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THE CIRCUMSTANCES OF CIVILITY

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What are the circumstances in which civility in discourse is both necessary and obligatory? By “civility in discourse” I shall mean observing a variety of norms about language, tone, and attitude governing an exchange of words and ideas: for example, showing respect for the other person or persons with whom one is conversing; avoiding insulting, demeaning or derisive language (or gestures); and genuinely listening to (and trying to make good sense of) what the other person says.¹ I shall assume that, pre-theoretically, everyone can agree that “civility” is paramount for discourse in the classroom setting. Teachers should be civil to students, and students to their teachers. So let us start with that case and figure out why civility seems so obviously important in that context.

In the first instance, the teacher has an overriding pedagogical obligation, namely, to help the students understand the material being taught. Understanding is impeded by uncivil language from the teacher towards the student. Insults, disparaging or derivise remarks, or expressions of contempt make their targets defensive, alienated, and angry. It is hard to see how such a response is conducive to learning and understanding. But why should students be civil to the teacher or to their fellow students? I put aside the obviously self-interested reasons for avoiding incivility, such as receiving a lower mark

¹ There is a technical sense of “civility” that has arisen within the later Rawlsian approach to political philosophy, according to which citizens have a moral duty to only offer reasons in the public sphere that are acceptable to all. (The approach is well-discussed by Joshua Cohen in his contribution to this volume.) This has only a little to do with the ordinary notion of civility, and in any case is predicated on an unrealizable ideal, as the many critics of the later Rawls have noted. So I will ignore that somewhat idiosyncratic sense of “civility” here.
from the teacher. Surely the real reasons for civility of students towards teachers and fellow students
derive, again, from the obligations of those who wish to acquire knowledge and understanding. Just as
the teacher has an obligation, deriving from his pedagogical duty, to insure that the student is, both
cognitively and affectively, maximally able to understand and learn, so the students have such
obligations to each other and the teacher, for without their commitment to civility, the ends of
education will also not be realized.

Of course, the pedagogical situation has another important feature, namely, an inequality in
knowledge and competence (in the subject matter) between teacher and students. This is why civility
towards students is so important, since students recognize the inequality in competence and, at the
same time, are almost certain to make mistakes, sometimes serious mistakes, in their comments and
questions. Yet such mistakes, and the appreciation of them as mistakes, are often an important part of
the reliable acquisition of knowledge and understanding—a point emphasized by many writers in our
philosophical tradition, from Socrates to Mill. But only in an educational atmosphere marked by civility
will students likely take the risk of making mistakes, and only in such an atmosphere are they likely to be
able to learn from the mistakes. If the mistakes, and the inequality in competence that is their source,
are an occasion for mockery and demeaning comments, then, again, the pedagogical goals will likely be
defeated.

Notice, then, that in the classroom the circumstances of civility include: the aim of imparting
knowledge and understanding; a recognized inequality of competence between teacher and learner; the
need for learners to have the opportunity to make mistakes and learn from those mistakes; and the
interest learners have in acquiring knowledge and understanding. The circumstances of civility, in
short, involve essentially what I will refer to as epistemic values and motives: knowledge,
understanding, learning, and the desire for all of these. (I suspect the recognized inequality in
competence is not essential to the circumstances of civility, though it is a feature of the classroom situation.) In circumstances where epistemic values and motives govern, civility is essential and should be considered obligatory.\footnote{Civility plays other roles in our social life unrelated to epistemic values, such as easing the superficial social interactions characteristic of human life. Civility has value in these contexts, to be sure, I am less sure it should be considered as obligatory.}

What then of the realm of politics, our real concern in the context of this conference? Politics, at least in nominally democratic societies, does not have as its primary aim knowledge and understanding. The primary aims of politics are \textit{practical}, for example, how to govern our collective life and how to allocate the benefits and burdens of communal existence. Knowledge and understanding, however, play an essential instrumental role in the ultimately practical decisions that we must take in politics, and thus much of political discourse in fact concerns what we know and what is true: will, for example, government-run healthcare improve health outcomes for most people or not, will it control medical costs or not, and so on? So in politics, as in the classroom, one of the ends is knowledge and understanding, at least the kind of knowledge and understanding necessary for practical decisions.

But are epistemic values paramount in the political arena, as they are in the classroom? In politics, most obviously, there does not appear to be an \textit{acknowledged} inequality of competence between teachers and learners in a democratic polity—even though there are clearly inequalities of competence aplenty, though not necessarily between citizens and elected officials. Nor is it clear that there is necessarily an interest in learning from mistakes, or even a shared interest in knowledge and understanding. In the realm of politics, sometimes the non-epistemic interests affected by a practical decision dominate all the epistemic interests.
Let us describe, then, a political situation in which the circumstances of civility quite clearly do not obtain. I shall call this political situation Dystopia. In Dystopia, let us assume that political leaders and citizens do not speak honestly, do not state their actual reasons or evidence, and are wholly motivated by non-epistemic considerations, such as personal gain or gain for their “group,” however that group is defined. Political leaders and their followers do not acknowledge mistakes, since they would be signs of weakness, and they regularly subordinate epistemic considerations to non-epistemic ones, believing to be true whatever is most useful to those non-epistemic interests, and smearing or dismissing anyone who brings to bear actual epistemic values.

Unsurprisingly, in Dystopia those who are not interested in knowledge and understanding are very concerned with being treated with civility, because they have noticed that those who are treated with civility have *moral* and *epistemic* status. This is an important point about civility: we only treat civilly those who have some reasonable claim on informing our moral and epistemic decisions. Those recognized as craven villains, moral miscreants or pathological liars have no claim on civil treatment. We do not think that it is a failing in civility of this conference that, for example, it simply ignores the Nazi view that civility is a Jewish device for controlling the world. Nor would it seem a culpable failing of civility in Weimar Germany in 1930 for democrats and anti-fascists to vigorously condemn the Nazis, to shout them down and deride them as vicious bigots with a monstrous agenda. As the economists like to say, civility is a signaling device: if you are treated with civility, then you must be a person with status in the community, such that your input into matters epistemic or practical *counts*. But in

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3 Some philosophers with Kantian intuitions think that civility is always a general requirement of respect for persons, an intuition that I do not share, and for which I can not think of any compelling arguments, and many objectionable counter-examples, like those in the text: treating Nazis in Weimar with civility seems to me a moral failing on the part of their opponents, not a requirement of respect. Such a demanding conception of civility would also be incompatible with derisive polemics (think H.L. Mencken), which often play an important role in political and social life.
Dystopia, the most strident demands from civility come from those who have no *actual* entitlement to moral or epistemic credibility.

It is enough to create a Dystopia that only one significant political party has the characteristics described above. If all parties to political life are Dystopic in the ways described, then all parties will have a self-interest in civility, as a cover for their actual objectives. But the hard, and really frightening, case of Dystopia is one in which some parties to public life genuinely want to acquire knowledge and understanding in order to make good practical decisions about communal life, while some other party or parties are fully Dystopic. We can expect, as noted, that the Dysoptic parties will be interested in civility, but the real question is whether the other parties have an obligation to be civil towards them, given that they have so fully subordinated epistemic values and motives to non-epistemic and self-serving ends?

That the conditions of civility do not obtain—as they do not in Dystopia—means there is no obligation of civility, but it does not necessarily mean that we *ought* to be uncivil. The question, now, reduces to a purely instrumental one. Perhaps, even in Dystopia, civility is a more effective means for exposing the hypocrisy or ulterior agendas of one’s political opponents. But that is a complicated question about political psychology and sociology. It might turn out that in Dystopia, the best defense for those concerned with epistemic values—as well as the good and the right—is derisive remarks and insulting polemics. There is precious little empirical evidence, after all, that moral or political attitudes are strongly influenced by dispassionate, discursive reasoning, so it might be that in Dystopia civility is not only not obligatory, but not even advisable, given other important moral objectives, such as the discovery of the truth and the promotion of what is just. I can not hope to settle that question here, I want only to suggest that in Dystopia, there is no obligation of civility and that its desireability depends on an answer to psychological questions about its effects.
One final, and obviously timely, question remains: is the United States today more like Dystopia or more like a society in which the circumstances of civility obtain? One might be forgiven for thinking that it is increasingly like the former rather than the latter. But to settle that question would require an exploration of history and politics that go beyond the purview of this brief philosophical inquiry into the ordinary notion of civility and its circumstances.\(^4\)

\(^4\) My thanks to Martha Nussbaum for feedback on an earlier draft and to my co-panelists at the March 4 conference, Tom Christiano and Joshua Cohen, for the stimulus of their remarks. My thanks, finally, to members of the audience for their useful questions.