career insecurity are the norm, issues of identity and belonging *become* a major issue, especially in those marginalized communities that feel continually buffeted by external pressures over which they feel little control. It is in these communities, of course, where political and religious fanaticism emerges and where such fanaticism – with its complete but erroneous answers – seems to offer a 'security blanket' not offered by an enduring occupational or professional identity or the stability of residence or relationship.

### Moving forward

Against this background detailed in this paper – and if the objectives of *res publica* are to be achieved – we need a process-based conception of citizenship that embraces concerns about identity and belonging and a conception of civil society that both reaches across the third sector – from volunteer-led youth or community group to established super-charity – and engages meaningfully, and where appropriate, structurally, with the civic apparatus of formal democracy. Only in such a setting can we begin to engage with the discussions about identity, diversity, commonality and multiculturalism that have been at the heart of the *res publica* discussions thus far. Only in such a context are the issues about the relevance of formal politics and the accessibility of both the civic and civil spheres outlined above likely to be addressed.

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