

# **Prospects for Transnational Civil Society Following the Arrival of the European Union in a Contested Borderland**

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In her original proposal for this session Jill Dubisch asks whether "the Europe of the future [will] be one of greater emphasis on regionalism and upon local cultures as a form of resistance to the hegemonic and homogenizing forces of the European Union." While it seems that regional movements will significantly mark Europe's future I do not see them essentially as a form of resistance. To the contrary, I view regionalism as the consequence of positive political strategies which in terms of locally based configurations of common interest both support and exploit institutions promoting European unification.

In the wake of fundamentally new constellations of political and economic power regional movements dismantle the authority and hegemony of European nation-states. And actors positioned at both the center and periphery of these new power structures are instrumental in this process where the nation-state is no longer a gate keeper controlling access to the international arena. The European Union and European Parliament are but two prominent manifestations of this new order, the complexity of which is exemplified by the aspiration of virtually all of Europe's new nation-states to membership in regional, pan-European and global institutions which are seen as sources of economic, political and military stability and security (e.g., CEFTA, EU, OSSE, NATO, IMF, OECD, WTO, UN, etc.). At the time of their recognition, earlier this decade, it was suggested that many of these diminutive states were not viable. But their absolute size is not really an issue since from the very beginning their existence has been contingent upon membership in institutions guaranteeing participation in global economic and political systems. These new states thereby relinquished, along with their established European counterparts, the right to exclusively define the terms of citizenship for their subjects, a situation which underlines potential for the formation of transnational civil society.

In this paper I wander between the macro-perspectives of the state and inter-state relations and the arena of "local level politics" (Swartz 1969). I discuss citizens and politicians,

marginalized by the institutions and structures of existing nation-states, who are helping establish across state borders the terms of a new European political order. From the vantage point of these marginal actors the imagined threats of hegemony and homogenization at the hands of Brussels Eurocrats or Strasbourg parliamentarians find little credibility.

The following discussion of the integration, partition and reintegration of a European region is conceived in terms of civil society. In its most fundamental sense the Western idea of civil society is a discourse about social order (Tester 1992). The modern content and current revival of the term have arisen at historical junctures when political thinkers and actors have been exercised by disruptions in the established social order (cf. Hann 1996, Seligman 1992). Social movements promoting new forms of association in the face of jointly perceived inequities can be seen according to Jean Cohen and Andrew Arato (1994: 16ff) "as a new terrain of democratization" inherent to civil society. I suggest that regionalism, as it is presented below, is representative of such movements; it is a context for institutionalizing new forms of association which mediate local life worlds with the political and economic institutions upon which they are contingent (ibid.).

My interest in this paper is to identify with reference to life worlds anchored in a specific locality new patterns of association and mobilization in a changing European social order. I ask if these new patterns represent an evolving form of civil society which transcends the nation-state in the quest to establish a democratic social order. In other words, I consider European regionalism as a movement toward new terms of citizenship where the nation-state is no longer the pre-eminent source of authority and guarantees. Indeed, it may be more appropriate to frame this transformation of citizenship in terms of human rights increasingly contested and enforced in a global system rather than in the confines of the nation-state (Turner 1993).

The understanding of regionalism advanced here is contingent upon the setting in which I have studied it, namely, a contested borderland in the southeastern Alps which encompasses the intersection of the Austrian, Italian and Slovene state frontiers. In the short course of eight decades this former multi-ethnic western periphery of the Dual Monarchy was partitioned by modern nation-states, has been subjected to state sponsored ethnic nationalism and cleansing and was divided by the Iron Curtain. But in the wake of Slovenia's 1991 secession from the Socialist Federal Republic of Yugoslavia, the Three Border Region (hereafter: TBR) faces the prospect of re-integration on terms which invite one to reconsider conditions generated for civil society

during the waning decades of Habsburg rule. Not infrequently these days local public gatherings and political initiatives within the TBR are colored by an explicit nostalgia for the multi-ethnic social order of late Habsburg society regardless of whether these events take place on Austrian, Italian or Slovene territory or acknowledge the fundamentally new constellation of power in today's Europe.

The remainder of this paper is organized as follows. I begin with an account of the institutionalization of modern civil society in the increasingly democratic order of late Habsburg society. I describe the early formation of local voluntary organizations and political institutions in light of an expanding and increasingly standardized "public sphere" (*Öffentlichkeit*) orchestrated by the state (Habermas 1989). The fate of these local civil institutions under totalitarian rule during the intervening period of inter-state partition is then outlined. This provides background necessary for evaluating the latent potential of persisting local political cultures as a basis for re-establishing during the present decade what for this region must be acknowledged as a transnational (i.e., inter-state and inter-ethnic) form of civil society. I conclude by considering ways in which contemporary civil society institutions in the TBR form the basis for a common political culture and call forth new perspectives within political sociology for theorizing on citizenship and human rights.

### **Institutionalizing civil society in the periphery of a multi-ethnic empire**

The modern idea of civil society presupposes a tension within Western society between the private and public domains, between realization of individual self-interest and attainment of the collective good (cf. Keane 1988). By citing above Cohen and Arato's belief in the democratic potential of civil society to resolve these tensions I adopted a normative understanding of the term as an "ethical ideal of the social order" (Seligman 1992: x). My objective below is more purely analytical; it focuses upon the institutionalization of modern civil society in the Dual Monarchy, a process which became pervasive and irreversible upon the abolition of feudal bondage in 1848. During the remaining decades of Habsburg rule the Kaiser's subjects were incrementally empowered as legal persons. Under the auspices of an increasingly effective constitutional authority in Vienna it became possible to participate as an autonomous moral agent in a public domain secured by the state, a tenet of the modern liberal variant of civil

society (Keane 1988). Former personal subjects of local nobility became citizens through extension and standardization of the civil rights to hold property, enter into contracts, establish voluntary organizations and the political rights to vote for public officials and stand for public office (cf. T.H. Marschall 1964). TBR residents became participants in a public sphere facilitated by the "Empire of Bureaucrats" (Johnston 1983).

Pre-modern forms of civil society are commonly associated with the burgher class and its incorporation through civil code as free citizens of towns and trade centers. Such pockets of nascent civil society were established in the TBR. But the majority of its population was incorporated in villages which are representative of what Robert K. Burns (1963) has called "The Circum-Alpine Culture Area". Here one can *also* document the early formation of representational forms of political association (self-governing village based corporations) developed in relative isolation from more direct forms of feudal subjugation confined to the region's very few manorial estates. Within the TBR we thus detect a historical approximation in village society of what Burns terms "self-governing republics-in-miniature" (ibid., p. 148) which have managed common lands, regulated inheritance, promoted local welfare and otherwise organized the public sphere of village society. Thus, the post 1848 intervention of central government in local polities accommodated established traditions of democratic association, it standardized existing political cultures within pervasive structures of an imperial state.

Following extension of the right of association in 1867 the pre-existing civil institutions in TBR villages were supplemented by a plethora of voluntary organizations which organized commercial affairs (e.g., savings associations and agricultural cooperatives), promoted social welfare (e.g., poor houses, voluntary fire-brigades), and furthered public enlightenment (e.g., schools, school boards, newspapers, weeklies, libraries, reading circles) (Moritsch and Baumgartner 1992). A pre-existing infrastructure for participation in the civil affairs of local communities was expanded and standardized throughout the TBR.

These locally based institutions readily became vehicles for consolidating political factions seeking position in a nascent parliamentary system at all levels of government (ibid.). Ideological opposition between liberalism and conservatism propagated by burgeoning secular and clerical elites throughout the Habsburg lands (Kann 1974: 346ff) increasingly pervaded the public domain of local communities. (The essentially agrarian economy of the TBR confined the advance of Socialism during this formative stage of Austrian parliamentarianism to the region's

few industrial and mining centers with a nominal proletariat.) The Catholic Church competed with liberal elites in the promotion of village level welfare and cultural institutions as a base to build support for their respective political factions. By the turn of the century when the franchise was extended to the Monarchy's adult male population village politics became the setting for party politics and factional strife.

In the Slovene and German speaking villages and towns of the TBR this extension of the public domain to a state-wide political arena was accompanied by the politicization of ethnic difference based upon linguistic identity. A simplified model of a complex local political landscape suggests that the Catholic Church in its quest to conserve the Old Order elicited support from the region's newly enfranchised Slovene speaking rural population, while the liberal agenda was promoted by a largely German speaking bourgeoisie. The aspiration of increasingly influential ethnic elites to promote the self-determination of their respective peoples readily became an important factor in mobilization around the ideological positions outlined above (Pleterski 1996). Within the three provinces of which the TBR was a part (Carinthia, Carniola and the Coastal Province) liberal and clerical conservative factions enlisted ethnic support in their quest to dominate these provincial governments.

### **The co-optation of civil society by totalitarian regimes and the disruption of a local social order**

Through the state's institutionalization and standardization of the public sphere in the TBR the stage was set for effectively implementing ethnically defined terms of citizenship under the regimes which succeeded the Habsburg *Vielvölkerstaat* (multi-ethnic state). The TBR was partitioned by Austria, Italy and Yugoslavia following the most devastating war in the region's history. TBR residents became the citizens of three nation-states which proceeded to fortify their common borders and propagate images of "hostile neighbors" building upon collective memories of the Great War conducted between the Austrian and Italian monarchies along the Soëa Front. With the rise of Italian fascism in the 1920s the southern and western segments of the TBR with a predominantly Slovene speaking population (i.e., the western third of Carniola and the Coastal Province) were subjected to state policy which systematically administered citizenship rights on the basis of ethnic ascription. Local traditions of self-government and participation in civic

institutions were severely disrupted by the deportation, exile and imprisonment of local elites. Leadership and control of local civic and political institutions were co-opted by a largely monolingual cadre of Italian officials and immigrants recruited to the region by various economic incentives.

Following Anschluss with the Third Reich in 1938 the northern segment of the TCR (Carinthia) was subjected to a similar form of administration for which a German nationalist elite could be recruited locally. Slovene leaders and intellectuals suffered fates similar to their compatriots in Fascist Italy. And in an effort to ethnically homogenize their respective dominions, Hitler and Mussolini contracted with one another the infamous *Option* of 1939 which coerced German speakers of Val Canale and Alto Adige to opt for repatriation in the German Reich. The democratic social order of plurilingual ("multi-ethnic") communities founded upon local traditions of self-government was destroyed through the imposition of ethnic loyalty as a qualification for participation as an equal in the public sphere. A situation was created in advance of an eminent war which is reminiscent of conditions in Bosnia following the war of this decade and imposition of the Dayton Accords.

In Bosnia the immediate and pervasive experience of war conducted in the name of ethnic difference has transformed local life worlds and traumatized individual lives such that reconstitution of the original multi-ethnic social order of Bosnia's villages and towns on the basis of ethnically neutral civil institutions seems unlikely. To what extent was this also the case in the TBR following World War II ?

### **Re-forming TBR civil society in the wake of war**

Much of the territory of the TBR was liberated by a Communist led partisan army which was recruited locally from the ranks of a resistance movement dedicated to the overthrow of totalitarian regimes noted above. The TBR experienced pervasive demographic changes, reminiscent of contemporary Bosnia, as a result of Fascist and Nazi campaigns to promote ethnic homogeneity in their respective segments of the TBR. The German minority of Val Canale (which was to remain within Italy) was greatly reduced through the aforementioned Option while the Slovene minority remained in place but subordinated to a monolingual Italian speaking majority. And multitudes of Italians fled the Julian Province of Imperial Italy as it was reclaimed

by Yugoslavia through the advance of the Partisan Army at the conclusion of the war. Autochthonous Slovene speaking communities have thus persisted in Carinthia (Austria) and Val Canale (Italy) under the numerically and politically dominant presence of the respective German and Italian majorities while the Italian population of Yugoslav part of the region was very nearly depleted following the war.

The War of Liberation set the stage for inter-state relations and redefining the terms of citizenship in the TBR following World War II. And the Cold War divide came to prevail over ethnic difference in the conduct of inter-state relations. The borderland marked by the Iron Curtain between Yugoslavia and Austria - Italy was initially supervised by the Allies, reminiscent of the situation in Bosnia today. However, the final adjustment of TBR borders (especially between Yugoslavia and Italy) and the reintegration of Austria as an independent state in the international community were contingent upon treaties which, among other things, formally secured the rights of ethnic minorities on both sides of the Iron Curtain. In contrast to the Dayton Accords these treaties have been subsequently supplemented and implemented without the direct intervention of foreign powers. And as we shall see implementation remains a pressing issue in the public sphere and fora of democratic association within each of the neighboring countries and between them.

The post-war period has been marked in the TBR by the increasing transfer of sovereignty from local states to international organizations such as the Common Market and European Parliament. In the 1960s the Iron Curtain was radically dismantled as an obstacle to intra-regional commerce and freedom of movement when Yugoslavia initiated an economic policy based upon the employment of Yugoslav workers in Western and Northern Europe. The Yugoslav state became increasingly subject to the conditions of bilateral and international agreements promoting its integration in global economic institutions. The terms of citizenship and participation in the public sphere throughout the TBR became increasingly contingent upon common membership in the same inter-state organizations and agreements.

The opening of local borders also facilitated the re-union of families dispersed by war and exile; it revitalized informal and formal contacts among village institutions and provincial governments which were significant for the eventual re-integration of the Slovene Republic in the western European sphere of political and commercial intercourse discussed below.

In comparison with the highly centralized regimes of Nazi Germany and Fascist Italy, the progressive decentralization of government in Communist Yugoslavia facilitated the revival of local civic institutions in some areas of public life, particularly in the Socialist Republic of Slovenia. The former dominant role of the church in the public sphere of village and town life was, however, rigidly constrained and the formation of political factions was prohibited. Nonetheless, nominal local control of cultural, educational and welfare institutions was reinstated. The praxis of voluntary association and free exchange of information in the public sphere of local society was revived under the constraints outlined above.

By turning to the arena of minority politics within Austria, Italy and Yugoslavia during the Cold War it is possible to detect new patterns of political mobilization and association which exploited supra-state institutions within Europe. The formal guarantee of minority rights obtained in the treaties described above enabled minority elites in the TBR to engage democratic procedures in their quest to implement rights which local nationalist groups have consistently opposed in the borderlands of both Italy and Austria. And, as we know from the post-war period in the South Tyrol, Carinthia and Friuli-Giulia-Venezia the occurrence of ethnically inspired violence has been largely curtailed by state authority.

Minority politicians and cultural elites in Austria and Italy have been innovative in forming political alliances with other minorities throughout Europe and with institutions such as the European Parliament. As a result they have effectively countered ethnic nationalist policy tolerated within the framework of nation-states and particularly within borderland provinces which are home to exile communities in NE Italy (Ballinger 1996) and unreformed Nazis in Carinthia who comprise the vocal right wing fringe.

Already in the 1950s Socialist Slovenia's political leaders, many of whom were optimally positioned in the federal government and diplomatic corps of the Belgrade regime, began to promote contact with and improve the situation of the Slovene minorities in Austria and Italy. They were instrumental in initiating a series of laws and institutions within Communist Yugoslavia which provided a model for implementing minority rights which has been emulated elsewhere in Europe. And this "enlightened" domestic policy was systematically exploited in the quest to attain within the international arena sanctions against provincially inspired assimilatory policies directed toward indigenous Slovene speaking communities in Carinthia and Friuli-Venezia-Giulia.

These political initiatives within the domain of provincial politics have come to inform local understandings of one's overall integration within greater Europe. On the basis of my contact with Slovene speakers in Austria and Italy who are not professionally engaged in minority organizations it is apparent that the above patterns of inter-state mobilization around minority rights issues have come to shape local understandings of the potential range of democratic association far beyond the confines of the classic nation-state. And one encounters considerable individual versatility in evaluating and exploiting various subsidies and information networks maintained by the EU. In rural TBR communities local councils are increasingly aware of the potential of association with organizations and counter-part groups located outside their respective nation-state. In recent years the movement for attaining sister-cities in other countries has blossomed. Since tourism is an increasingly important source of income in the TBR local municipal councils have formulated with EU support marketing strategies which stress both the diversity and integrity of the region as a cultural region. Local and regional cultural traditions are being objectified and mobilized in pan-European marketing strategies of the region as a tourist attraction under the slogan "Eurpaeus sine finibus" (European without boundaries).

### **Slovenia's independence and the arrival of the EU in the TBR**

Ironically, initiatives of provincial and state leaders to promote political and economic cooperation across state-frontiers erodes the sovereignty of the state institutions which empower them. And in the TBR it is as much political initiative from elected and appointed leaders as the civil and commercial undertakings of local citizens that have generated a broader public sphere in which to establish new terms of citizenship, new patterns of association.

Slovenia's secession from the Socialist Federal Republic of Yugoslavia in 1991 can be seen as the culmination of numerous government sponsored initiatives taken in Belgrade and Ljubljana which sought increased political and economic integration with Western Europe. Following the constitutional decentralization of Yugoslavia in 1974, Slovenia's socialist leadership readily acknowledged the potential of regional movements as a vehicle to subordinate nation-states (in this case their mother state, the Socialist Federal Republic of Yugoslavia) to a pan-European political and economic order.

In 1978 the elected leaders of the Austrian *Bundesländer* of Carinthia and Styria, the Socialist Republic of Slovenia and the Italian Region of Friuli-Venezia-Giulia established a Working Group dedicated to promoting the idea of the Alpe-Adria Region, a replication of the southwest corner of the former Dual Monarchy. The TBR is the axis around which the Alpe-Adria Region is formed. It is both the historical zone of language contact at the heart of the region and integrates it as an important hub of communication. The Alpe-Adria idea immediately attracted the attention of adjacent regional polities (provincial governments) which are clearly peripheral to their own nation-states. As a result, the Alpe-Adria movement was joined by Bavaria in the north, Istria in the South, the South Tyrol in the West and western parts of Hungary (Gyor) in the East. Various cultural and commercial activities conceived with reference to the region have since taken place. The Alpe Adria Working Group has been attractive not only for European Union initiatives promoting regional integration. It has helped define new terms for political association and mobilization. (cf. Moritsch 1996, Klemenčič 1994)

In the 1980s the mayors of local towns (Arnoldstein, Kranjska gora and Tarvisio) jointly proposed the TBR as the host for the 2002 Olympic Winter Games. More recently support for this candidacy has been revived on a higher rung of the regional political ladder. In June 1996 the heads of the provincial governments of Friuli-Venezia-Giulia, Carinthia and the prime minister of Slovenia discussed a renewed joint application for the 2006 Olympic Winter Games. In recent years initiatives such as the foregoing have successfully elicited financial support from EU programs created to promote regional integration and self-determination within the European Union — an explicit strategy for diminishing the prominence of the nation-state as the primary actor in the movement for European unification.

Austria's membership in the EU in 1995 and Slovenia's 1996 association with the same as a candidate for full membership trail intra-regional political initiatives. The arrival of the EU in the TBR was not startling news but rather the fulfillment of local expectations and political agendas.

The above politically guided intra-regional agenda has been facilitated during the past decade by increased contact initiated directly between locally based voluntary organizations such as parish churches, local choral societies, sport clubs, alpine tourist associations, volunteer fire brigades, etc. Ironically, many of the same organizations which during the waning decades of Habsburg society were instruments for inculcating ethnic-nationalist confrontation are today

transcending ethnic parochialism by initiating cooperation conceived to promote mutual commercial, cultural and welfare interests of the "borderland region." They are re-establishing a common "trans-ethnic" civil society.

Slovenia's adoption of parliamentary democracy and a constitution written to conform with democratic standards established in the European Parliament has been significant for the revitalization of common civil and political institutions in the villages and towns of the TBR. The classic array of political factions established in late Habsburg society — liberal, conservative, social democratic — have re-entered local level politics throughout the region. A common political / ideological landscape has been re-established which embellishes and legitimates a political culture which is now largely uniform throughout the TBR.

While superficially this suggests no more than re-integration of a former Alpine cross-roads, a closer look at the patterns of association and types of social movements which today are manifest in the local polities of the TBR indicate that what is now manifestly a "trans-ethnic" civil society is also becoming a "trans-state" civil society.

### **Prospects for transnational civil society - the case of the Three Border Region**

Re-integration of the TBR has opened for new forms of political association based on the universalization of citizenship rights. But along with Bryan Turner (1993) I question whether this qualification of citizenship is appropriate, since citizenship is so strongly identified with the nation-state. As he notes: "In Europe, citizens increasingly appeal to supranational entities (the European Court of the European Parliament) to satisfy or achieve their (national) citizenship" (ibid.: 178). If sociology is, as Turner notes, the study of the transformation of social order then it should be possible to conceptualize "human rights solidarity as a historical stage beyond citizenship solidarity." (ibid.) I suggest that the pursuit of minority rights within the TBR under the umbrella of "European standards" evokes the greater domain of moral solidarity alluded to here. But I am aware that in other contexts where the Western idea of citizenship is less well founded in local political practice the "human rights movement" can be viewed as an instrument of exploitation. On the other hand we have noted in the TBR that pursuit of the "human rights" of ethnic minorities has inhibited state violence in post totalitarian society. And concurrent processes of economic integration and legal standardization of the life situation of Western

Europeans has pulled the multi-lingual population of the TBR together in a common quest for prosperity and security. Meanwhile the region's population remains acutely aware, through now distant personal experience and knowledge of the current conflict to its immediate south, of the devastation wrought through the hopeless experiment in ethnic state making where civility is so utterly threatened. Finally, the introduction into the public sphere of the TBR of supranational social movements promoting, for example, environmental concerns has involved local citizens in global issues. In this way the globalization of the public sphere intervenes in local life worlds affirming the presence of trans-national civil society.

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