TWO CONCEPTS OF CIVILITY

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What breaks when civility breaks down? That, of course, depends on what civility is and what it does. Unfortunately, there is not much in the way of scholarly or popular consensus on that question, and so it can be hard to tell whether those who express the most concern about the breakdown of civility are raising an alarm that is worth heeding, or merely decrying the passing of certain fashions, like men’s hats, that won’t ultimately be missed. In this paper, I do some preparatory work towards answering these questions by trying to map two distinct concepts of civility. The first concept takes civility to be a set of manners, a form of politeness: civility involves not insulting those with whom you disagree, subjecting them to *ad hominem* arguments, or otherwise treating them rudely. According to this concept of civility, civility characterizes the surface-features of certain kinds of public actions and pronouncements. It is concerned with how we act and speak. Call this the concept of civility as politeness. The second concept takes civility to be a form of engagement in a shared political activity characterized by a certain kind of openness and a disposition to cooperate. In particular, those who conceive of civility this way describe it as a civic virtue that shapes the nature of our interactions with one another, and to what degree those interactions involve genuine responsiveness to one another. According to this concept of civility, civility characterizes what we are doing when we act. Here, the difference between civil and uncivil actions (including forms of speech) involves what we do and not merely how we do it. Call this the concept of civility as responsiveness.

It turns out that treating civility in one of these ways rather than the other is not merely a matter of choosing how to define a term in one’s theoretical arsenal, or focusing on observable
behavior vs. attitudes and subjective states. Instead, each concept of civility fits most comfortably within a rather different underlying picture of action and interaction. This means that one’s commitments elsewhere about the nature of agency and action, commitments that may be driven by one’s disciplinary approach or general theoretical outlook, are likely to drive how one treats civility. That our concepts of civility are situated in this way makes it both easier to talk past one another and harder to either see that this is what is going on or where the miscommunication lies. It can also lead us to take up positions that are inconsistent or don’t hold up well to reflective scrutiny. We might, for instance, take evidence of a breakdown in civility as politeness to signal consequences that would be the result of a breakdown of civility as responsiveness. We might try to respond to a breakdown in civility as responsiveness with the arsenal of techniques available to us from a conception of action that is more suited to thinking about civility as politeness. If we fail to notice what anchors our concepts of civility, it may also be harder to appreciate each of them fully or move between them, or understand disagreements we are having about what counts as civility and whether it is in short supply. We may fail to grasp how our different reactions to and solutions for the breakdown of civility respond to very different kinds of situations. By beginning to map these differences, then, I hope to contribute not only to our understanding of civility, but also to our ability to talk about it productively.

**Philosophy’s Contribution: Conceptual Optometry**

The kind of conceptual excavation and clarification I propose in this paper is one of the main contributions philosophy can offer both the social sciences and ordinary life. It is, however, not a practice that many non-philosophers either engage in or always understand. Philosophy, on this approach, is a form of conceptual optometry (or more precisely, lens-grinding). Just as an
optometrist diagnoses which corrective lenses adjust your vision in ways that allow you to see
certain things more clearly, philosophers examine and evaluate the concepts we use to make
sense of the world, showing how they disclose certain things more clearly while possibly
obscuring others. I take the value of this kind of work to be pragmatic in the following sense:
Like corrective lenses, the value of particular concepts is tied to what we want to use them for.
Just as I may need one set of lenses for reading and another for seeing into the distance, we may
find certain concepts better suited for certain kinds of investigations and others for others, in
large part based on what they bring into relief. Moreover, if we are to use our concepts well, we
also need to be aware of their limitations: what they obscure or make hard to appreciate.

Various concepts can work together and support one another when they comprise what might
be called a picture. This is not a matter of strict entailment or any other firm logical relation. A
particular picture of some piece of the world can render certain features or details of that corner
of the world significant and coherent. But pictures can, as Wittgenstein put it, “hold us captive”
(Wittgenstein 1991, 48) because once we have adopted a given picture, it can be hard to change
out just a single conceptual piece: the others with which it hangs together may provide a certain
resistance to doing so or even prevent us seeing the possibility of doing so. The conceptual
optometry that philosophy provides, then, comes not only through analyzing variants of a given
concept, but also laying out how these variants fit within different pictures and how those
pictures might be helpful for certain kinds of projects while nevertheless obscuring details that
might be of importance for other ones. My contention in what follows is that discussions of
civility run into just this problem: those drawn to one concept of civility sometimes have trouble
seeing the other concept as a viable alternative (either as viable or as a genuinely different
alternative) because they fail to appreciate how it is situated within a very different picture, one that ties a concept of civility to a concept of action.

Very roughly, conceiving of civility as politeness fits easily within a picture that takes action to be essentially the making of choices. In contrast, civility as responsiveness fits within a picture that takes action to be the exercise of skills. The first picture is common in the empirical social sciences, whereas the second picture is more common in some areas of normative political philosophy and theory. It is thus perhaps not surprising that one finds civility treated as politeness more often in empirical fields and it treated as responsiveness in more normative ones. The two pictures are not, however, competitors in any direct sense. As with most such concepts and pictures, the pictures of action and their associated concepts of civility are conceptual outlooks on the world, each of which discloses certain of the world’s features and obscures others. Each thus makes certain forms of reflection and analysis easier and other ones harder. Thus, which picture we adopt should depend on what we are trying to do or understand.

**Civility as politeness**

Even among those who go on to offer a different account, it is commonplace to acknowledge that at least one meaning of the term “civility” is a form of politeness or good manners, perhaps the manners that are called for in public, or in a public world of equal citizens (e.g. Bybee 2016, Calhoun 2000). So understood, civility provides us a code of conduct or “mode of behavioral management” (Bybee 2016, p. 7). For some theorists, however, politeness forms the essential core of civility. What is distinctive about such accounts is that they focus our attention on surface features of an action, rather than the motivation for the action or the nature of the action itself. This focus on surface features is suggested by the term “manners” (the ways we do
things), and in the etymological link, often pointed out in these contexts, between “polite” and “polish”: politeness involves being polished: altering rough surfaces to make them smooth. On this concept of civility, incivility is entirely a matter of being rude: of insulting others, either directly, or by using inappropriate tones of voice (OR ALL CAPS AND LOTS OF EXCLAMATION POINTS!!!). It can be seen in the difference between yelling “You lie!” to a speaker who is still speaking, and waiting until the speaker has finished to say, “I respectfully submit that my esteemed colleague, the gentleman from Illinois, is in error.”

One attraction of this concept of civility is that it is easy to observe, count and quantify. After all, it is precisely the surface features of action that are out in the open, easy to see. Knowing whether someone’s behavior is civil, on this conception, does not require us to interpret her motives or intentions or subjective attitudes. We don’t have to decide if she is sincere or well-meaning, or why she is being civil: whether it comes from a genuine commitment to the value of civility or a purely instrumental calculation that being civil will avoid certain costs she wishes not to bear.

Assessing civility as politeness may not even require us to evaluate the substance of the claims someone is making: calling someone a liar is rude, it might be claimed, whether or not it is an accurate statement. Yelling truths at someone who is insisting on falsehoods is just as impolite as yelling falsehoods at someone who is insisting on truth. This concept of civility thus has a certain value for those trying to do quantitative work on civility, and those who hold that scholarly objectivity requires being neutral on the sorts of controversial questions that are most likely to incite incivility.

Civility, so conceived, clearly matters to the quality of our public interactions. Whether or not incivility understood as rudeness plays a causal role in gridlock and governmental
dysfunction, it coarsens public life and makes daily public interactions more stressful and less pleasant. When politicians resort to insulting each other or referring to their opponents by demeaning nicknames, it can be argued, they undermine the dignity and seriousness of politics. Such behavior may feed on itself and ultimately make violence more prevalent. If this form of incivility is on the rise, it is important to figure out why and what to do about it. And it can be plausibly argued that what we do and should care about in our public discussions is just this outer surface of politeness: perhaps it is or should be more important to each of us that strangers with whom we disagree follow basic rules of civil behavior than that they genuinely respect and value us. The importance of rules and social norms is that they work, as Kant said, a “race of devils” (Kant 1991), not that they convert us into sages or angels.

Finally, understanding demands for civility as demands for a certain form of politeness makes sense of a certain line of criticism of such calls. While politeness can take the rough edges off of social interaction and thus make it easier, requirements of politeness can also serve to exclude members of certain groups from full participation in social life by setting out elaborate codes of conduct to which only some people are privy or by ruling out of court certain kinds of challenges to the status quo based purely on their manner of delivery. It is a common criticism of protests, social movements and various forms of extra-electoral direct political action that the activists who engage in them are not playing by the rules or following the norms of proper behavior. Those who insist on the “civil” in “civil disobedience” are often responding to such charges. Since what counts as polished behavior and speech in a given society will be contingent and often determined by a dominant or ruling group or class, this can turn demands for civility into a means of safe-guarding privilege. Appreciating this dynamic and the downsides of calls for civility may be easier insofar as we are treating civility as politeness.
Civility as responsiveness

As with civility as politeness, there are a number of different theories of civility that fit under the concept of civility as responsiveness (e.g. Kingwell 1995, Rawls 1996, Gutmann and Thompson 1998). We can uncover some of its essential features by looking at John Rawls’s remarks about what he calls the “duty of civility” and its connection to certain ideals of citizenship and democratic legitimacy. Rawls claims that the ideal of citizenship imposes a moral, not a legal, duty—the duty of civility—to be able to explain to one another on those fundamental questions how the principles and policies they advocate and vote for can be supported by the political values of public reason. This duty also involves a willingness to listen to others and a fair-mindedness in deciding when accommodations to their views should reasonably be made (Rawls 1996, 217).

Elsewhere, Rawls describes the disposition to honor the duty of civility as “one of the cooperative virtues of political life” (Rawls 2001, 117). He goes on to say that the duty of public civility goes with the idea that the political discussion of constitutional essentials should aim at free agreement reached on the basis of shared political values, and that the same holds for other questions bordering on those essentials, especially when they become decisive. In the way that a just war aims at a just peace and thus restricts the use of those means of warfare that make achieving a just peace more difficult, so, when we aim for free agreement in political discussion, we are to use arguments and appeal to reasons that others are able to accept (Rawls 2001, 117-8).
Though some of Rawls’s characterization here is tied to his specific ideas of political liberalism and public reason, it shares with several other versions of civility as responsiveness the following 3 features: (1) the basic idea that civility is a cooperative virtue of political life, and that it involves both (2) the willingness to listen to others and (3) a fair-mindedness in considering their views and when one should adjust one’s own position in response to theirs (Kingwell 1995, Gutman and Thompson 1998). Civility in this second sense is manifested when we engage in genuine dialogue with our fellow citizens, when we make room for their voices to be heard, and make an effort to understand and appreciate what they say. Arguably, the attraction of genuine bi-partisanship and government by a “team of rivals” lies here. Civility as responsiveness involves striving to hear those with whom we live together as reasonable, even when they take positions that are unfamiliar or uncongenial, or express them in ways we do not initially recognize as reasonable or even polite. Moreover, it involves not only listening to them, but being open to being moved by them. That is, it is not enough to patiently listen to those with whom one disagrees without any real possibility that what they say might make a difference to what you think or how you hold your position. If we are genuinely engaged in the cooperative activities of political life in a civil fashion, according to this concept of civility, we need to allow ourselves to be vulnerable to what others say. This does not mean always moving to the middle or abandoning our firm convictions in the face of opposition: I can be open to being moved by what another says and yet not, after hearing them, end up in a different position. But it means being fully engaged in the process of jointly figuring out where we can stand together, and that may mean not merely figuring out ways to politely bring everyone to stand where I already do. Finally, it may involve being imaginative and creative in finding alternatives that we can all
support. Think here about the difference between legislation that emerges, perhaps transformed, after genuine debate and hearings and the public discussion that these generate, and legislation that is crafted behind closed doors by a single party or faction and thereafter tweaked solely to hold together the narrowest of majorities needed to pass it before such public discussion might erupt.

If the slogan for civility as politeness is “we can disagree without being disagreeable,” then the slogan for civility as responsiveness might be “we can agree to disagree” or perhaps better, “disagreement is no reason to stop talking with one another.” Those concerned with defending and protecting civility as politeness worry that in a political environment of deep and persistent disagreements, we will lose our manners, and this will have further effects over the quality of our political and social lives. They may see incivility as an unfortunate outgrowth of ideological polarization and perhaps a spur and symptom of increased partisanship. In contrast, those concerned primarily with civility as responsiveness worry that a political environment characterized by strategic thinking that sees politics as a form of conflict and confrontation will lead citizens, whatever their positions and disagreements, to give up on politics as a cooperative activity.

Civility as responsiveness is thus less concerned with the outward manners of action, than with the nature of the actions themselves. One can uphold all the norms of civility as politeness without engaging civilly with others in this second sense. Congressional leaders who make it clear as they pursue a legislative agenda that they are not interested in finding a path that involves the opposition party, or they are interested only in opposing and obstructing the majority party, come what may, can do all of this while being polite about it. And while it might be argued that politeness is one way that one manifests an attitude towards others that is essential
to being responsive towards them, it is that attitude and its manifestation, and not the outward formal signs of it that will be the essential mark of responsiveness.

**Action as choice vs. action as the exercise of skill**

At this point, we need a detour into the philosophy of action and social science to draw a contrast between two different pictures of action. On the first, commonly found in the empirical and especially quantitative social sciences, actions are reducible to choices. According to this picture, people’s observable actions are a result of their choosing among available options according to some relatively simple function or algorithm: we act when we choose how to vote from a list of candidates or proposals, what to buy or produce from a range of bundles of goods, or what path to pursue from a set of possible options. In the simplest case, people act by choosing the option from a given choice set that maximizes their preference or the satisfaction of their desires or their utility. In more complex versions, the descriptions of the choice options can be made richer, the choice function more complex and the metric it uses (e.g. utility, preference-satisfaction) can be more carefully defined. What interests me about this picture of action, however, is its reduction of action to choice, rather than the particular features of its theory of how choices are identified or made.

Contrast this picture with a picture of action as the exercise of various skills and abilities. On this picture, action is not a matter of making a choice, but doing something that is potentially complex, extended and embodied: playing the violin, engaging in a political discussion or debate, participating in a campaign. Though we might try to reduce these actions to a series of simpler actions, each of which require less in the way of skill, it is still hard to see that we will capture them well by describing them as a series of choices. The violin player plays the violin
by playing a particular piece, which in turn consists of a series of phrases and even notes. If playing the violin amounted to merely choosing to play this note and then that, however, it is hard to see how one could accurately play a series of notes, but do it badly, or how practice or coaching could help one to play better.

Each of these pictures of action carries with it further features. Picturing action as choice tends to involve thinking of the agents making the choices as similar to one another in their basic motivational structure and also basically fixed. That is, even if we accept that different people faced with the same choice sets will choose differently, this picture will push us to explain that difference not through differences in each agent’s mechanism of choice, but through other differences. We ascribe to each agent the same function or algorithm for making choices and then explain differences in choices made by pointing to the differences in the inputs to those functions: different preferences or desires or ideologies. For example, imagine that when faced with a menu featuring pizza and fish, you choose the fish and I choose the pizza. We explain this discrepancy by saying that we have the same choice function (we choose to maximize the satisfaction of our preferences) but different preferences: you prefer fish and I prefer pizza. We do not, for instance, say that you are choosing alphabetically and I am choosing in order to practice pronouncing Americanized Italian words, or that we both prefer the fish, but I am less adept at choosing in accord with my preferences or translating my interior choices with the act of ordering. One implication of this feature of the picture of action as choice is that those looking to change what people do will look to change the choice sets they face or the values attached to those choices, rather than changing the agents themselves.

In contrast, thinking of action as the exercise of skill focuses our attention on what agents do rather than merely the choices they face. We can’t improve the quality of violin playing of a
group of people by changing the choice sets they face, by, for instance, incentivizing good violin playing or even practice time. In the absence of some mechanism to develop and improve a skill, one can’t just choose to exercise it at a higher level. More generally, thinking of action as the exercise of skill directs our attention to individual agents and opens the possibility that we could change actions by changing agents, by for instance, teaching them.

Second, picturing action as choice involves thinking of action as something that takes place in an instant. Whatever extended reflection may precede a choice, and whatever extended plan may be necessary to carry out that choice, the essential piece of the action—the choice—is an affair of the moment. Of course, we can pay attention not just to single choices but to series of choices, and doing so will allow for various meta-choices to be the objects of study. Doing this provides a way to think not only about how agents choose in one-off cases, but how they choose strategies (which involve a series of choices or even of conditional choices and choice trees). And it may turn out that we can affect individual choices by changing the environment in which whole strategies are chosen. Nevertheless, picturing action as choice will lead us to think about actions that are essentially momentary, even if repeated.

Exercises of skill, on the other hand, take place over extended periods of time and at least make it possible to think about actions that are on-going rather than episodic. Playing a particular piece on the violin does not happen in a moment and while playing a piece on the violin will be a temporally bounded episode, playing the violin may not be. (Think, for instance of the way I can say, “I have been playing the violin for thirty years.”) If I pick up my violin to play it, rather than to perform a piece, whether in order to practice or just fiddle around, nothing internal to the action of playing the violin dictates when I am done. Once we begin to think about actions as either temporally extended or ongoing, it turns out that we need to pay attention
to features of how we engage in those activities that are less salient on a view of action as punctual or episodic. In particular, we need to pay attention to whether our engagement in those activities is sustainable (Laden forthcoming).

Third, on the picture of action as choice, action becomes something the essentials of which happen in the heads of individuals. Making a choice is basically an intellectual act, whatever physical efforts might be required to implement it. It is also something each of us does on our own. Though groups can make choices, they do so by in some way or other aggregating the choices of individuals or delegating the group’s choice to some individual’s choice. This is not true of the exercise of skill. While the skill of violin-playing is something I exercise alone, it is embedded in a number of social relations tied to teaching, learning and working within a community of practice (Small 2014). Moreover, some skills are properly the skills of a group rather than of the individuals who make it up. For instance, a board or legislative body or academic department might be good at making collective decisions, and this is not merely a matter of it having a set of wise members, or good choice-aggregating procedures, but something about the quality of their deliberations. Many of the individuals in such an organization will have to have and deploy a set of deliberative skills for this to be true, but they are importantly different skills than those required for good individual decision-making. And in an important sense, we can only make sense of these skills of teamwork by understanding them as contributions to the collective skill and not the other way around.

Finally, if we picture action as essentially choice, then we are led to see everything about the action not captured by the choice as accidental, merely a surface feature. For instance, consider the act of voting on this picture: voting is essentially a choice among a list of candidates or proposals or options. We can embed a particular vote within a series of votes and thus account
for strategic voting, and we can see a vote as one amongst a set of means for pursuing some further policy objective, so that we can also think about the relation of particular votes to other actions taken to advance a given goal, and thus examine the choice among different means to a given goal. But beyond such expansions of our sense of what choices a voter faces, the rest of the mechanics of voting will look to be merely surface features. So, whether a voter votes by raising her right hand or her left, by pulling a lever or punching out a chad, with a smile on her face or a scowl, with enthusiasm or a visible show of reluctance, or after extensive open discussion and deliberation with those who disagree with her or in an attempt to settle the matter before debate breaks out will count as nothing more than the style or mechanism with which she enacts her choice. None of it will appear to matter to describing and classifying the action she takes unless it can be broken out as one of the things among which she was choosing.

When, however, we picture actions as the exercise of skills, a different set of dimensions opens up for describing and classifying the action. In particular, exercises of skill involve not only the deployment of various complex techniques, but what we might call the conception of the action being done under which the agent acts. Skills are not the automatic performance of sub-routines: exercising a skill generally involves a kind of reflective and reflexive understanding of what one is doing, which is to say, one exercises a given skill under a description of what one is doing. Practicing is different than performing. Teaching someone how to play chess by playing with them is different than playing against them in a tournament or for fun. Debating with someone to win the argument is different from debating with them to figure something out. Playing pool to win is different from playing pool to win money. And while we can distinguish the members of each pair above by pointing to their different goals, doing so will miss important features that differentiate them.
On this picture, then, two actions might be distinguished by the different descriptions under which they are done, even if they are not easily distinguishable in terms of the choices made in enacting them or their results or consequences. Practicing a piece I know well may produce the same set of movements and sounds as performing it, but we distinguish them as different actions, not in terms of whether I do it alone or in front of an audience, but in my understanding of what it is I am doing. Moreover, having a skill involves not only the capacity to exercise it on call but often the further skill of knowing when it is called for. The violinist who can execute a particular technique or play a line with a certain kind of feeling but who doesn’t know when in a piece that technique is called for is a less skilled violin-player than the one who also knows this. The importance of these points for our purposes is that this gives us another dimension on which to characterize actions beyond their consequences, means and physical manifestations without relegating these features of actions to being merely surface features.

Though it is easiest to see the difference between these two pictures of action by thinking about very different types of action (voting vs violin playing) the contrast is not between classes of action but how we conceive of action. We can try to break down violin playing into a series of choices, and we can conceive of voting as part of exercising a skill of engaging in politics or making judgments about political matters. Moreover, there may be all sorts of good reasons to prefer one picture to the other for certain purposes. That is, I don’t want to claim that one is the correct way of thinking about action, a description of what action really is. Rather, each is a lens through which we think about action, and each illuminates certain features and obscures others. Which lens we use will depend on what we are trying to see, and the important point will be to be mindful as well of what each obscures. There is no shame in trying to understand only one
thing well. The problem comes when one loses sight of the potential importance of the things you don’t have in view.

The picture of action as choice has a great advantage for doing quantitative empirical work in the social sciences. It allows us to characterize large numbers of actions undertaken by large numbers of people in ways that then make it possible to subject them to formal models and other techniques to reveal otherwise obscure patterns. Moreover, if we are interested in thinking about how to effect the behavior of large numbers of people, thinking about their actions this way points to a set of policy levers that are easier to activate at scale. If we want to study the effects of institutions, laws, and other social forms on the actions of individuals, it will be easier to see and measure this effect if we picture those actions as choices.

On the other hand, this approach to action, as we have seen, can obscure the possible routes to change that focus on changing individuals, and not merely their choice environments, whether this involves education or other ways of calling forth different actions. It also makes it harder to see the value of certain kinds of action, such as action that contributes to sustaining an ongoing activity. It may also reduce activity that is the exercise of skill to something less skill-dependent, and thus lose track of the features of that action that require training, practice and the development of that skill.

**Seeing action as choice obscures civility as responsiveness**

There are clear affinities between the concept of civility as politeness and the picture of action as choice on the one hand, and the concept of civility as responsiveness and the picture of action as the exercise of skill on the other. The picture of action as choice has a clear place for surface features of action, and thus civility as politeness, whereas it seems that responsiveness
will be well characterized as a skill. That might help to explain why empirical social scientists seem to favor the concept of civility as politeness while political philosophers and theorists interested in citizenship and civic virtue are drawn to a concept of civility as responsiveness.

As we have seen, civility as responsiveness is not manifested in a set of outcomes or particular goals, but in a way of interacting with others that goes beyond the mere surface features of what we do. This makes it hard to fit into the parameters of a picture of action as choice. It is not well captured as itself a choice of outcome or even a different choice function. The best hope for seeing this kind of civility within a picture of action as choice is as a distinct kind of strategy. On this interpretation, what would distinguish the civil and uncivil course of action would be the path they chart. Can we bring civility as responsiveness fully into view this way?

To do so, we would need to characterize the end or outcome pursued by the strategy of civility and what distinguishes this strategy from ones that are uncivil. Since civility seems to be called for most clearly when we face disagreements, it seems reasonable to think of civility and incivility as rival strategies for achieving our ends in such situations. In the world of politics, we can then think of this in terms of winning arguments. The sense of winning here is not the philosopher’s sense of finding arguments most likely to reveal the truth, but the politician’s sense of attracting more adherents or getting one’s opponents to concede the debate. Since winning an argument is not a matter of having the best arguments, we can ask what strategies of argumentation are effective and what, if any, their collateral costs would be.\(^3\)

Here, it appears that there is room for both civility as politeness and civility as responsiveness to play a role. Ultimately, however, I think that it is hard to fully see the contours of civility as responsiveness from this vantage point, and it is helpful to see why not. First,
notice that there are two ways we might understand winning political arguments in the sense at issue. Winning an argument might involve attracting more people to one’s side: this is the main way that arguments function in campaigns. But winning an argument might involve moving a final decision about an issue closer to one’s own position: this is the main way that arguments function in legislative debates. Each of these seems to make a different form of incivility a tempting strategy to adopt. In the course of a campaign, one way to attract people to my side is to get them to abandon that of my opponent, and I can do that by belittling or showing contempt for her positions or her person. So, here, it looks like rudeness might be an effective strategy for winning arguments. Whether or not it is in fact effective is going to be an empirical matter. My point here is that the sense of civility that is going to be at issue if we want to think about the temptations of that strategy is civility as politeness.

In the case of the legislative argument, though rude contempt might do some work, it looks like it is going to be a lot less effective in moving the final decision point than a different kind of uncivil strategy: being stubborn and obstinate. That is, to the extent that legislative debates boil down to bargaining sessions and thus a kind of elaborate tug-of-war between competing positions, it can turn out to be an effective strategy to be less accommodating to one’s opponent’s views, to dig in one’s heels and not listen to the appeal of the other side or take them seriously. One can do all of this, and probably do it more effectively, without resorting to insult and invective. Thus, it appears as if the sort of incivility that comes into view as a tempting strategy in legislative argument is tied to civility as responsiveness. This seems to suggest that the two concepts of civility can find a place within a picture of action as choice.

Where, I think that thought goes wrong, however, is in how it winds up characterizing civility as responsiveness. The contrast to digging in one’s heels in negotiation is to be
accommodating, to be willing to compromise in the sense of moving to some middle ground. There are two basic forms this strategy takes. In the first, it is still a strategy for winning arguments in the sense at issue here: winding up with decisions that are closer to one’s initial position than would otherwise be possible. One might argue that compromising in this way, rather than always holding out for the best deal in negotiations is a long-term maximizing strategy: it is what game theorists call a strategy of constrained maximization (Kingwell 2011, Gauthier 1986). Alternatively, one might claim that those who adopt this strategy turn out to have a different end altogether: they are not trying to win arguments, but reach agreements. On this view, we might characterize the difference between those drawn to civility and those drawn to incivility in terms of their different aims: the uncivil are trying to win arguments, the civil are trying to reach agreements. No matter which option we take, however, I think we end up mischaracterizing important aspects of civility as responsiveness as described at the beginning of the paper. The responsive citizen is neither putting on a kind of show for the sake of the long-term maximization of her particular interests, nor valuing agreement over her own positions to the point of being willing to bear all sorts of costs to reach agreement. Her end is neither winning arguments nor reaching agreements, and so neither of these accounts of the strategy of civility will capture what is distinctive about civility as responsiveness. A responsive citizen has as her end to continue to engage in a certain kind of shared activity. Since her end is not what the activity leads to or produces but the engagement in the activity itself, it is hard to see clearly what she is trying to do if we are characterizing actions as choices or the mechanical carrying out of strategies that bring about or carry out those choices. That is to say, being responsive involves understanding the activity of politics differently than it is understood in these models. We might say that those models picture politics as a matter of bargaining or negotiation, whereas the
responsive citizen sees it as a matter of ongoing deliberation or conversation (for the contrast, see Laden 2007, and more generally, Laden 2012). And this points us, finally, away from the picture of action as choice towards that of action as the exercise of skill.

**Civility as a cooperative skill**

Whereas the picture of action as choice tends to obscure civility as responsiveness from view, the picture of action as the exercise of skill illuminates some of its features in helpful ways. In part, this picture leads us to ask what sorts of skills do we exercise in being civil, and what is the action we thus engage in?5 Seeing this terrain clearly will help to answer my initial question about what is lost when civility breaks down. Among the skills that comprise civility are those necessary to fully engage in certain kinds of cooperative activity. It is precisely because the picture of action as the exercise of skill provides a way of grasping the nature of truly cooperative activities that it can also help us to see clearly the concept of civility as responsiveness and both its potential value and its distinctness from civility as politeness.

Recall that Rawls describes civility as one of the “cooperative virtues of political life” (Rawls 2001, 117). The implication here is that political life, and in particular, democratic life, is a cooperative activity, and one that admits of being done better or worse (and thus of excellences—virtues). That is to say, living as a democratic citizen is an ongoing cooperative activity that requires the exercise of certain skills. Let me try to unpack that thought a bit. Cooperative activity is activity we do together, rather than merely activity where we interact or each pull causal levers on a common field. In an ideal democratic society, the cooperative activity of citizens comprises four distinct levels: citizens (1) share a commitment to the (2) shared activity of finding (3) shared rules to govern (4) their living together. They do this by
exercising the skills necessary to both living together and to working out, together, the rules and
principles that govern that living together. We can see how each of these levels shapes the
activity of democratic life by examining the difference, at each level, between something that is
truly shared and a set of individual activities that are merely intertwined.

Start, then, from the idea of living together, and contrast it with living side-by-side. Living
side-by-side involves coordinating our otherwise individual and independent activities. It can
thus involve an awareness of what others are doing and a commitment to adjust what I do in light
of what others are doing or I expect them to do. What is lacking in merely living side-by-side is
a more robust form of sharing, where not only is each of our actions coordinated, but there is
something that we do that is not reducible to what each of us does. This happens when our
actions are governed by a shared set of norms or rules or goals that not only coordinates what we
each do but makes our action mutually intelligible to us as our action. The easiest way to grasp
the contrast is to distinguish what happens when each of these projects fails. As I have
elsewhere put the point:

If and when we fail to live side-by-side, we bump into one another, and do harm and
find it more difficult to each pursue our individual goals. At some point, life becomes
nasty, brutish and short. …When we fail to live together, we find ourselves alone,
unable to reach out to others around us, to make ourselves intelligible to them, to
interact with them as fellow subjects. The isolation that failure to reason together
creates is not a matter of a failure of coordination. It is the sense that no one
understands what you say or do, or who you are (Laden 2012, 22).

That we describe a shared political life as living together rather than side-by-side need not mean
that we are thinking of political society as a community, as having a set of thick shared values or
common goals. But it does mean that even where our political lives involve giving one another space to be left alone, and where we do not share any set of final substantive ends, we agree together to give each other that space and pursue our individual projects. In order to imagine politics as the project of living together, we already have to imagine citizens as more robustly and irreducibly social than is easy to do if we picture actions as choices. We need to think of ourselves as creatures who can be and wish to be intelligible to one another, who can adopt shared projects and shared ends.

Moving out one step, we get to the idea that democratic citizens not only live together, but do so according to shared rules or principles. That is to say that the basic rules and principles that govern our living together are not imposed on us by an external force or by nature. Sharing governing principles suggests that those principles are ours, not only because they govern us, but because we are their authors: among the activities we engage in together are those of both collective self-government and collective self-constitution. Moreover, the rules that we adopt at least aim to be not merely the results of hard-fought bargains, but genuinely ours. This does not mean that in actual cases we can never resort to such means as majority voting to decide which rules to adopt. But it does require that in doing so, we have already reached a position where whichever side finds itself in the minority can accept the eventual results not only as procedurally legitimate, but also substantively so. And that suggests the third level: Politics is, then, a further cooperative activity we engage in.

Seeing democratic politics as a cooperative activity, something we do together, is to contrast it with seeing it as a strategic one: an activity each of us engages in as a means to some individual end. Seeing politics as strategic is to see one’s fellow citizens as making up the perhaps dynamic environment one has to navigate on the way to one’s goals. This is the view of
politics that emerges in the previous section. Seeing politics as a cooperative activity, in contrast, involves seeing one’s fellow citizens as partners in something we are doing together. Note that in this case, what is as important as the policies that emerge from this activity is the nature of the activity itself: it is something we are genuinely doing together and not just a means of confrontation. Recall here that one aspect of action that emerges when we picture action as the exercise of skill is the importance of the description under which we act. It is this aspect that comes to the fore here.

Though this cooperative activity has a point, it is not so clearly directed at a final goal: it is not a means of winning arguments or even finding consensus. It is thus an on-going task: it is not something we engage in and then are finished with. This aspect of the activity is also obscured if we think of politics as a series, possibly infinite, of discrete strategic activities, each with their own end. Note that if we think of democratic politics as an ongoing, cooperative activity, it turns out that the adoption of both the civil and uncivil strategies we examined in the previous section fail in similar ways. Insofar as politicians and citizens adopt the goal of winning arguments, they engage in politics as a strategic rather than a cooperative activity whether they behave politely or not. Shifting to a conception of politics as a cooperative activity, then, requires not more civility as politeness, but a fundamental shift in how we understand the activity of politics itself: from winning arguments to working out with others the rules we are to live by.

The activities of working things out with others, and of living together, however, are much more like playing the violin than choosing a candidate or policy platform. That is to say, they involve the exercise of various skills. We can thus see civility as responsiveness as among the skills we must exercise to engage in these activities well.
Recall that civility as responsiveness casts civility as involving an openness to being moved by what others say, which involves both a willingness to listen and take seriously what others say, even if it at first seems unfamiliar or inscrutable or obviously wrong, and a fair-mindedness in being willing to accommodate their positions. Part of what supports and grounds those attitudes and the activities that express them is a commitment not to individually adopt or pursue ends that are not allowed or supported by the results of our joint deliberations. In that case, I will have reason to reject a “compromise” that is overly one-sided, even if it is in my favor. Think here, for instance, of the person who holds that her tax rate should be lower and who argues for her position in the political arena, but who would not consider withholding her taxes as determined by a fair democratic practice, and not only because she is afraid of the legal consequences. Or consider the person who sacrifices her moral right to retaliate for various wrongs in order to secure the civil peace. In these cases, their commitment to something like democratic deliberation and legitimacy is given precedence over their more particular ends. That is, their fundamental commitment to engaging in a certain cooperative activity in a certain way, rather than to achieving some outcome to which the activity is a means.

As with the person who sacrifices some individual benefit to maintain the civil peace, the civilly responsive citizen sacrifices certain kinds of political advantage in the name of sustaining the possibility of a certain kind of deliberative environment, a certain picture of democratic living together. Civility as responsiveness is a shared commitment to privilege the results of fair deliberation, and to honor the basic rules of such deliberation. It will involve, for instance, not taking all legal means to winning an argument or a political fight, but sometimes sacrificing one’s advantage in the interest of fairness. It is, as Rawls say, a cooperative virtue of political life.
Whither politeness?

Although the outward forms of politeness may not be essential to the civil skill of responsiveness, the value of politeness is not so much obscured as transformed by this perspective. Here it helps to distinguish two features of politeness: the outer behavior and the attitude that it is meant to express. Insofar as we think of politeness in terms of the attitude of respect that it is meant to express, it is not difficult to see why polite behavior will be an outgrowth of engaging in responsive politics. What I want to suggest here, however, is that the outward behavior itself also plays an important role in civility as responsiveness, though not precisely the one it plays if we think of it as the essential feature of civility. To understand this transformation, we can return briefly to our violin player and think about the differences between practicing and performing. Among the outward differences between practicing and performing might be the clothes one wears and whether or not one bows before or after playing. Neither of these features are essential to the difference between performing and practicing: one can perform in sweatpants and one can bow before and after practicing a piece. And yet, wearing proper attire and bowing seem to play some role in marking a particular piece of violin-playing as a performance. Let me suggest that we think of these outward displays as rituals, which, like many rituals, are meant to signal to others what one is doing. It isn’t only that walking onstage in tails or a long dress and bowing before an audience is a conventional way of saying, “Hey, out there, I am about to perform some music.” It also expresses something about the activity: that it involves a certain compact between performer and audience, that it has a certain kind of formality or solemnity, that each has a role to play and the performer is playing hers. One advantage of having such a socially recognized ritual is that it can be called on in unconventional
moments: a performer can call forth an audience from a crowd of passers-by at a subway station through such gestures and their reciprocation. But one can’t just turn a piece of playing into a performance by enacting its associated rituals.

Similarly, the norms of politeness might be thought of as rituals that establish certain relations of mutual respect and signal our engagement in an activity that should be governed by them. Of course, if we mistake the rituals for the activity itself, we will only be playing at respect, being merely polite, and will thus fail to engage well in the skill of civility as responsiveness even if we manage to follow the rules of civility as politeness. But in other cases, and especially when we aren’t engaged in the normal modes of political conversation and debate, enacting various rituals of politeness can signal to our fellow citizens what we are, in fact, up to, and how it involves relating to them on an equal and respectful footing. It is interesting to note in this regard the emphasis that figures like Gandhi and Martin Luther King, Jr. placed on certain norms of politeness in the course of non-violent forms of direct action. Gandhi, for instance, took it to be an essential step in non-violent action that one inform the authorities ahead of time (Gregg forthcoming, orig. 1934, 1944, 1959, see also King 1963). He famously called off various campaigns against British rule in India when the timing was inconvenient for the British, and always wrote to the Viceroy and other British officials as “Dear Friend” (see, e.g. Gandhi 1930). Note that these are precisely moments and activities that, while they are meant to be actions of democratic politics, are easily mistaken for something else: insurrection, mob rule, or the outbreak of violence. In these moments, beyond being the outgrowth of an attitude of respect for one’s adversaries, obeying the dictates of civility as politeness serves to announce to others that one’s actions are political and to call forth in one’s fellow citizens a civic, and civil,
response. It may also serve, as it no doubt did for Gandhi and King and their followers, to help them establish a truly responsive frame of mind.\textsuperscript{7}

**Conclusion: some further lessons**

The argument so far has been primarily an exercise in mapping, in showing how these two concepts of civility differ from one another, and how they are easier to see and appreciate within very different pictures of action and thus democratic politics. One consequence of seeing these connections is that they can help us to more fully appreciate the difference between the two concepts of civility and to begin to see more clearly the one that our other theoretical commitments and habits might obscure from view. That, I take it, can only have helpful consequences for studying the forms of civility and incivility in our society and the various causal levers that might curb incivility or foster civility. But there is another kind of lesson we can draw from this mapping, and in particular, its portrayal of civility as responsiveness as a paradigmatic democratic skill, and this will return us to my initial question: what happens when civility breaks down?

Civility as politeness can make our social interactions more pleasant and less stressful and this can oil the gears of social interaction in all sorts of ways. To the extent that this form of civility also keeps us off a slippery slope of bad behavior, preserving civil discourse in this sense may help to keep our more violent tendencies in check, and may make it easier for people to show concern for others who might be harmed or hampered by their favored policies. While these are all important effects, they are all, in a sense, incidental to the well-functioning of a democracy. For one thing, the links between these forms of incivility and various social harms are suppositions about causal effects and it may turn out that the links are not as strong as
suggested here. Maybe the seeming increase in rude language is not a sign of breakdowns of social norms against genuine respect, but merely the passing away of outmoded styles. Some may have thought civilization was crashing down when the upper classes stopped dressing in white tie for dinner or stopped knowing the proper use of six different types of forks. Very few of us would look back at their concerns and think they were correct. Perhaps an increase in rude language in casual interactions is like the passing of the fish fork, a sign of the democratization of manners. Perhaps an insistence on politeness is a way for certain dominant groups not to take seriously the substance of the demands of those who challenge them (by ruling them out based only on the manner in which those challenges are articulated). And perhaps, as with the fish fork, concern over the passing of certain norms of comportment and politeness is a distraction from the deeper crises our democracies face: the influence of concentrated wealth, the alienation of large segments of the population, the increasing divide between the lives of financial and cultural elites and the rest of us. All of these may contribute to the sense that an insistence on the importance of civility is at best a sort of prissy concern with appearances and at worst a veiled attempt to reinforce the position of various dominant groups.

Moreover, from within the perspectives offered by the picture of action as choice, democratic politics and democratic life do not appear as ongoing activities, but a series of discrete actions and choices within a possibly evolving institutional, legal and social framework. Since we are not then conceiving of our activity as ongoing, we are less likely to be attentive to what is needed to sustain it. It can appear as if institutions, laws, and even social norms are just more or less fixed backgrounds against which we act, and this means we can lose sight of the efforts and sacrifices necessary to keep them working. Winning this legislative battle, passing this law,
winning that election are all that matters, and as long as our means are effective, there is nothing
more to be said about them unless we have an idiosyncratic concern with style and manners.

Things, however, look different if we adopt the picture of agency and action as the exercise
of skill that brings into view the concept of civility as responsiveness. Within this picture of
action and the picture of democratic living together it allows us to describe, civility plays a more
vital and fundamental role: it is among the central skills we exercise in the ongoing shared
activity of democratic politics and democratic life. Its loss is not incidentally related to the
breakdown of that activity: it is the breakdown of that activity. Breakdowns of civility as
responsiveness, then, are to the possibility of genuinely democratic politics, what failure to
properly draw a bow across the strings is to genuine violin playing.

Note, then, three implications of this shift in view. First, the connection here between loss of
civility and loss of democracy is not incidental or causal: it is conceptual. That does not mean
that it is necessarily correct: I may be importantly mischaracterizing any or all of the concepts
involved. But it does mean that to the extent these descriptions are correct, and to the extent we
value the concept of democracy as the shared activity of working out the shared terms of living
together, the breakdown of civility just is the breakdown of democracy.

Second, it opens up a different set of possible responses. The picture of action as choice
draws our attention to institutional fixes to changing behavior. If we think of agents as basically
reacting in predictable ways to given choice environments, then the obvious place to intervene to
change behavior is to change the choice environment those agents face. Much of the work on
problems of partisanship, polarization and gridlock that takes up this picture of action also takes
up an institutionalist outlook: it aims to alter what it takes to be destructive patterns of action by
changing the incentives agents face or the pathways of action available to them. Norms of
civility then enter the picture as a form of sanction: if we reinforce social norms governing civility, this will create penalties for acting uncivilly, and that will change the calculations agents make (see, e.g. Mann and Ornstein 2012, 180-1). What is left out of such reform agendas are the various actions we might take to convince each other to act differently, whether through education, exhortation or acting in ways that call forth different responses.

These other avenues come more fully into view if we take up the picture of action as the exercise of skill and ask why citizens engaged in the shared activity of democratic politics might fail to deploy the skills that it calls for. Here we might think of three kinds of reasons we fail to deploy a necessary skill. First, we might lack the skill. If I do not know how to play the violin, then no amount of incentivizing will, at least in the short run, and without a means of learning this skill, get me to play the violin, let alone to play it well. If increases in incivility are the result of a lack of skill, then this suggests that we need to increase and improve the avenues for civic education that train us in the skills of responsiveness.

A second reason not to deploy a skill is that I do not see that it is called for here and now. I might be able to play the violin perfectly well, but I will only elect to play it when the time is right. I don’t need to exercise my skills of violin playing while cooking dinner or talking with friends. Similarly, I may be perfectly capable of engaging in fully responsive interaction, but not see politics as the place for it. I might view politics as war by other means, or as an activity of confrontations among opposing ideologies or parties. Bringing people to see the need for responsive civility in the moments when it is called for is also not a matter of changing incentive structures or pathways of action: it is an exercise in re-conceptualizing what we are doing. If this is the root of rising incivility, then what we need is something more like political philosophy: not
so much the academic discipline, but a general public attentiveness to how we understand what we are doing together when we engage in democratic politics.

Finally, I may have the skills and know that this is a time that calls for them, and yet refuse to employ them: perhaps they are difficult or costly, or will prevent me from pursuing some other ends I have. This choice to privilege one’s private aims and interests over those demanded by our collective activity is what civic republican thinkers going back to Machiavelli have called “corruption.” Think of it as the civic vice that is the opposite of the civic virtue of civility as responsiveness. If an excess of civic vice is the root of an increase in incivility and unresponsiveness in our society, then we may need to call on the various methods for controlling vice developed throughout the centuries: sanctions, education, exhortation, and arguments about the benefits of virtue and the costs of vice. In closing, let me point to the final one on this list. This involves showing what is lost when we choose unresponsive incivility over responsive civility, and how this loss is fundamentally different from the losses we bear when mere politeness declines.

From the vantage-point of the concept of civility as responsiveness, democratic politics is an ongoing activity, and like all activity, involves the exercise of skill. Among the work we must do to sustain that activity as something we do together is the constant employment, but also fostering, development and reproduction, of the skills of civility as responsiveness. As with all sustaining activities, engaging in politics civilly carries costs: in lost arguments, sacrifice of ends realized and advantages gained and even of what appears to one to be genuinely better policy. If we fail to appreciate how such activities nevertheless sustain something of value, we will become less and less willing to sustain those costs. But as I hope to have shown, what we would lose in a world of unresponsive politics, what we are arguably losing now, is not merely the
smooth and comfortable surfaces of our political and social lives, but their genuinely democratic character.  

8
Bibliography


King Jr., Martin Luther. 1963. “Letter from Birmingham Jail”


Endnotes

1 Put this way, the point may seem obvious and trivial, but it is one that many policy debates entirely fail to appreciate. One clear example is the discussion of improving teacher quality in education by such mechanisms as rewarding good teaching, as if teachers are choosing to teach badly because there is not enough in it for them to teach well (see Cohen and Moffitt 2009).

2 A point that is the theme of the film, *The Hustler* and more directly its sequel, *The Color of Money*.

3 Though Kingwell 1995 defends a form of civility as responsiveness, Kingwell 2011 explores this strategy. He argues there that while incivility can be an effective strategy for winning arguments, it will generate collective action problems in the forms of arms races: ever-escalating levels of incivility which ultimately undermine the very point of conducting politics via argument.

4 Constrained maximization is a strategy whereby an agent chooses the best option within a constrained set, where the constraints come from something like moral permissibility. Gauthier 1983 argues, for instance, that though choosing only among options that honor commitments to others you have made may forgo certain benefits in the short run, agents who choose according to this strategy avail themselves of much greater benefits over the long run by opening up various cooperative possibilities.

5 I am using the term “skill” here and throughout in a broad sense, meant to encompass not only narrow technical skills but the less narrowly defined practical abilities that play a role in the arts, politics and the activity of living a human life.
This is roughly the description Danielle Allen provides of blacks in the pre-civil rights era South, whose behavior was brought to widespread public awareness in the aftermath of the so-called Battle of Little Rock (Allen 2004).

I am grateful to Dennis Dalton for pushing me to see the value of politeness even within the conception of civility as responsiveness, as well as its central importance to Gandhi and King. The attempt to account for its value in terms of rituals here, however, is my own.

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