Political Civility: Another Illusionistic Ideal

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1. Introduction

In May of 2009, President Obama delivers a commencement address at the University of Notre Dame, over vociferous protests against his position on abortion rights, that encourages all U.S. citizens to be civil with one another, to approach their political conflicts with "Open hearts. Open minds. Fair-minded words." In September of 2009 a member of Congress shouts out "You lie" during the State of the Union Address. In January of 2011 U.S Representative Giffords is metaphorically 'targeted' during her re-election campaign, and is then shot by a deranged constituent. These are familiar signposts in our nation's latest flare-ups over the tenor and tone of our public sphere. Surely we should conduct our public conversations and controversies on more civil terms, no? What could make us skeptical of such public-spirited homilies after all? It turns out, I will argue, a fair amount—but not enough to warrant stopping the homilies. This paper will try to make the case that political civility is actually an illusionistic ideal and that, as such, realism counsels that we acknowledge both its promise and peril. Political civility is, I will argue, a tension-filled ideal. We have good normative reasons to strive for and encourage more civil political interactions, as they model our acknowledgement of others as equal citizens and facilitate high-quality democratic problem-solving. But we must simultaneously be attuned to civility's limitations, its possible pernicious side-effects, and its potential for strategic manipulation and oppressive abuse, particularly in contemporary, pluralistic and heterogeneous societies.

'Illusionistic Ideal'

Let me introduce the phrase 'illusionistic ideal' to denote those ideals that seem—for normative reasons—indispensible, but which also seem—for empirical reasons of actual historical practice—worthy of suspicion. I have in mind here ideals such as representative democracy, moral progress, universal human rights, social scientific truth, international development, and of course, civility. Each may have a strong moral appeal in terms of our desire to see them achieved or approximated, and yet when we investigate the actual record of the activities and events in the world that occurred under their banner, we may have strong reasons to suspect them of being either merely illusory at best, or deceptively illusory at worst.[1]

It may help to distinguish 'illusionistic ideals' from 'idealistic illusions'; the latter are ideals that are utopian in the pejorative sense. For instance, I'd contend that the ideas of a fully pacified world or a benevolent dictatorship or a classless society are idealistic illusions. These reflect ideals to be sure, but they are merely illusions because, to begin with, they are simply unrealizable. From what we know of the history of human society up to now, these ideals have

never been realized, even partially. They are illusory in a further sense as well since belief in them and active pursuit of them is at least a waste of effort, a diversion from other more worthy projects, and further, may have seriously unwelcome knock-on effects. More than this, we can delude ourselves while pursuing idealistic illusions to the degree that we devalue our existing world as irredeemably fallen and unworthy of attention, while simultaneously holding our own (illusory) ideals up as the only pure alternative.

I'm also distinguishing illusionistic ideals from simple illusions, namely conceptions we have about the way the world works that are simply misleading. They have proved illusory for some significant period, if not all, of human history, and they promise to remain so for the foreseeable future (say for our generation and several generations going forward). For instance, the possibility of a fully unregulated free market that is efficient (Pareto optimal) is illusory. Markets can only function within a legal order enforcing property and contract law, and even then regulation is required to correct for well-known forms of market failure (monopoly power, externalities, etc.). For another example, consider the illusion of non-violent police. Given the facts of interpersonal behavior, where some persons at least some times will need to be forcibly restrained if serious bodily harm to others is to be prevented, and given our desire to prevent such harm, we have found no other way to do so without some persons using coercive violence. In authorizing some to use such coercion, we acknowledge that it is simply an illusion to think the possibility of nonviolent police. Simple illusions may be just as dangerous as idealistic illusions; the former simply lack the latter's normative attractiveness.

Illusionistic ideals are however, much harder to simply dismiss from our thinking than idealistic illusions or mere illusions. On the one hand, as ideals, they seem to retain a serious hold on our thinking: we believe they express or define something of real worth in our collective endeavors, something worth putting effort into achieving. And yet we have persistent evidence that their actual pursuit is often nothing more than illusory: we are continually disappointed when once again even vague approximations of the ideal in our real world seem woefully out of reach, or worse, we are continually amazed to see the extent to which rhetorical service is made to the ideals for strategic ends having nothing to do with the ideal. For perhaps worse than non-fulfillment of an ideal is its instrumentalization and consequent debasement. Consider, for instance, the persistent instrumentalization of the ideal of international development to actual predatory practices. Does the distasteful historical spectacle of racialized colonial exploitation under the banner of the first world's beneficent 'development' of the third world vitiate the very ideal of the first world's moral obligation to alleviate the suffering of the subjects of underdeveloped nations (McCarthy 2009)? Illusionistic ideals are then systematically ambiguous; on reflection they present a Janus-face, simultaneously worthy of endorsement and skeptical dismissal.

An apparent upsurge in concern with the character of public discourse in the United States within the last few years gives an occasion to reflect on the ideal of civility.[2] If civil discourse turns out to be either an unobtainable mere illusion or a utopian idealistic illusion, then we have good reason to focus on other areas of public concern while ignoring calls for increased public civility. But what if it turns out to be—as most if not all of our political ideals may well be—yet another an illusionistic ideal, as I will argue? Then we will have to simultaneously encourage greater civility even as we are aware of the dangers of doing so. The rest of the paper proceeds by articulating, in section 2, the various meanings, justifications and entailments of the ideal of civility. Although the rhetorical associations of civility are multifarious, we can isolate a

core notion of personal civility and see how it is an ambiguous ideal and explore three different traditions of conceptualizing civility in political theory, all in the service of defining a serviceable notion of political civility and distinguishing it from other concepts and phenomena it is often allied with. With this defense of the ideal of civility and its political requirements in hand, section 3 explains how various critiques of both the ideal and actual practices of political civility are intended to show it as an illusory ideal. Endorsing only a subset of these critiques as partially persuasive, the paper concludes that civility is indeed an illusionistic ideal, deserving of a kind of guarded and realistic endorsement.

2. The Ideals of Civility

There are many different rhetorics of civility. Sometimes 'civility' is equated with mere manners or etiquette; sometimes with sacrifice of individuality in the service of common goods; sometimes with compromise and conciliation; sometimes with mutual respect, tolerance, and trust; sometimes simply with positive affect toward others. I do not intend to elucidate all these senses here (and some senses will be rejected as the paper progresses). Nevertheless, it's important to point out at the outset that, for all of these different senses, civility is ambiguous as an ideal, since it is not always good to be civil. If civility means mere etiquette, then it is good both to avoid rudeness and to avoid fusty fealty to outdated manners. If civility means sacrifice in the name of the common good, then it may be good both to overcome the destructive tendencies of egotistical individualism and to overcome the normalizing and disciplining tendencies of social conformism. And so on... To get a better handle on the meaning of civility—and to support the main contention of this section that civility is an attractive ideal for politics—I begin with Cheshire Calhoun's illuminating analysis of personal (as opposed to political) civility. Her insights into its inherently ambiguous character are crucial for understanding specifically political civility, which is achieved by taking a 'civility lens' on recent developments in political theory. That enables a more specified definition of the ideal and an outline of its basic entailments in a set of principles of civil discourse.

Personal Civility as an Ambiguous Virtue

Cheshire Calhoun's careful philosophical analysis of civility as a personal virtue shows that many of civility's ambiguities are not actually the result of fundamental disagreements of principle, as one might think, arising say between partisans of civil communalism and of rugged individualism. They arise rather from the very nature of civility itself (Calhoun 2000). She analyzes civility as a specific combination of contingent social conventions and universal moral requirements, namely, the use of prevalent social norms of interaction to convey morally required respect for the dignity and autonomy of one's interlocutors. Civility itself, on her account, embodies a tension between contingent conventions and transcontextual morality. As she puts it,

> civility involves conformity to socially established rules of respect, tolerance, and considerateness. I do not, however, take the social conformism built into civility to be a reason for discounting civility's moral importance. On the contrary, I will argue that this conformity is critical to civility's moral function. The function of civility, I will suggest, is to *communicate* basic moral attitudes of respect, tolerance, and

> considerateness. We can successfully communicate these basic moral
> attitudes to others only by following socially conventional rules for the
> expression of respect, tolerance, and considerateness. … [C]ivility's tie to
> social rules sometimes occasions a conflict between what it would be
> uncivil to do and what, from a critical moral point of view, is morally
> correct (Calhoun 2000: 255).

In other words, civility can't help but be tied to particularistic, contingent and contextually-specific social rules of behavior, even as this tie is required in order for civility to be truly moral, that is, to show the equal respect owed universally to all persons as moral agents. Civility is a virtue that has worth because it involves treating people as equally dignified subjects, as universal critical morality requires, but that in practice must make use of whatever social conventions happen to be current in order to express its universal moral message. Morally conscientious agents will then be faced with action dilemmas when they are simultaneously moved to be civil to show equal respect and moved to question society's current inegalitarian social conventions of civility. Consider for instance the custom of men holding open doors for women: civil communication of respect or mannered reinforcement of gender inequality? Calhoun's analysis provides an elegant account of these ambiguities: civility on her account is a moral practice that relies on potentially suspect social conventions in order to do its moral work.

Civility in Political Theory

How are we to understand civility in the public spheres of contemporary social and political life? To begin, it is clear that the civic virtue of political civility is the analogue of civility as a personal virtue. Following Calhoun's analysis, political civility involves the use of socially and historically contingent social manners thought to be appropriate in the political public sphere—for instance, the employment of only civil discourse when talking to others—in order to communicate an attitude of respect for one's fellow citizens as free and equal consociates in political life.[3] The question then is what forms of political civility are required for and conducive to the healthy practice of democracy—what rules of respectful and considerate political interaction are required to express the crucial attitudes of equal citizenship, to what degree must existing conventions be adhered to at all, and how can those conventions be transformed through reflexive democratic action when necessary? The multivalent nature of civility is a persistent theme in modern political philosophy. For instance, the tradition of civic republicanism emphasizes adherence to collective social norms as a means of respect for one's fellow citizens, while classical liberalism is suspicious that such deference to conventions might very well mean ignoring the individual rights that a person ought to demand as a matter of equal respect (Boyd 2004). Similar tensions can also be clearly seen, for instance, in the long history of questions about the civic virtue of toleration. How much toleration is required for a functioning democratic polity and society? Are there bounds to toleration, where we need not tolerate the intolerable? Especially in modern, complex, and pluralistic immigrant societies like the United States, to what extent must persons of diverse cultural, racial, religious, and ideological backgrounds assimilate to the dominant cultural norms? All of these familiar questions, and more, can be easily understood as questions about democratic civility and its merits or demerits. And a 'civility lens' can also illuminate three different strands of contemporary political theory that give different, but potentially convergent answers, to such questions.

Civil Society

In the tradition of being concerned about the decline of civility, diverse theorists at the end of the last century began to turn their attention away from the formal mechanisms of representative democracy and the administrative state and toward what soon was labeled as 'civil society.' With inspiration from Tocqueville's wonder at the associational entrepreneurship of Americans (de Tocqueville 1945), Robert Putnam and others began to focus on private associational life as the 'civil society' that forms a functional precondition for effective democratic governance: paradigmatically bowling leagues, avocational clubs and other volunteer-supported organizations including, importantly, religious groups. Such civil society organizations are here seen as the incubators for those pro-social habits and cooperative skills of civility and as multipliers of that 'social capital' necessary for maintaining a well-functioning republican form of government (Barber 1999; Bellah et al. 1985; Carter 1999; Etzioni 1993; Putnam 2000).

At about the same time, a somewhat different discourse of civil society focused on those specific associations situated between the market and the state and attempting to mediate between them. Here the paradigms are not bowling leagues or church groups per se, but rather charitable organizations, advocacy groups, nongovernmental organizations and other groups that specifically seek to influence and change both market and state forces, even as though they are not directly located in either sphere. Here civility is interpreted not so much in terms of pro-social habits and skills, but rather in terms of a willingness to act in ways that hold major institutions of power accountable both to those they affect and to the basic principles of a democratic society (Jean Cohen and Arato 1992; Foley and Edwards 1996; Skocpol 2003).

The differences between these two different civil society discourses echo the tensions in civility mapped by Calhoun: between the friendly communicative gestures and the stringent requirements of actually treating each as an equal. For every boisterous protest that the more communitarian-oriented civil society crowd would indict as uncivil, there is a bowling league that the more egalitarian civil-society crowd would indict as ignoring the duties of civility to speak on behalf of those treated unequally. Following Foley and Edwards's distinction, the former 'Civil Society I' discourse stresses the importance of salubrious social niceties embodied in contemporary mores, while the latter 'Civil Society II' discourse stresses the demanding character of political norms of equal citizenship. The disputes over the proper characterization of 'civil society' and its recommended forms can then be illuminated in terms of disputes over 'civility' itself. These disputes are not, however, merely theoretical or terminological, for they arise out of actual disputes in public spheres about what kinds of actions and actors are to be regarded as civil and what beyond the pale of civility. Civility is then a democratically reflexive social practice: the meaning and requirements of civility change and develop over time as public actors actively contest and seek to modify is meaning and requirements.[4]

Rawls' Duty of Civility

Taking its bearings from Locke's work on religious toleration (Locke 1968), a different contemporary discourse of civility—in the form of 'public reason'—arises from philosophical concerns about the foundations of our shared sense of justice and its demands. As is well-known, John Rawls's 1971 landmark *A Theory of Justice* revolutionized political thought in America by specifying a powerful set of principles of justice he took to be justified from the requirements of impartiality, as modeled in social contract theory (Rawls 1971). Rawls himself, however, became

concerned that the way he framed the theory of justice in that work was overly sectarian, in the sense that its premises relied on substantive principles grounded in one particular comprehensive doctrine, that is, one particular encompassing vision of the good life and its specific priority of values. Rawls thus subtly reformulated his theory of justice in a series of papers eventually collected in *Political Liberalism* (Rawls 1996). For our purposes here, the crucial innovation is the notion that our shared principles of justice should be understood as the result of an overlapping consensus of diverse comprehensive doctrines. In essence, the idea is that any number of different doctrines—Jewish, Kantian, Episcopalian, utilitarian, Catholic, and so on— all do in fact converge on a moral endorsement of the same principles of political organization. However, it is unrealistic to expect that there will be convergence over time on one comprehensive doctrine—we should rather expect the persistence of reasonable disagreement about such fundamental moral matters. Given this pluralism of comprehensive doctrines, and the basic principle of equal respect of each—including their claims of conscience—a basic 'duty of civility' follows, according to Rawls. In particular, we are civil exactly when we limit the reasons we use to argue for political decisions only to those that are contained in the overlapping consensus on specifically political principles, and do not go beyond those by employing sectarian reasons from our own specific comprehensive doctrine.[5] Public reason is then the proper idiom that fellow citizens are to limit themselves to when arguing with one another about political matters. As Holmes puts it, the duty of civility is respected when we obey the gag rules of public reason, prescinding from sectarian considerations convincing only to those who already share our own comprehensive worldview, employing rather only those reasons that we can confidently assume are already shared by our compatriots since they arise from the overlapping consensus of comprehensive doctrines (Holmes 1988). Thus Rawls inaugurates a new and important meaning of civility, one tailored to a liberal political order that recognizes and values the inexpungible plurality of religious and moral doctrines, and yet searches for a way of engaging with others and deliberating in the light of shared principles of political morality.

Deliberative Democratic Civility

Following Rawls' lead on the importance of the public use of reasoning in political matters, as opposed to the role of bargaining, threats and coercion in ordinary power politics, there has been a boom in scholarship sailing under the banner of 'deliberative democracy' (a small sampling: (Bohman 1996; Joshua Cohen 1996; Dryzek 2000; Gutmann and Thompson 1996; Habermas 1996; Manin 1987)). While there are varying strands of such theory and much internal disagreement amongst adherents, they all share a basic commitment to the idea that, at least on some fundamental matters of political consociation, political structures and policies ought to be responsive to the unforced force of the better argument (as Habermas often puts it). That is, public policy ought to be made on the basis of good reasons, reasons that all citizens could potentially share. Most deliberative democrats have, however, disagreed with Rawls' claim that religious reasons ought to be excluded from public discussions, contending by contrast that such exclusion is not only normatively unjustifiable but also decreases the quality of knowledge generated from collective deliberation amongst diverse citizens on public matters. Civility for deliberative democracy, then, is interpreted as a basic willingness to engage with others in free and open discussions over political matters. In justifying civility, further, deliberative democrats tend to place more emphasis on its epistemic role—that civility is one of the facilitating conditions for democratic processes of generating reliable knowledge and political opinions— even as they agree with Rawls that duties of civility have moral grounds as well. Civility for

deliberative theorists entails such crucial subsidiary virtues as hearing and responding to the arguments of others on fair terms, extending mutual respect to all interlocutors as equal participants in the dialogue, being open to the possibility that one may be wrong and so being willing to revise one's position in the light of new information, attempting to think about the contributions of others from their perspective, and so on.[6]

Defining Civility

At this point, I can venture a rough definition of political civility, arising out of these various strands of thought. Political civility is the virtue of interacting with others in a manner that conveys respect and a commitment to collective reasoning concerning common matters even in the face of deep and intractable disagreement. As Calhoun points out, civility employs socially current standards of considerate address and interaction in order to express one's commitment to the fundamental democratic norm of treating all as free and equal, deserving of mutual respect. As Rawls points out, in a political context marked by a wide diversity in life experiences and conceptions of the good, the commitment to expressing equal respect for fellow citizens requires us to give reasons to one another in support of coercive policies, reasons that can be mutually understood and evaluated, independently of merely parochial views. Further, both the civil society and deliberative democracy traditions are allied in stressing the problem-solving and epistemic dimensions of civility: civility is not merely expressive, but has a crucial role in facilitating productive political reasoning by gathering and processing knowledge, opinions, and arguments relevant to collective political decisions. Finally, it should also be noted that civility is itself democratically reflexive: a society's current, conventional standards of civil discourse are themselves open to democratic debate, discussion and change.[7]

Further substantive content can be given to this rough and broad definition *via negativa,* that is by considering first what civility is opposed to, and second what civility should not be confused with. To begin, civility is fundamentally opposed to the use of physical violence, justified or unjustified, to achieve social or political ends. Civility is not, however, opposed to non-violent dissent and protest, including public, nonviolent, conscientious disobedience of a law intending to communicate the seriousness of the law's injustice. Due to the determined public activism in defense of the methods of non-violent protest by Mahatma Gandhi, Martin Luther King Jr. and their followers—aside from their activism on behalf of their substantive causes— citizens are now quite aware that civility does *not* exclude civil disobedience.[8] More centrally to usual parlance, civility is opposed to the use of other non-communicative means of influence including deception, manipulation, and threats. Since it is intended to express mutual respect, civility is also opposed to personal or identity-based denigration, personal vitriol, and other forms of direct personal demonization, including most (but not all) forms of *ad hominem* attacks. (The qualification 'not all' is intended to leave open a legitimate space in elections for discussion of political candidates' personal character and qualities, independently of their policy preferences and ideological commitments).

While the equivocity of 'civility' in everyday usage is clear, I do not intend to embrace all of its ordinary connotations. So the concept as I will be using it here should not be confused with certain other aspirations that have sailed under the same banner. First of all, civility should not be confused with simple manners or etiquette. It is not a matter of mere politeness, even though it may involve an intentional employment of politeness in service of expressing mutual respect or facilitating deliberative interchange.[9] Furthermore, civility is not limited to rhetoric

that makes one's audience feel good, and, incivility is not to be confused with rhetoric that generates negative affect. Controversy generates negative affect, and we need civility—if we do—precisely in order to cooperatively process controversial matters.[10]

I would also like to insist on distinguishing civility from political phenomena it is often and understandably confused with: namely, seeking compromise, seeking consensus, ideological impurity, non-partisanship, and crossing party lines. Said otherwise, civility is perfectly consistent with 'taking a principled stand', being unwilling to compromise or agree with opponents, ideological rigidity, supporting one's own political 'team', and maintaining party discipline. This is a very important negative determinant, as it goes against a significant tradition of criticizing civility for being willing to compromise with evil or status quo injustice, or for papering over deep and important moral disagreements for the purposes of merely 'getting along' (Kennedy 1998). It also goes against the everyday rhetoric of some politicians who are really calling for policy compromise when they call for increased 'civility'. There are, of course, very good empirical reasons why principled intransigence or responsibility to party are often conflated with incivility. To begin, there are strong correlations between manifestations of incivility and these other political dispositions. And this should not be surprising since, from a strategic point of view, civility can be seen as a kind of political lubricant that is useful when one wants to foster and maintain a working relationship with political opponents. By the same token, when one side does not desire such an ongoing functional relationship, the payoffs for uncivil behavior increase in the same way that the payoffs increase for compromise intransigence, ideological rigidity, and loyalty to party. Much of the most interesting empirical work on civility attempts to isolate these various phenomena and gauge how they interact with one another, and what their interactions bode for the strength of citizen participation, democratic engagement, and the formal processes of policy formation. But for reasons of empirical study alone, civility cannot be conflated with its often associated phenomena of seeking compromise, being ideologically flexible, and a willingness to cross party lines.[11] And for analytic and normative reasons, I would like to insist that modes of political discourse—civil or uncivil—not be confused with dispositions to particular political decision-making processes—compromising or uncompromising, anti-partisan or partisan. We simply can't properly assess the value of civility if we confuse it with compromise or non-partisanship.

Finally, civility must be distinguished from a disposition to sacrifice some of one's own interests in favor of common interests, or an altruistic tendency to favor the common good over private or sectarian good. Although this usage of 'civility' and its cognates has a venerable tradition—particularly amongst the most anxious worriers about the recent decline of civility and the loss of a supposed golden age of political cooperation (Carter 1999; Shils 1997)—this is to turn civility into a substantive policy preference. In liberal democracies with commercial societies, one of the central political debates is precisely about where we demand shared sacrifice of citizens and where and how we allow them to pursue to greater or lesser degrees their own private or associational goods. If 'uncivil' is taken to mean 'unwilling to sacrifice for others,' then to argue for civility is to prefer one ideological vision of the proper sharing of the burdens and benefits of social cooperation. It is, in other words, to conflate one substantive conception of justice with respectful and productive manners of engaging in debates over competing substantive conceptions of justice, among other matters.

To conclude the discussion of the ideals, let me fill out some of the practical entailments of civility as it is understood here. Practically speaking, civility requires what Barack Obama

called for in his 2009 commencement address: "Open Hearts. Open Minds. Fair-minded words." The interpretation I would give to 'open hearts' is that civil discourse relies on certain dispositions of its participants: a willingness to engage with others in free and open discussions on matters of common social, economic and political interest; a rebuttable presumption of good will towards interlocutors; awareness of and sensitivity to deep, persistent and reasonable disagreements about fundamental matters in large, complex, pluralistic societies such as our own; and, some degree of thick skin, that is tolerance for the broad diversity views and expressive modalities of others, including the variety of perceptions of what counts as civil and uncivil. The admonition to 'open minds' is also crucial. Civility requires real listening to others, attempting to understand their distinctive perspectives and opinions, and real responsiveness to the actual ideas, claims, and reasons they proffer, including a willingness to revise one's own views in the light of better considerations. Open minds also require sensitivity to facts: civility requires us to modify or abandon our views when they conflict with the best available empirical evidence.[12] Finally, civility requires 'fair-minded words': offering one's own ideas and opinions in ways that are comprehensible and accessible to others, and attempting to persuade through good reasons, rather than influencing outcomes through manipulation, threat, invective, personal demonization or collective denigration.

3. The Illusions of Civility

That then gives some sense of the meaning, justifications, and entailments of civility. Is it, nevertheless, an idealistic illusion, or worse a mere illusion? Alongside the contemporary revitalization of the various discourses of civility have arisen a number of challenges to civility. At least five different critiques can be isolated—although they are often leveled in overlapping forms—each contending that idealizing civil discourse is illusory in the real world of politics and public life as we know them.

Civility Is Vacuously Indeterminate

To begin, there is the plausible claim that admonitions to be civil are simply unrealistic insofar as what constitutes civility and incivility is so polymorphous and indeterminate that 'civility' and 'civil discourse' are essentially empty signifiers, devoid of meaning. The problem of vacuous unrealism has already shown itself, critics charge, in the very difficulty of defining what civility means in the first place, and then even more so in the task of articulating clear and noncontroversial norms of civil political interaction that can be recognized as such across a spectrum of fellow citizens in one nation, let alone across various nation-states. Just consider the extreme contextual-specificity of what is counted as civil or uncivil interaction. Civility standards apparently fluctuate with the era, with the situation, with the speaker, with the audience, with the mode of communication or interaction, with the focal issue, with moral views of those involved, with social positions and roles, and so on. Consider John Stauffer's examination of the way that the meaning and entailments of civility are different for U.S. citizens from Northern and Southern regions (Stauffer 2012). In a careful reading of three remarkable events—the caning of Senator Charles Sumner by Representative Preston Brooks in the Senate chamber in 1856, the 1962 riot at the University of Mississippi sparked by federally mandated integration, and Representative Joe Wilson's shout of "You lie" during President Obama's 2009 address to Congress—Stauffer shows how each event was seen simultaneously by many Northern liberals as uncivil barbarity and by many Southern conservatives as appropriately civil

responses to barbarity. How can civility be anything other than an unrealistic illusion, this first critique asks, if civility and incivility have no apparent stable meanings even for participants in one and the same event?[13]

Much of the force of this critique can be dissipated, however, by two argumentative moves. First, even as it would be absurd to deny the societal variability of particular standards of civility—the possibility of progressive change in the practices of political civility is, after all, its saving grace as a democratic virtue rather than a reactionary vice—it is nevertheless sensible to insist that there is a deeper meaning or set of core connotations of the concept. As in Calhoun's analysis, whatever the specific requirements of civility are, those requirements are oriented by the aim of fostering cooperative modes of interaction by communicating morally appropriate mutual respect toward one's interaction partners. Conversely, incivility—whatever its contextual forms—communicates disrespect, disdain and denigration of others to the extent that it fosters antagonism and hatred. In short, civility involves good manners that promote cooperative sociability, whether or not such manners require, as George Washington claimed, taking off one's hat to nobles, judges and priests (Washington 1926). The second part of the rejoinder is to insist that civility and its cognates are normative concepts, not mere honorifics. The core meaning or meanings of civility coalesce around ways one actually should act and speak with others, rather than simply being an empty signifier of the emotion 'I approve' of those actions or words. Hence, people can be wrong about what they claim as civil behavior. Take the example of Brooks' violent beating of Sumner. Even though one could see how a Southern gentleman might see that thrashing as justified, given Sumner's implacable opposition to a race-based chattel slavery system that was long-established and constitutionally guaranteed, one should insist that beating a person almost to death with no immediate provocation can't possibly be considered, in good conscience, an example of 'civil' behavior. One could see how a Southerner might approve Brooks's actions, but mere approval can't make those actions a form of communication of moral respect or a facilitator of reasoned deliberation. In summary, even though the specific standards of civility are variable, this does not vitiate the core meanings of civility nor undermine the ability to use the concept critically, rather than as a vacuous honorific.[14]

Civility Is Epiphenomenal

A second critique also claims that civility is an unrealistic illusion, in this case because political manners are more or less epiphenomenal to the fundamental reality of politics: struggles for power amongst adversarial groups and factions. Contemporary 'agonistic' political theory argues that the essence of democracy is contestation, and contestation for power between factions with incommensurable and non-negotiable fundamental principles. Calls for civility—especially when they are really calls for a mild consensus and a bland unanimity—on this view simply misunderstand democracy as a kind of polite talking session, a well-run graduate seminar responsive to the force of argument and reason. Rather for agonistic theories, democracy involves a series of fights between implacable friend and foe that are ultimately not resolvable through the use of reason, but only through achieving and maintaining power (Mouffe 2000).[15] Advocates of civility, according to this critique, wasting their effort in attending to pie-in-the-sky ideals of using talk and reasons to actually change political behavior.

As attractively hard-nosed as this critique might appear at first, it is subject to a rather devastating objection: if civility is merely epiphenomenal, then why do skilled and experienced politicians and political operatives—who are after all specialists in the arts of gaining and

maintaining power—frequently resort to the rhetoric of civility? Could it really be so unimportant, yet take up so much of the 'bandwidth' of everyday politicking? Or consider the amount of energy protest movements and dissenters often invest in defending their communicative methods as appropriately civil, in addition to their main priority of promoting their substantive causes. Of course, one must admit that civility is not a universal solvent for all of the ills of our public sphere and political system: it will not lessen the entertainment value of interpersonal denigration and the resulting commercial motivations for amplifying such conflicts, nor will it magically melt partisanship or overcome principled intransigence to compromise all by itself. Its promise is much more limited: to communicate respect for each as free and equal and to improve the quality of democratic argument and deliberation. But even a limited positive role for civility is more than is admitted by the second critique of it as merely epiphenomenal.

Civility Is Merely a Strategic Tool

From the simple observation that civility is something experienced political operatives care about springs the third critique of civility as illusory. The idea here is not that the ideal is unrealistic, but rather that civility—and incivility—are strategic tools to be used in contests for power and position. The easiest way to spot clearly strategic uses of civility and incivility is when political actors alternately engage in uncivil discourse and admonish others to respect the bounds of civility. In her elegant case for the strategic conception of political civility and incivility, Susan Herbst gives a striking example from two entries on the vice-presidential candidate Sarah Palin's blog from August 2009. Writing about the health care reform bill then before the House of Representatives, Palin leads first with inflammatory and deceitful rhetoric: "The America I know and love is not one in which my parents or my baby with Down Syndrome will have to stand in front of Obama's 'death panel' so his bureaucrats can decide, based on a subjective judgment of their 'level of productivity in society,' whether they are worthy of health care. Such a system is downright evil." A mere two days later, she pleads for civility: "We must stick to a discussion of the issues and not get sidetracked by tactics that can be accused of leading to intimidation or harassment. Such tactics diminish our nation's civil discourse which we need now more than ever" (Palin quoted in Herbst 2010: 90-1). As Herbst aptly emphasizes, even Palin's call for civility is justified in mere tactical terms, rather than as an important mode of address required either to show equal respect for one's fellow citizens or to facilitate a productive, problem-solving dialogue with democratic citizens. Spurred by the hypocritical use of the rhetoric of civility—a frequent feature of political campaigns in the U.S., and a routine feature of the louder and coarser 'blogosphere' that is a central player in the contemporary political public sphere—this critique of civility sees it as an illusory ideal.[16] One can plead for more civility or bemoan its decrease or even attempt to make reforms in the forms of public communication all one wants, but as long as incivility and civility are both effective, strategic weapons in political campaigns and public controversies, such idealized efforts appear to be quixotic at best and misguided at worst.

As accurate as it is about the character of actual political discourse, the strategic conception of civility does not, I believe, show civility to be wholly illusory. To begin, a clear-eyed view of our political discourse could not deny that there are examples of sincerely civil engagement between political actors, and that there are examples of more or less successful admonitions against incivility having some positive effects upon the character of political discourse. So the facts that the strategic critique point to do not themselves establish that civility is, or depends upon, a mere illusion, that is, a basic mistaken conception about how the world

works. Furthermore, we must remember a rather banal point of normative philosophy: the mere failure to live up to a moral or political norm by some individuals or institutions does not thereby render the norm meaningless. To the contrary, it's precisely because individuals or institutions often have temptations and incentives to violate shared norms that we insist on clarifying and enforcing such norms in the first place. So the fact that we are not always civil does not thereby vitiate the norm of civility. Of course, if a norm is so idealistic that it can never be approximated, then we may have some grounds for thinking it to be a merely utopian idealistic illusion. But here I think the facts support rather the judgment that civility is an illusionistic ideal: representing a normatively important ideal that is simultaneously deserving of suspicion in the light of our knowledge of its strategic use. Thus even as we pursue steps to improve the character of political communication and interaction in line with the ideals of civility, remembering that civility itself is frequently used as a strategic asset can alert us to be properly suspicious of calls to 'talk nicely' that amount to little more than sanctimonious hypocrisy in the struggles for influence, power, or advertising dollars.

Civility Is Anti-Individualist and Homogenizing

These first three critiques of civility—as vacuous, as epiphenomenal, and as strategic—all, in a sense, admit the ideal of civility as normatively justifiable while attacking it as empirically illusory. The final two critiques I would like to investigate—that civility is homogenizing and marginalizing—come from the other direction, contending that we should not endorse civility as an ideal. First, because civility requires obedience to conventional social norms and to authority structures that police those norms, critics charge that it is essentially anti-individualistic, requiring people to conform their behavior to bland, homogeneous standards. Spurred by the rise of mass democratic society and culture in the 19th century, J.S. Mill famously expressed deep worries about the 'despotism of custom' and its deleterious consequences in diminishing the buzzing, blooming diversity of individual characters and forms of life (Mill 1978). A similar worry about the specifically homogenizing effects of civility is also expressed throughout the history and sociology of manners (Bourdieu 1984; Davetian 2009; Elias 2000). Likewise, Richard Boyd insists that the pro-group tendencies of that associational life celebrated in the civil society discourse are in real tension with the rugged individualism and self-reliance at the heart of classical liberal thought (Boyd 2004). The homogenization critique argues we should prefer to promote the widest scope for the diverse realization of individual human potential over an increase in our overall decency to one another. If civility is at all recommendable, it is nevertheless an ideal clearly subordinate to the ideals supporting heterogeneous individuality.

There is an important normative point in this critique: namely, civility is not the only value we must attend to in thinking about the public sphere. There may be difficult choices when civility should take a backseat to other more important political values such as fundamental justice, equality, liberty, fairness, or non-domination.[17] This point is one of the central contentions of many critics of civility who worry that focusing attention on it is often a diversion from attention to more serious matters. For instance, a monomaniacal focus on civility may negatively impinge on traditions of activism and dissent that have been so important to progressive political change in American politics (Sarat 2012; Sparks 1997), or civility may be strategically employed to distract from deep racial injustice of chattel slavery or racial segregation (Kennedy 2012). Thus, civility is not only one among several competing political values, but it is often also a secondary and subordinate value at that. However, in evaluating the homogenizing critique, I believe the problem lies not so much in the conflict of values and a

normative assessment of the relative weight of different ideals of individuality and mutual respect. Rather, much depends on how much weight one gives to the empirical claims supporting it. For if, as appears probable to me, even effective norms of civility currently have very little negative impact on the development and expression of individuality, then the critique adds up to little more than a merely hypothetical concern. Perhaps such effects might be detectable in Mill's age and milieu; but surely contemporary American political culture is historically unequaled in its heterogeneity, a heterogeneity that seems basically impervious to increases, or decreases, in civil discourse.[18] The ostensible competition between the ideals of civility and individuality that would have us decide in the latter's favor, then, appears itself to be normatively plausible but empirically illusory.

Civility Is Marginalizing and Anti-Egalitarian

There is however, a deeper and more worrisome critique of the norms of civil discourse as marginalizing and so anti-egalitarian. Let me begin with a striking example of using civility norms to actively marginalize an entire class of subjects: the reactions of newspaper editorialists to the novelty of a female public speaker, the feminist Fannie Wright in 1828.

> As the New York *Free Enquirer* put it, by speaking in public, Wright had "with ruthless violence broken loose from the restraints of decorum, which draws a circle around the life of a woman." The *Louisville Focus* argued that Wright had "leaped over the boundary of female modesty" and committed an act against nature. The New York *American* claimed that "Wright waived all claims" to courtesy since by speaking in public she "ceased to be a woman" and became, instead, "a female monster."[19]

As Iris Young argues, insistence on contingent norms of civility can have inegalitarian effects when such insistence serves to further the marginalization or oppression of those in the least advantaged positions in society, who are not recognized as making 'civil' interventions in collective political dialogue (Young 1990, 2000). Sometimes such marginalization is effected unintentionally or inadvertently, through disparaging or ignoring patterns of communication by those who lack the cultural capital and socialization into elite norms of civility and 'reasonableness' that would enable their contributions to get considered uptake in a normatively constrained public sphere. Many times, norms of civil discourse are wielded strategically to actively marginalize some groups, as in the Fannie Wright example above. Some of the most powerful critics of civility base their case on historical examples where civility has been used strategically, not as a tool in ordinary political contests between politicians and parties (as Herbst focuses on), but rather as another weapon for enforcing arbitrary social exclusions and maintaining unjustifiable privilege. Consider Randall Kennedy's account of social reactions to the incivility of the abolitionist editor William Lloyd Garrison and his inflammatory rhetoric and personal demonization of opponents. In response, reactionary admonitions to civility were directed not only to Garrison but also, through an opportunistic and cynical use of over-generalization, against all abolitionists: the very topic of abolition was claimed to be beyond the bounds of civilized discourse (Kennedy 2012). Or consider Austin Sarat's description of the manifold ways in which the rhetorics of civility were used to delegitimize nonviolent civil protest in the American civil rights movement of the 1960's (Sarat 2012). A similar point is made by Michael Warner, who highlights the ways in which the silencing emotion of shame was mobilized in the 1980's rhetoric of 'civilized discussion' in order to virtually exclude the topic of

sexual orientation from the public sphere and to actively marginalize and denigrate sexual minorities (Warner 2000). Finally, it is very important to notice that the standards of civility that individuals are expected to adhere to are often different for different groups. In particular, the less powerful are held to higher standards of civility and deference, while the more powerful are more readily excused for aggressive rhetoric. Strachan and Wolf insightfully use the results of politeness research to warn that "Good manners are a potent form of social control," especially across racial and gender hierarchies (Strachan and Wolf 2013: 47). In each of these cases, the work civility is doing is profoundly anti-egalitarian: inadvertently or purposefully marginalizing or excluding some members of the polity unjustifiably. And yet, the justification for civility is itself egalitarian at its core: its norms are supposedly the medium for expressing equal respect for all of our interlocutors and those norms are supposedly crucial facilitators of productive political discourse and problem-solving among political equals. That is why I called this critique of the idealization of civility deeper and more profound: it claims that civil discourse may actually undermine its own central normative goal of contributing to an egalitarian society.

Assessing this critique is, again, a matter of evaluating complicated empirical evidence. My sense is that norms of interaction can in fact inadvertently ensue in, and be deliberately manipulated to further, inegalitarian marginalization. This is particularly clear in the longer hindsight that historical examples—such as early public speaking by women or abolitionists before the Civil War—afford us.[20] But we should also note that those negatively affected by provincial or exclusionary civility norms are not passive victims, but have often been able to effectively mobilize and change such norms: witness, for instance, many of the changes in everyday patriarchy-reinforcing manners that have been wrought through active cultural politics against the degrading effects of those manners. It is also worth noting that changing social demographics also have a real impact here. For, on the one hand, civil norms of interaction are increasingly useful as societal diversity and pluralism increase. The point of civility is to facilitate productive democratic interactions while expressing the commitment to mutual respect for all as free and equal, and these aims become ever more important as the opportunities for disagreement, misunderstanding, and offense increase with increasing social diversity. But, on the other hand, the threat of marginalization also increases as pluralism and diversity increase, since it becomes more likely that today's contingent social norms that civility is expressed through will favor those already well-situated in society and disfavor those in minority and disadvantaged positions. My sense is that a strong commitment to reflexivity is key here: we must insist that norms of civil discourse are themselves legitimate topics for democratic deliberation and collective reshaping.[21] But in the moment when such norms are being used to exclude some from the conversation, perhaps such hopes for democratic reflexivity are not sufficient to offset the inegalitarian effects. Thus we are brought to face again the tensions of civility as an illusionistic ideal. We have good normative reasons to strive for civil interactions, even as we must be attuned to its limitations, its possible pernicious side-effects, and its potential for strategic manipulation and misuse, particularly in contemporary, pluralistic and heterogeneous societies.

4. Conclusion

I have argued that political civility is an ideal with potential illusions. That it is a worthy ideal is entailed by the confluence of a number of factors: our normative commitments to treating

each other as free and equal, and to democratic autonomy, that is, to political decision-making processes where all citizens are to have some form of equal role in political outcomes; our moral and epistemic commitments to reasons-responsive politics, rather than just the numerical aggregation of equal voting power; and the reality of reasonable but intractable disagreements in complex, pluralistic societies. Of course, civility is not the only virtue required by this confluence nor is it, perhaps by some degree, the most important. I would be much more worried, for instance, about the systematic denial of voting rights to some citizens than I would be at the prospect of vituperative and denigrating campaigns, if somehow I were forced to choose. And in the same way that organized violence or rebellion may be justified to overcome extraordinary injustice, surely it is possible that organized incivility may be justified under somewhat less extreme forms of political evil. But even as a secondary political ideal, we nevertheless have good reasons, *ceteris paribus,* for pursuing more civil rather than uncivil political discourse and interactions. It is then not an ideal we can easily dispense with without normative loss.

We cannot attend, however, only to the theoretical value of civility and its idealizing justifications; we must attend to its effects in the real world of politics as we know it, and consider whether it is a wholly illusory ideal. As I've contended, civility is an ambiguous virtue, relying on contingent social conventions to effect its moral work, conventions that may themselves be morally suspect. It can be hard to define, and in particular, hard to specify its precise requirements at any one time. More worrisomely, it is subject to strategic manipulation, frequently instrumentalized to the pursuit of political power. And such strategic uses of civility and incivility often trade upon the ordinary equivocity of the concept, opportunistically conflating civil discourse with a requirement to agree out of mere kindness, to compromise, or to sacrifice for the common good. We should not forget, further, that incivility in particular provides great entertainment value, and so is used strategically by political actors to get attention and by the mass media to sell advertising. It can be and is used for other more nefarious ends as well, such as the unjustifiable marginalization or exclusion of some from the public sphere and so body politic. Finally, we should be under no illusions that civility is a universal solvent for all of our political ills: it will not fix the structural problems of a political system that have led to gridlock, nor erase party divisions and jockeying for partisan advantage, nor will it—nor should it—overcome principled differences and reasonable disagreements on fundamental matters. The value of civility is more modest: if and when it works, it promises means for expressing our mutual respect for fellow citizens and the provision of some of the background conditions necessary for productive democratic discussion and debate on matters of common concern. Illusionistic in many ways, but a (modest) political ideal nevertheless. Like other illusionistic ideals, we should neither be entirely seduced by its normative attractions nor entirely repelled by its empirical shortcomings. Realism demands then, not a skeptical dismissal, but a wary endorsement.[22]

Endnotes

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[1] The phrase is inspired by the title of a book by Thomas McCarthy and the concept intended represents a central concern in all of his work (McCarthy 1991). The theme of ideals that are simultaneously normatively attractive and empirically illusionistic is, of course, one with a long heritage in philosophy, and political philosophy in particular, from Aristotle to Hobbes, Rousseau, Kant, Hegel, and Marx. It seems to me that the methodological implications of taking illusionistic ideals seriously—namely, the need for a socio-political theory that systematically combines normative analysis with empirical research—have been most productively realized in the tradition of critical social theory, especially in the work of Jürgen Habermas. That's a topic for another day, however.

[2] Commentators on the U.S. political scene, both academics and pundits, have produced a wave of words on political civility, usually bemoaning its purported decline. As a national election year, 2012 provides plenty of evidence of political statements and actions that are interpreted as beyond the bounds of decency; I leave it to the reader to attend to political reporting for at most a week before hearing of another such event. There has also been a surge of initiatives and new organizations aiming to promote the virtue of civility and to actively contribute to civil discourse in American public life, all of recent vintage. An incomplete list includes: The Johns Hopkins University Civility Project, founded by P. M. Forni in 1997; The Institute for Civility in Houston Texas, running since 1998; The National Civility Center in Sturgis Michigan, established in 2000; Project Civil Discourse, run by the Arizona Humanities Council since at least 2008; The 2010 Allegheny College Survey of Civility and Compromise in American Politics, and the Allegheny College Civility Award begun in 2012; The National Institute for Civil Discourse at the University of Arizona, kicked off in 2011 with a high-powered "Executive Session on Civil Discourse" held at the U.S. Supreme Court; and, The Center for Civil Discourse at University of Massachusetts Boston, established in 2011, and the major conference it ran on Civility and American Democracy: A National Forum in February of 2012. Much of the recent surge can be attributed to the active support of the National Endowment for the Humanities since 2009, when former U.S. Congressman Jim Leach became Chairman. In 2009, Leach also embarked on an 18 month, fifty state 'Civility Tour' extolling its virtues and warning of the dangers of political incivility. My affiliation with the Center for Civil Discourse at UMass Boston spurred my work on this paper, and participants' papers and contributions during the Center's February 2012 conference figure largely in the following. Nevertheless, the claims and arguments I make here are my own, and are in no way representative of the Center.

[3] A similar analysis of civility in moral terms is put forward by Richard Boyd: "Being civil is a way of generating moral respect and democratic equality. Regardless of its functional role in maintaining the peace and order of society, civility is a moral obligation borne out of an appreciation of human equality" (Boyd 2006: 875). Boyd also there insightfully addresses the critiques of civility that I isolate later in terms of homogenization and marginalization.

[4] As the civil society scholars make clear, the specific institutional forms in which contemporary norms of civility are inculcated, developed and challenged matter a great deal to the political impact of practices of civility and incivility. For instance, Theda Skocpol persuasively argues that the professionalization of civic organizations and the diminishing participation of ordinary

citizens in their everyday activities have deleterious consequences both for national political policy and for the prospects of civil society as a school for the skills of democratic consociation across lines of social cleavage (Skocpol 2003).

[5] This formulation of Rawlsian civility is in line with Rawls's first accounts of public reason, but not, strictly speaking, with his final thoughts. In a 1997 essay, he loosened the idea to allow social actors to present, at first, their public arguments for given policy positions in sectarian terms, subject to the proviso that non-sectarian arguments could be provided to fully support the policy, in due course (Rawls 1999: 591).

[6] One could even understand much of the applied deliberative democracy literature as revolving around the meaning, proper role, and limits of civility. For instance, Fishkin's experiments in different procedures for deliberative polling might be fruitfully conceived of as experimentally determining the content of civility: that is, figuring out which specific modes of interacting with others through the exchange of reasons and opinions are actually conducive to changes in individual opinions that are reasons-responsive (Fishkin 1997, 2009). Alternatively, debates about the role of the mass media in a democratic public sphere (Habermas 1989), the relation between polite speech and rational speech (Kingwell 1993), tendencies toward increased polarization and narrowing of information pools due to the prevalence of the internet (Sunstein 2007, 2009), and the epistemic benefits and limits of content created by ordinary users (Jenkins and Thorburn 2003) are all debates concetrally concerned with the promise and limits of civility for democratic public interchange. Of course, political communications and public opinion scholars have also done much empirical work exploring how civility and incivility affect political phenomena such as citizen trust in government and aceptance of legitimate opposition (Mutz and Reeves 2005; Mutz 2007), and the quality and productivity of deliberations in legislative chambers (Jamieson and Hardy 2012).

[7] A stronger way of putting this point would be to say that we can view many contemporary practices of political civility as, in part, real historical achievements in the development of our social practices of democratic consociation. From the active pursuit of the new ideas of religious toleration in the 17th century, to the 19th century development of the idea of a loyal but non-traitorous opposition, to the 20th century acceptance of non-violent legal disobedience as a legitimate mode of democratic interaction, practices that were previously considered uncivil—heterodoxy, partisan resistance, legal disobedience—were shown to be potentially civil precisely through the struggles of interested parties to convince the broader society that current standards of civility were problematic or insufficient. Establishing these stronger claims would, however, require a much more extensive historical investigation than I can provide.

[8] This achievement was not easy, as many who had substantive objections to the programs of Indian self-rule and African-American civil rights attacked the methods of non-violent disobedience as themselves *uncivil* methods. To my mind, the clear establishment of non-violent disobedience as a *civil* method of public action speaks to both the democratic reflexivity of civility—the way in which the meaning and practices of civility change over time through concentered struggles—and the moral core of civility in terms of equal citizenship—the requirements that we actively treat other citizens as equal consociates even when we have very deep substantive disagreements with them.

[9] Kingwell's significant defense of political civility—in fact of civility as *the* central political virtue in pluralistic heterogeneous societies—does indeed understand civility in terms of practices of politeness: sensitivity, self-restraint, mild dissembling, withholding of one's full opinions, tolerance, tact, indirection, avoidance of conflict, conciliation, and so on (Kingwell 1995). Coming late to an awareness of his work courtesy of an anonymous reviewer, I cannot fully come to terms with it here. As mere markers, I disagree: with his basic assumption that the point of politics is merely to compromise with and conciliate others so that we can all get along; with his claim that civility as interpersonal politeness is the paramount political virtue; and most importantly, with his attempt to liquidate the meaning of justice into a mode of polite talking with one another.

[10] For an empirical study that virtually defines incivility in terms of negative affect see (Shea and Sproveri 2012). Shea and Sproveri search for five phrases in the Google books database of American English stretching back to 1800—mean politics, bitter politics, hateful politics, filthy politics and nasty politics—and are able to show a quite suggestive correlation of heightened negativity with periods of political realignment. In contrast, arguing that incivility is not nearly as detrimental to citizen engagement as many think, Brooks and Geer pioneer an important three-factor analysis of aspects of political communication often indiscriminately clumped together in empirical work: negative versus positive tone, issue-based versus personal focus, and civil versus uncivil rhetoric. They "operationalize incivility as claims that are inflammatory and superfluous. ... Incivility requires going an extra step; that is, adding inflammatory comments that add little in the way of substance to the discussion" (Brooks and Geer 2007).

[11] The strategic conception of civility is well-investigated by (Herbst 2010), and is treated more extensively below as the basis of one of the main critiques of civility as illusory. One prominent and oft-quoted study raising the alarm about ordinary Americans' worries about declines in civility unfortunately rather systematically conflates the tone of political discussion, with dispositions to compromise, and with dispositions to sacrifice for the common good. The former conflation is clear from the title: "Nastiness, Name-calling & Negativity: The Allegheny College Survey of Civility and Compromise in American Politics" (Shea et al. 2010). But much of the empirical scholarship attempts to tease out the correlations and causal relationships between incivility, negativity, party loyalty, and resistance to compromise. For instance, relying on the key idea that civility is a preferred strategy only when political opponents have incentives to maintain an ongoing functional relationship with each other, Wolf, Strachan and Shea contend that there is a negative feedback loop between strategic uses of incivility and the demobilization of moderate citizens in sharply divided political eras (Wolf et al. 2012). A fuller methodological discussion of the difficulties of gathering real and useful empirical evidence about civility and its effects is unfortunately beyond the scope of this paper; we need such evidence for the kinds of assessment I engage in here, but collecting and assessing this evidence is a complicated affair.

[12] The link between incivility and willful political ignorance is forcefully made in (Lilla 2012). During a collective attempt to draft a Civility Charter during the February 2012 conference on Civility and American Democracy at UMass Boston, there was surprising resistance to including language speaking of attention to 'facts,' 'reality' and 'evidence,' language such as: "Civil discourse is fact-based: it requires us to modify or abandon ideas and opinions when they are in conflict with the evidence, as it requires others to do the same. Civil discourse is committed to moving conversations and policy proposals forward productively in the light of the best

empirical evidence about facts and reality." After sustained discussion, such phrases got changed in the consensus draft to "Civil discourse is committed to moving conversations and policy proposals forward productively in the light of the best information."

[13] An even more extreme form of contextualism can be seen when one and the same person calls her own language civil—basically because she believes it reflects facts and correct moral evaluation of them—and accuses others who disagree in similar terms as uncivil—apparently because her opponents are taken to be wrong on either the facts or the moral evaluation of them. In such cases, one might say that civility has become a thoroughly meaningless and empty honorific, indexed entirely to one's subjective sense of rightness. For a pungent performance of this maneuver, one could hardly do better than watch John Oliver's rightly famous and notorious January 12, 2012 interview with Froma Harrop for *The Daily Show with Jon Stewart* (http://www.thedailyshow.com/watch/thu-january-12-2012/civil-disservice, accessed September 10, 2012). The basis of the comedy is that Harrop plumps for increased civility in editorial writing, but is apparently wholly insensitive to the notion that her own editorials labeling ordinary political opponents as 'terrorists' might be uncivil.

[14] A third rejoinder is to actually look at what evidence we have for the congruence or divergence of individuals' conceptions of civil behavior among a population. In fact, there is some good evidence that there is substantial overlap in contemporary U.S. citizens' perceptions of incivility (Massaro and Stryker 2012).

[15] To the extent that there is anything equivalent to the civic virtue of civility in agonistic theory, it is a dedication to non-violent contestation for power through the democratically controlled state, and a prohibition on the outright use of violence for political ends. But, of course, this bare prohibition on political violence, while a necessary condition of civility, is far short of what is called for by the advocates of civil discourse.

[16] For a rich example from the blogosphere, consider the pundit Ann Coulter repeatedly calling in August 2012 for a decrease in uncivil campaign ads, and then posting in September 2012 this comment on Twitter during the Democratic National Convention: "Bill Clinton just impregnated Sandra Fluke backstage..." (http://twitter.com/AnnCoulter/status/243503459029106688, accessed September 10, 2012). There are difficult moral issues involved in assessing any specific apparent incident of 'double-dealing' in the rhetoric of civility, not least because the political actors involved may not be intentionally employing civility tropes in a strategic, manipulative, or duplicitous manner. In fact, they may sincerely believe that their own rhetoric is well within the bounds of civility—as it tracks factual and moral truth—and believe that their opponents rhetoric is beyond the pail—as it represents an offensive or dangerous attack on the truth. This is of a piece with most interesting questions of particular moral assessment.

[17] While it may seem obvious that civility is merely a secondary and instrumental virtue, justifiable only in service of other political values such as justice, equality, liberty, fairness, or democracy, there is in fact a strain of moral inflation in the civility literature. At its extreme, the claim that civility is *the* paramount political virtue gets support only from redefining other political values in terms of civility. Once, for instance, Kingwell redefines justice as the cultivation of polite political interlocution, it is a short step to claim civility as the normative center of politics, since a civil society is perforce just and polite citizens are perforce just citizens! "The goal of justice should be reconceived as the cultivation of the sensitivity and

acumen necessary for the daily discernment and toleration of varying moral conceptions. This sensitivity ... is what I will mean by civility." "Politeness and civility ... [are available] as a test of whether a given society may be judged well-ordered—that is, operating according to justified norms." "Civility can produce citizens who are both critical and sensitive, both restrained and articulate. These will be citizens who are just." (Kingwell 1995: 42, 196 and 234).

[18] Note further, what is at issue here is the value of certain social norms and social pressures brought to bear to support them, not legal requirements for civility or prohibitions on incivility backed up by the coercive threat of penalty. In other words, this is not a legal issue pitting rights to free expression against censorship.

[19] Quote from (Cmiel 1991: 70), cited in (Herbst 2010: 59).

[20] I think it is also clear in the contemporary insistence that religious citizens prescind from any public references to their religious beliefs, though this would take more work to establish. One significant issue in recent theoretical debates about the content of Rawlsian public reason is whether more or less strict bans on religious language in public argument actually serve to illegitimately marginalize or discriminate against—'unfairly burden' in the debate's legalistic parlance—believers in general, and specific classes of believers as well. Compare the three positions of Audi, Habermas, and Wolterstorff (Audi and Wolterstorff 1997; Habermas 2008). Assessing this case of potential marginalization would, however, require a major digression into the rationality of different types of reason, since some defenders of a restricted public argot claim that the marginalization effects of secular reason are actually justified by the irrationality of the excluded reasons.

[21] Kingwell also stresses the importance of democratic reflexivity as a response to concerns that civility can be used ideologically to marginalize and exclude (Kingwell 1995: 231-49).

[22] This paper was significantly changed and improved through many iterations; I owe many debts: to three anonymous reviewers for this journal, to members of the steering committee of the Center for Civil Discourse at UMass Boston, to participants in that Center's February 2012 forum and subsequent workshop "Civility and American Democracy: A National Forum," and to interlocutors at the October 2012 Boston College Contemporary Philosophy Workshop on "Public Reason, Pluralism, and the Underpinnings of Liberalism."

Works Cited

Audi, Robert and Wolterstorff, Nicholas (1997), *Religion in the Public Square: The Place of Religious Convictions in Public Debate* (Lanham, MD: Rowman & Littlefield).

Barber, Benjamin J. (1999), 'The Discourse of Civility', in Stephen L. Elkin and Karol Edward Soltan (eds.), *Citizen Competence and Democratic Institutions* (University Park, PA: The Pennsylvania State University Press), 39-47.

Bellah, Robert N., et al. (1985), *Habits of the Heart : Individualism and Commitment in American Life* (Berkeley, CA: University of California Press).

Bohman, James (1996), *Public Deliberation: Pluralism, Complexity, and Democracy* (Cambridge, MA: The MIT Press).

Bourdieu, Pierre (1984), *Distinction: A Social Critique of the Judgement of Taste*, trans. Richard Nice (Cambridge, MA: Harvard University Press).

Boyd, Richard (2004), *Uncivil Society: The Perils of Pluralism and the Making of Modern Liberalism* (Lanham, MD: Lexington Books).

--- (2006), 'The Value of Civility?', *Urban STudies,* 43 (5/6), 863-78.

Brooks, Deborah Jordan and Geer, John G. (2007), 'Beyond Negativity: The Effects of Incivility on the Electorate', *American Journal of Political Science,* 51 (1), 1-16.

Calhoun, Cheshire (2000), 'The Virtue of Civility', *Philosophy and Public Affairs,* 29 (3), 251-75.

Carter, Stephen L. (1999), *Civility: Manners, Morals, and the Etiquette of Democracy* (New York: Harper).

Cmiel, Kenneth (1991), *Democratic Eloquence: The Fight over Popular Speech in Nineteenth-Century America* (Berkeley: University of California Press).

Cohen, Jean and Arato, Andrew (1992), *Civil Society and Political Theory* (Cambridge, MA: The MIT Press).

Cohen, Joshua (1996), 'Procedure and Substance in Deliberative Democracy', in Seyla Benhabib (ed.), *Democracy and Difference: Contesting the Boundaries of the Political* (Princeton, NJ: Princeton University Press), 95-119.

Davetian, Benet (2009), *Civility: A Cultural History* (Toronto: University of Toronto Press).

de Tocqueville, Alexis (1945), *Democracy in America*, ed. P. Bradley (New York: Vintage Books).

Dryzek, John S. (2000), *Deliberative Democracy and Beyond: Liberals, Critics, Contestations* (New York: Oxford University Press).

Elias, Norbert (2000), *The Civilizing Process: Sociogenetic and Psychogenetic Investigations*, trans. Edmund Jephcott (2nd edn.; Malden, Ma: Blackwell).

Etzioni, Amitai (1993), *The Spirit of Community: Rights, Responsibilities, and the Communitarian Agenda* (New York: Crown Publishers).

Fishkin, James S. (1997), *The Voice of the People: Public Opinion and Democracy* (expanded edn.; New Haven, CT: Yale University Press).

--- (2009), *When the People Speak: Deliberative Democracy and Public Consultation* (New York: Oxford University Press).

Foley, Michael W. and Edwards, Bob (1996), 'The Paradox of Civil Society', *Journal of Democracy,* 7 (3), 38-52.

Gutmann, Amy and Thompson, Dennis (1996), *Democracy and Disagreement* (Cambridge, MA: Harvard University Press).

Habermas, Jürgen (1989), *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*, trans. Thomas Burger (Cambridge, MA: The MIT Press).

--- (1996), *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*, trans. William Rehg (Cambridge, MA: The MIT Press).

--- (2008), 'Religion in the Public Sphere: Cognitive Presuppositions for the 'Public Use of Reason' by Religious and Secular Citizens', *Between Naturalism and Religion: Philosophical Essays* (Malden, MA: Polity Press), 114-47.

Herbst, Susan (2010), *Rude Democracy: Civility and Incivility in American Politics* (Philadelphia, PA: Temple University Press).

Holmes, Stephen (1988), 'Gag Rules or the Politics of Omission', in Jon Elster and Rune Slagstad (eds.), *Constitutionalism and Democracy* (New York: Cambridge University Press), 19-58.

Jamieson, Kathleen Hall and Hardy, Bruce (2012), 'What is Civil Engaged Argument and Why Does Aspiring to It Matter?', *PS: Political Science & Politics,* 45 (3), 412-15.

Jenkins, Henry and Thorburn, David (eds.) (2003), *Democracy and New Media* (Cambridge, MA: The MIT Press).

Kennedy, Randall (1998), 'The Case Against 'Civility'', *The American Prospect*, (41), 84f.

--- (2012), 'The Limits of Civility', *Civility and American Democracy: A National Forum* (UMass Boston), 25-35.

Kingwell, Mark (1993), 'Is It Rational to Be Polite?', *Journal of Philosophy,* 90, 387-404.

--- (1995), *A Civil Tongue: Justice, Dialogue, and the Politics of Pluralism* (University Park, PA: Penn State Press).

Lilla, Mark (2012), 'Two Concepts of Civility', *Civility and American Democracy: A National Forum* (UMass Boston), 37-48.

Locke, John (1968), 'A Letter concerning Toleration', in Richard Vernon (ed.), *Locke on Toleration* (New York: Cambridge University Press), 3-46.

Manin, Bernard (1987), 'On Legitimacy and Political Deliberation', *Political Theory,* 15 (3), 338-68.

Massaro, Toni M. and Stryker, Robin (2012), 'Freedom of Speech, Liberal Democracy, and Emerging Evidence on Civility and Effective Democratic Engagement', *Arizaona Law Review,* 54, 375-441.

McCarthy, Thomas (1991), *Ideals and Illusions: On Reconstruction and Deconstruction in Contemporary Critical Theory* (Cambridge, MA: The MIT Press).

--- (2009), *Race, Empire, and the Idea of Human Development* (New York: Cambridge University Press).

Mill, John Stuart (1978), *On Liberty*, ed. Elizabeth Rapaport (Indianapolis, IN: Hackett).

Mouffe, Chantal (2000), *The Democratic Paradox* (New York: Verso).

Mutz, Diana C. (2007), 'Effects of "In-Your-Face" Television Discourse on Perceptions of a Legitimate Opposition', *American Political Science Review,* 101 (4), 621-35.

Mutz, Diana C. and Reeves, Byron (2005), 'The New Videomalaise: Effects of Televised Incivility on Political Trust', *American Political Science Review,* 99 (1), 1-15.

Putnam, Robert D. (2000), *Bowling Alone: The Collapse and Revival of American Community* (New York: Simon & Schuster).

Rawls, John (1971), *A Theory of Justice* (Cambridge, MA: Harvard University Press).

--- (1996), *Political Liberalism* (Paperback edn.; New York: Columbia University Press).

--- (1999), 'The Idea of Public Reason Revisited', in Samuel Freeman (ed.), *Collected Papers* (Cambridge, MA: Harvard University Press), 573-615.

Sarat, Austin (2012), 'Keeping Civility In Its Place: Dissent, Injustice, and the Lessons of History', *Civility and American Democracy: A National Forum* (UMass Boston), 49-75.

Shea, Daniel M. and Sproveri, Alex (2012), 'The Rise and Fall of Nasty Politics in America', *PS: Political Science & Politics,* 45 (3), 416-21.

Shea, Daniel M., et al. (2010), 'Nastiness, Name-calling & Negativity: The Allegheny College Survey of Civility and Compromise in American Politics'. <http://sitesmedia.s3.amazonaws.com/civility/files/2010/04/AlleghenyCollegeCivilityRe port2010.pdf%3E, accessed July 25, 2012.

Shils, Edward (1997), *The Virtue of Civility: Selected Essays on Liberalism, Tradition, and Civil Society*, ed. Steven Grosby (Indianapolis, IN: The Liberty Fund).

Skocpol, Theda (2003), *Diminished Democracy:From Membership to Management in AmericanCivic Life* (Norman, OK: University of Oklahoma Press).

Sparks, Holloway (1997), 'Dissident Citizenship: Democratic Theory, Political Courage, and Activist Women', *Hypatia,* 12 (4), 74-110.

Stauffer, John (2012), 'Civility, Civil Society, and Civil Wars', *Civility and American Democracy: A National Forum* (UMass Boston), 88-99.

Strachan, J. Cherie and Wolf, Michael R. (2013), 'Calls for Civility: An Invitation to Deliberate or a Means of Political Control?', in Daniel M. Shea and Morris P. Fiorina (eds.), *Can We Talk? The Rise of Rude, Nasty, Stubborn Politics* (New York: Pearson), 41-52.

Sunstein, Cass R. (2007), *Republic.com 2.0* (Princeton, NJ: Princeton University Press).

--- (2009), *Going to Extremes: How Like Minds Unite and Divide* (New York: Oxford University Press).

Warner, Michael (2000), *The Trouble with Normal: Sex, Politics, and the Ethics of Queer Life* (Cambridge, MA: Harvard University Press).

Washington, George (1926), *George Washington's Rules of Civility and Decent Behavior in Company and Conversation*, ed. Charles Moore (Boston, MA: Houghton Mifflin).

Wolf, Michael R., Strachan, J. Cherie, and Shea, Daniel M. (2012), 'Incivility and Standing Firm: A Second Layer of Partisan Division', *PS: Political Science & Politics,* 45 (3), 401-04.

Young, Iris Marion (1990), *Justice and the Politics of Difference* (Princeton, NJ: Princeton University Press).

--- (2000), 'Democracy and Justice', *Inclusion and Democracy* (New York: Oxford University Press), 16-51.