

with teaching citizenship, and they alert us to some of the dangers of teaching citizenship the wrong way, as well as the myriad factors outside the school that are liable to undermine long-term civility.

## NOTES

1. Francis Schrag, "Moral Education in the 'Badlands,'" *Journal of Curriculum Studies* 42 (2010): 149–163.
2. See Adam Swift, *How Not to Be a Hypocrite: School Choice for the Morally Perplexed Parent* (London: Routledge Falmer, 2003), for a fascinating discussion of the moral principles at stake in choosing schools for one's children.
3. Amy Gutmann and Dennis Thompson, *Democracy and Disagreement* (Cambridge, MA: Belknap Press of Harvard University Press, 1996), 57.
4. William Galston, *The Practice of Liberal Pluralism* (Cambridge: Cambridge University Press, 2004), chaps. 2 and 9.
5. James Tooley, *Reclaiming Education* (New York: Continuum Books, 2000), 145.
6. William Galston, *Liberal Purposes: Goods, Virtues, and Diversity in the Liberal State* (Cambridge: Cambridge University Press 1991), 91.
7. She was, in fact, a committed and highly trained and skilled political agitator—one of the problems with this and other emotional books is that they can be deeply misleading—the high school textbook version of the Rosa Parks story gives an entirely false impression about the origins of successful political movements.
8. See <http://curriculum.qcda.gov.uk/key-stages-1-and-2/subjects/citizenship/keystage1/index.aspx>.
9. Ibid.
10. "About Citizenship Education," *Indiana Department of Public Instruction*, at <http://www.doe.state.in.us/charactered/citizenshiped.html>.
11. Ralph Levinson and Anna Douglas et al., "Constraints on Teaching the Social and Ethical Issues Arising from Developments in Biomedical Research: A View across the Curriculum in England and Wales," in *Science and the Citizen for Educators and the Public*, A special issue of *Melbourne Studies in Education*, eds. R. T. Cross and P. J. Fensham (Melbourne, Arena Publications, 2000), 107–120.

## 12 Civility as Democratic Civic Virtue

Robert F. Ladenson

### INTRODUCTION

Contemporary political theorists Amy Gutmann and Dennis Thompson<sup>1</sup> place the concept of democratic deliberation at the moral core of American democracy. The practice of democratic deliberation, under the conception of deliberative democracy developed by Gutmann and Thompson, occupies a conceptual space between two polar opposite processes: bargaining and proselytizing. In the clearest cases, bargaining is a voluntary activity governed by explicit or implicit rules in which self-interested parties seek to gain as much as possible from one another while giving up as little as they can. Negotiation and compromise, accordingly, are intrinsic to bargaining. In contrast, the clearest cases of proselytizing involve neither self-interest nor negotiation and compromise. Proselytizers believe with unshakeable conviction that they know *the* way and thus try fervently to instill their beliefs in others. They seek to convert rather than to negotiate, and given their unshakeable convictions, accept no compromises. The concept of deliberative democracy may be thought of as positioned between bargaining and proselytizing. It shares a significant characteristic with each process, respectively, yet differs in its essential nature from both.

The conception of deliberative democracy sets forth an ideal of democratic deliberation unrealizable in bargaining among parties motivated solely by self-interest, whether individuals, groups, or organizations. Democratic deliberators, in the ideal sense, may seek to advance their self-interest. However, they also bear a responsibility to justify the proposals they advance from the standpoint of the public interest. Such a responsibility applies, under the conception of deliberative democracy, to anyone who engages in democratic deliberation. Accordingly, in contemporary democratic societies, this includes but is not limited to lawmakers, other public officials, candidates for public office, journalists, mass media figures, internet bloggers, business, public interest, religious organizations, or members of the general public when discussing public matters with one another.

Democratic deliberation thus shares an important characteristic in common with bargaining and yet has a different essential nature. For the

reasons developed immediately below, it bears an analogous relationship to proselytizing. Public issues involving conflicts among self-interested individuals, groups, or organizations are one—but not the only—subject at the center of negotiation and compromise in democratic deliberation. The central position also includes another kind of subject matter: public interpretations of important moral values and principles, that is, interpretations receiving public effect about the meaning of principles and values essential to the moral justification of democracy.

Democratic deliberation concerning this second kind of subject matter has the following element in common with proselytizing: commitments of democratic deliberators often run deep, sometimes to the point of willingness to die in their defense. However, the deep commitment of democratic deliberators differs from that of proselytizers in that it co-exists along with the realization that any reasonable person affirms diverse values and principles, among which no value is ultimate and no principle is absolute (except, possibly, as a matter of philosophical or theological theory, rather than as a practical guide for decision).

Democratic deliberators, from the standpoint of the conception of deliberative democracy, thus understand that new factual information or arguments one had not considered previously can change a person's mind concerning *which* deeply held values or principles has priority. Unlike proselytizers, democratic deliberators regard the depth and intensity of their commitments to the values and principles they affirm as entailing a responsibility to consider carefully the opinions of those with whom they disagree on public issues. Only by doing so, they realize, is it possible to achieve understanding of how their own affirmed values and principles apply with respect to the issues.

To summarize the key points of the discussion thus far, under the conception of deliberative democracy, a democratic deliberator (ideally) exemplifies a distinctive attitude toward discourse on public matters, which consists of the following four elements:

1. Commitment to values and principles that define and shape one's conception of the moral bases of democratic government, including, but not limited to, the following rights, which John Rawls terms the "system of basic liberty": "political liberty . . . , freedom of speech and assembly, liberty of conscience, freedom of thought, freedom of the person, along with the right to hold personal property, and freedom from arbitrary arrest and seizure, as defined by the rule of law."<sup>2</sup>
2. Awareness that reasonable persons have commitments to a number of different values and principles.
3. Realization that, for practical purposes, no value is ultimate and no principle is absolute.
4. Willingness, therefore, to consider carefully the viewpoints of other deliberators, with whom she disagrees.

According to the conception of deliberative democracy, when a democratic body politic exemplifies the previous attitude (which I refer to henceforth as "the attitude intrinsic to democratic deliberation"), a democratic government flourishes in the sense of tending to realize values and principles at its moral core.

This idea corresponds closely to the conception of what Ronald Dworkin terms a "community of principle."<sup>3</sup> Under this conception, according to Dworkin:

members of a genuine political community . . . accept that they are governed by common principles, not just by rules hammered out in a [mere] political compromise. Politics . . . for such people [in large part] is a theater of debate about which principles the community should adopt as a system, which view it should take of justice, fairness, and due process. Members of a society of principle accept that their political rights and duties are not exhausted by particular decisions their political institutions have reached, but accept, more generally, the scheme of principles those decisions presuppose and endorse. So such a member accepts that others have rights and that he has duties following from that scheme, even though they have never been formally identified or declared.<sup>4</sup>

The four elements of the attitude intrinsic to democratic deliberation are implicit as ideals of deliberation on public matters in Dworkin's characterization of a community of principle. Debate on and discussion of public matters within such a community concerns, in large part, interpretive issues with respect to values and principles at the moral core of democratic government. However, such values and principles (e.g., justice, fairness and due process) are diverse, and none is either ultimate or absolute. For this reason, members of a community of principle may often disagree over matters calling for public decision or judgment. But to the extent that debate on and discussion of such issues proceeds in good faith, opposing sides must be willing to consider carefully each other's viewpoints.

The following points are critical to recognize about debate and discussion in any community of principle, even one in which the participants approximate ideal democratic deliberators. First, opposing sides do not always reach convergence of judgment. The likelihood of arriving at anything close to it in regard to controversial, complex, difficult to resolve, and highly viewpoint-dependent issues is remote. Second, however, debate and discussion exemplifying the attitude intrinsic to democratic deliberation and grounded in mutually reasonable, responsible, and principled accommodation can increase the possibility of compromise on difficult public issues. Through such debate and discussion, opposing sides apprehend each other's position more fully, clearly, and deeply (e.g., key arguments the other side presents and fundamental concerns motivating the arguments). As a

corollary, each side tends to develop a fuller, clearer, and deeper understanding of its own position—of both its weakest and strongest arguments and the core moral commitments implicit in the strongest arguments.

Debate on and discussion of public matters within a society whose members exemplify the attitude intrinsic to democratic deliberation thus does not—and is not intended to—inexorably lead to a convergence of judgment. It increases, however, the likelihood of compromise on difficult public matters that both sides can justify in terms of their respective views of the facts and important moral commitments concerning interpretation of values and principles central to democratic government.

Most people, I believe, would concur that *to some extent* the deliberative conception of democracy is realized currently in the United States. But few, I am certain, regard American discourse on public matters at this time to approximate closely a democratic community of principle in its ideal form. Some, in their gloomier moments, think that over the past several decades, American democracy has begun to approach the near-total absence of civic union, described by Aristotle as a condition in which “the community becomes a mere alliance which differs only in place from alliances in which the members live apart; and law is only a convention, ‘a surety to one another of justice,’ as the Sophist Lycophron says, and has no real power to make the citizens good and just.”<sup>5</sup>

These observations give rise to two important questions, each with philosophical and practical components. First, what traits of character express inherently the essential elements of the attitude intrinsic to democratic deliberation? Second, what kinds of measures could further the development of such traits on a broad basis? The second section addresses the first issue. The third section briefly discusses the second.

## CIVILITY AND DEMOCRATIC CIVIC VIRTUE

One may identify civic virtue generally with traits of character, exemplified in action and discussion concerning public matters, that enable the fundamental institutions and practices of a government to flourish when widespread and deeply imbued in the members of a body politic.<sup>6</sup> Such flourishing for democratic government, according to the analysis presented in the previous section, requires strong exemplification of the attitude intrinsic to democratic deliberation throughout the entire body politic. Under the account set forth in this section, civility, as a civic virtue with respect to democratic government, combines three character traits—tolerance, patience, and self-restraint—under specifically civic interpretations. The account identifies essential aspects of each trait and makes apparent why the attitude intrinsic to democratic deliberation is expressed in its most significant form by civility: that is, exemplification by members of the body politic of all three character traits.

The character trait of *civic tolerance* encompasses the right of freedom of expression as its most important component and has three key aspects summarized under the following categories: *awareness*, *understanding*, and *commitment*. *Awareness* is a precondition for possessing the character trait of civic tolerance in discourse on public matters, and so a member of a democratic body politic must be aware of important facts about the rights of freedom of speech and of the press in a democratic civil society. Here are four examples of such important facts relative to the rights of freedom of speech and of the press in the United States:

1. The constitutional rights of freedom of speech and of the press in the United States have broad scope and strong preemptive force.<sup>7</sup>
2. These rights are grounded in the First Amendment of the U.S. Constitution.
3. The Constitution is the paramount source of legal authority in the United States.
4. The broad scope and strong preemptive force of the constitutional rights of freedom of speech and of the press have been established by decisions of the U.S. Supreme Court.

The preceding examples make it apparent that the important facts concerning the constitutional rights of freedom of speech and of the press, of which a member of the American body politic must be aware as a precondition to possess the character trait of civic tolerance, are extremely basic. This is because a civic virtue, under any plausible analysis, must be expressed in conduct such that any member of the body politic capable of engaging in democratic deliberation could exemplify it under favorable conditions. Accordingly, awareness, as a precondition for possessing tolerance, in the context of American democratic civil society requires neither knowledge of the rulings in specific U.S. Supreme Court decisions nor familiarity with scholarship in constitutional history concerning how the framers of the First Amendment intended for it to be understood. Instead, it concerns only essential basic information of the kind listed previously.

Awareness is not the only prerequisite condition for a member of a democratic body politic to possess the character trait of civic tolerance: she also must possess *understanding* as a prerequisite condition. Such understanding concerns the reasons that justify the broad scope and strong preemptive force of basic constitutional rights. She need not devote vast amounts of time to studying major works of moral, political, and jurisprudential philosophy as a serious, sustained effort to identify and address the issues will suffice. Such effort, however, must engage the issues in an intellectually well-organized, thorough, and reasonable manner that focuses clearly on: (1) the roles of the constitutional rights of freedom of speech and of the press in effective functioning of major institutions and practices of democratic government; (2) the relationship between freedom of expression

and the task of distinguishing between truth and error insofar as human beings can do so; and (3) the relationship between freedom of expression and moral autonomy—that is, the unconditional right and responsibility of moral agents to make their own moral decisions.

In order to possess the character trait of civic tolerance, members of a democratic body politic also must be able to relate the theoretical understanding arrived at through the previously mentioned kinds of effort to specific controversies about free expression. Note that this does not require the construction of a comprehensive theory of application but instead the ability to arrive at plausible conclusions that reflect the diversity of circumstances presented by issues concerning free expression.

Although the ability to exemplify civic tolerance requires both awareness and understanding as prerequisite conditions, *commitment* is the essence of the trait and is characterized by two dimensions: (1) avoidance of actions interfering with a person's exercise of her right to freedom of expression, and (2) willingness and readiness to assist and defend persons whose right to freedom of expression is violated. The kinds of interferences with exercise of the rights to freedom of speech and of the press falling within the jurisdictional scope of constitutional adjudication in the United States involve governmental actors (i.e., public officials). In this regard, many constitutional free expression cases decided by the U.S. Supreme Court fall into familiar categories of interference, such as censorship, prior restraint upon expression, measures imposing burdens or penalties on individuals or groups based on views they espouse, and acts with a chilling effect on kinds of expression protected under the First Amendment. Nongovernmental actors within a body politic, although outside the jurisdictional scope of American constitutional adjudication, may interfere as well in significant ways with exercises of the right to free expression. Consider, for example, mass media "self-censorship," disruption of public meetings by continued shouting when scheduled presenters attempt to speak, and class discussions in colleges and universities conducted in ways tending to create a hostile environment for students with different viewpoints from the majority view in the classroom.

Members of a democratic body politic possessing the virtue of civic tolerance in discourse on public matters—whether governmental or nongovernmental actors—take great care to avoid any of the previously mentioned kinds of conduct. Interferences with the rights of freedom of speech and of the press by governmental actors undermine the foundations of democratic government. Interferences by nongovernmental actors, when widespread, make it impossible for institutions and practices of democratic government to flourish given the indispensability of democratic deliberation to such flourishing.

The willingness to defend others, as noted in the second component of commitment, is also indispensable to flourishing. In *Representative Government*, John Stuart Mill includes among the three conditions essential

to the continuing existence of a democratic government that members of the body politic "should be willing and able to do what is necessary for its preservation."<sup>8</sup> Nothing has greater importance in this regard for democratic government than willingness and readiness to assist and defend persons whose rights to freedom of expression are violated.

Civility, considered as a democratic civic virtue, includes as a component not only tolerance in discourse on public matters but also the character trait of *patience*, understood as well in a special sense pertinent to democratic government. In the civic context, patience has two essential elements: *willingness to listen* and *careful consideration*, each of which corresponds to a different aspect of the fourth element of the attitude intrinsic to democratic deliberation—willingness to consider carefully positions with which one disagrees. As an aspect of patience, willingness to listen involves a good faith effort to become fully aware of the key arguments advanced on behalf of positions with which one disagrees. It also includes the effort to view such positions from the inside—that is, to understand the fundamental concerns motivating arguments advanced, or sentiments expressed, in their favor—and even to appreciate their force to the (limited) extent of recognizing why some reasonable people find them persuasive. Furthermore, willingness to listen to the presentation of viewpoints with which one disagrees must be directed toward objectives consistent with the functional role of democratic deliberation as an enabling condition for the institutions and practices of democratic government to flourish. Among such objectives, two have the greatest importance: (1) discovery of possible areas for principled accommodation and compromise; and (2) enabling candidates (especially in election campaigns) to understand each other's views sufficiently to articulate their own respective positions in ways designed to resonate with the electorate, and to join the key issues the opponent raises in meaningful ways that facilitate democratic deliberation of the electorate.

Careful consideration of a viewpoint on a public issue with which one disagrees consists of applying high reasoning standards with respect to both logical and factual inferences. Apropos logical inference, an especially important aspect of patience in the civic context, involves close attention to logical consistency. John Stuart Mill observed in his *Principles of Political Economy* that typical pronouncements by his contemporaries on specific public controversies about the role of government in society deal "largely in general arguments, far outstretching the special application made of them."<sup>9</sup> The writers or speakers making such pronouncements, Mill went on to lament, "seldom declare or apparently decide in their own minds how far they would carry [their] principle[s]."<sup>10</sup> Clear thinking about controversial matters therefore often calls for hard thought about how one's commitment to a given value or principle applies in the relevant circumstances of the matter in controversy or about whether it applies at all. Part of consistent reasoning in careful consideration involves being willing to adjust one's commitment to values: recognizing that no value is ultimate

and no principle is absolute. As for factual inferences, careful consideration requires both the ability to recognize when factual evidence clearly supports a particular conclusion and respect for fact, in the sense of readiness to exercise the ability mentioned immediately above regardless of the resulting conclusion. Such reasoning ability and sense of respect for fact are immensely valuable to democratic deliberation. When opposing parties on a public issue come to agree on what each party considers all relevant facts they often discover that they no longer have reasonable grounds for disagreement.

The third character trait of the virtue of civility is self-restraint. Newspaper and internet blog commentaries on the subject of incivility all take the absence of verbal self-restraint as their point of departure. Correspondingly, showing self-restraint is an important element of civility, considered as a public virtue. What this means, however, calls for elucidation. In the U.S. Supreme Court case of *New York Times v. Sullivan*, which is seminal for American law of freedom of speech and of the press, Justice Brennan wrote: "We consider this case against the background of a profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide open, and that it may well include vehement, caustic, and sometimes unpleasantly sharp attacks on public officials."<sup>11</sup> How should one interpret the relationship between showing self-restraint and civility as a democratic civic virtue against the background of the prior principle, which Justice Brennan identified as central to the American constitutional conception of freedom of speech and of the press?

A plausible answer to this question, I believe, begins by considering what it means to regard someone an "enemy." For the philosopher Thomas Hobbes, everyone has a moral right, which Hobbes terms "the right of nature," to protect oneself from threats to his or her life, encompassing not only threats to one's survival but also to conditions a person regards as indispensable to a life worth living.<sup>12</sup> Under Hobbes's analysis, viewing someone as an enemy involves belief that he poses a grave and immediate threat to one's life in the above sense. Accordingly, Hobbes regards a person as having a moral right to take drastic kinds of actions—morally impermissible under ordinary circumstances—if one considers such actions necessary to remove the grave and immediate threat that an enemy poses.

In contrast, democratic deliberators do not consider political adversaries, let alone all members of the body politic holding views opposed to their own on public matters, as enemies in Hobbes's sense. They look on them instead as adversaries in the competitive aspects of a practice valued deeply by every participant, and which, above all, each believes indispensable for the authority of democratic government to have moral legitimacy.<sup>13</sup> Democratic deliberation encompasses discourse on public matters, which, in Justice Brennan's words, can be "uninhibited, robust, and wide open, and [which] may well include vehement, caustic, and unpleasantly sharp attacks upon public officials." Democratic deliberators, however, never want to

take the kind of drastic actions against their fellow democratic deliberators that would be morally justifiable against enemies under Hobbes's right of nature for two reasons: (1) so acting would tend to create a climate of fear, provoking similar responses by others, including individuals different from those toward whom one's actions are specifically directed; and (2) such responses would destroy democratic deliberation, which would mean the end of morally legitimate democratic government.

Hateful or contemptuous actions, words, gestures, or facial expressions, in the absence of exculpatory factors, mitigating circumstances, or sincere apology, convey a message that a person regards the individual toward whom such conduct is directed as an enemy. Self-restraint thus includes strenuous effort to avoid hateful or contemptuous conduct with respect to other members of a democratic body politic. In many cases, however, it can be difficult to decide whether conduct crosses the line separating deeply felt, passionate disagreement with a political view from the expression of hatred or contempt toward those who advocate it. One can say, however, that the stronger and more impassioned a person's condemnation of a political viewpoint, the greater the responsibility to support such condemnation with thorough, well-reasoned argument. Furthermore, the virtue of self-restraint in discourse on public matters is exemplified at its highest level by tactful, forthright, and unmistakably clear statement of one's opinion, combined with an understanding of the reasons that underlie opposing views and willingness to listen. Such a combination can lead to reasonable, responsible, and morally principled compromise with political adversaries.

Civility, considered as a public virtue, enables democratic government to flourish when widespread and imbued deeply in members of the body politic. Civility consists of three principal component character traits: tolerance, patience, and self-restraint, as exemplified in discourse on public matters. The character traits of tolerance, patience, and self-restraint constitute ideals in the sense of best possible conduct, as contrasted with conduct beyond the realm of human capability. As with other virtues, both moral and personal, consistent exemplification of the character traits that comprise the democratic civic virtue of civility is not easy.<sup>14</sup> The knowledge and capabilities required as preconditions to exemplify such traits, even though they are not natural human tendencies, can be acquired or developed under favorable conditions by any member of a democratic body politic possessing the basic cognitive abilities necessary to engage in democratic deliberation.

#### EDUCATION FOR CIVILITY AS A DEMOCRATIC CIVIC VIRTUE

The analysis set forth in the preceding two sections establishes two important points. First, civility, understood to incorporate tolerance, patience, and self-restraint in discourse on public matters, is a democratic civic virtue

and incivility is a civic vice. Second, anyone who wants democratic government to flourish should support efforts reasonably calculated to increase civility and to decrease incivility in discourse on public matters among members of a democratic body politic.

Consequently, educational innovations that inculcate civility have immense potential value. In this regard, Ronald Dworkin advocates widespread inclusion in high school curricula of a contemporary politics course that “takes up issues that are among the most contentious political controversies of the day.” Dworkin says, “the dominant pedagogical aim” of such a course “must be to instill some sense of the complexity of these issues, some understanding of positions different from those the students are likely to find at home or among friends, and some idea of what a conscientious and respectful argument over these issues might be like.”<sup>15</sup>

I concur with Dworkin, but I also would insist on adding a point, well stated in the following slightly paraphrased words of Randall Curren about how a high school contemporary politics course should be taught: the method of teaching should “initiate the student into open ended, principled examination” of contemporary political issues that gives students “the space and tools to think through the issues for themselves,” thereby tending to nurture “self determining seriousness about . . . the enterprise of ethical inquiry and deliberation.”<sup>16</sup>

For the past fifteen years, I have been involved in a highly successful educational activity: the Association for Practical and Professional Ethics Intercollegiate Ethics Bowl (APPE IEB).<sup>17</sup> By way of background, in 1995, I organized an academic competition at the Illinois Institute of Technology, where I teach philosophy, which I named the “Intercollegiate Ethics Bowl.” In the first year, there were participating teams from four universities located in or near the Chicago area. Two years later, in 1997, I organized an expanded competition involving fourteen schools held at the annual meeting of the APPE. This competition, now called the APPE IEB, has grown steadily over the years. In the fall of 2010, ten regional ethics bowls took place throughout the United States as part of the APPE IEB, involving 120 colleges and universities and culminating in a competition between the top scoring thirty-two teams at the APPE IEB National Championship Competition.<sup>18</sup> The underlying idea of the APPE IEB is now beginning to take root at the high school level. In 2010–2011, high school ethics bowl competitions were conducted in Tennessee (Knoxville), Florida (St. Petersburg), Maryland (Baltimore), New Jersey (Hoboken), New York (Long Island), and North Carolina (Chapel Hill).<sup>19</sup>

An ethics bowl match encourages players to engage in rational and well-argued conversation about moral dilemmas while trying to come to a resolution that takes account of stakeholders, relevant facts, and moral values. A moderator asks two teams (of three to five students) questions that pose ethical problems on topics ranging widely over areas such as academics (e.g., cheating, plagiarism, or research misconduct), personal

relationships (e.g., dating, marriage, or friendship), professional ethics (e.g., engineering, architecture, medicine, or law), business ethics (e.g., employee rights, product liability, workplace health and safety, or pollution), and political or social topics (e.g., war and peace, free speech, gun control, or health care). The two competing teams are asked different questions in each round, dealing with different kinds of problems. Six weeks prior to the competition, all the participating teams receive a set of cases (each approximately one single-spaced page in length), which comprise the set of possible questions.

After the moderator poses a question, the team gets two minutes to confer and up to ten minutes to present its answer. The opposing team then comments on the answer (one minute of conferral time and up to five minutes for its commentary) with a focus on clarifying issues and posing questions to further the discussion. The presenting team then receives an opportunity to respond to the opposing team’s commentary (one minute of conferral time and up to five minutes for its response). A panel of three judges then poses questions to the presenting team, which are framed to elicit the presenting team’s viewpoint on ethically relevant aspects of the case and/or to seek clarification concerning aspects of the team’s answer to the moderator’s question.

The three judges must evaluate each team with respect to its (1) answer to the moderator’s question, (2) responses to both the opposing team’s commentary and the judges’ questions, and (3) commentary on the opposing team’s answer. Prior to the competition, the judges have been instructed concerning the following evaluation criteria:

1. Clarity: Regardless of whether the judge agrees with a team’s conclusion, did the team give a coherent argument in a clear and succinct manner?
2. Avoidance of irrelevance: Did the team avoid ethically irrelevant issues or was it preoccupied with issues having little or no ethical relevance to the moderator’s question?
3. Thoroughness: Did the team’s presentation identify and discuss thoroughly the central dimensions of the case?
4. Deliberative thoughtfulness: Did the team’s presentation indicate awareness and thoughtful consideration of different viewpoints, especially those that would loom large in the reasoning of individuals who disagree with the team’s position?

The ethics bowl proceeds from the assumption that ethical understanding relative to controversial, complex, difficult to resolve, and highly viewpoint-dependent ethical issues consists mainly of understanding them from the perspectives of other people with significantly different viewpoints from one’s own. This requires understanding the arguments advanced in support of these differing viewpoints and appreciating, at

least to some degree, the concerns motivating the arguments. This kind of understanding depends on successful communication under circumstances where often this is hard to achieve owing to the depth of disagreement and the strength of the feelings involved. The rules, format, and procedures of an ethics bowl competition have as their main purpose to help participants learn how to engage in a candid, intense exchange of viewpoints but in ways exemplifying attributes such as restraint of tone, ability to see things from the viewpoint of others, and the capacity to keep an open mind. In this regard, students report that when discussing the questions before a competition, team members often begin from sharply divergent positions, but differences of opinion often narrow with further discussion and the students succeed in reaching agreement on what their response will be to a given question. Team members learn that one can personally disagree with a response and yet view it as a defensible position that a reasonable person could hold.<sup>20</sup>

## CONCLUSION

As argued in the first section, a body politic with a significant proportion of members who possess the character traits that inherently express the attitude intrinsic to democratic deliberation is indispensable for democratic government to flourish in the sense of exemplifying values and principles at its moral core. For this reason, civic education consisting only of information about the structure and history of American government, even if extensive, still falls far short of adequate preparation for students to exercise their rights and meet their responsibilities as members of the American democratic body politic. Meaningful civic education, illustrated in the example of the ethics bowl, must also include efforts reasonably calculated to develop capabilities central to exemplifying the character traits that comprise civility as a democratic civic virtue: tolerance, patience, and self-restraint in discourse on public matters. The ethics bowl has proven successful in both modeling for students and initiating students into ways of exchanging opinions on controversial, complex, difficult to resolve, and highly viewpoint-dependent public issues that incorporate the character traits of tolerance, patience, and self-restraint.

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nology Department of Humanities who were present for a discussion of an earlier version of the chapter that took place in October 2010.

## NOTES

1. Amy Gutmann and Dennis Thompson, *Democracy and Disagreement* (Cambridge, MA: Harvard University Press, 1996).
2. John Rawls, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1971), 60.
3. Ronald Dworkin, *Law's Empire* (Cambridge, MA: Harvard University Press, 1986), 210.
4. Dworkin, *Law's Empire*, 211.
5. Aristotle, *Politics* III.9 1280b, 5–10.
6. Henceforth, I use the phrase “body politic” often, so here is what I understand it to mean. In this regard, the following threefold distinction is denoted by the three phrases employed respectively in the special senses explained below:  
*Civil Society*: a social order in which morally legitimate governmental authority exists. This means that some person(s) or other has (have) a moral right to govern, and, correlatively, every other member of the civil society has a moral duty to obey. Note that this definition of “civil society,” considered in itself, leaves open a number of crucial issues: (1) Is governmental authority in a civil society necessarily unitary (as Thomas Hobbes contended) or can it be plural? (2) How broad is the scope and how strong is the preemptive force of the moral right to govern and of the correlative duty of obedience? (For the meanings of “scope” and “preemptive force,” see note 7.)  
*Government*: the totality of institutions and practices through which morally legitimate governmental authority is exercised in a civil society.  
*Body Politic*: the totality of persons—both natural (i.e., human beings) and artificial (i.e., formal organizations)—subject to the directives of the person(s) who possess morally legitimate governmental authority. (Note that in virtue of the distinctive structure of the institutions and practices of American democratic government, public officials and mass media organizations both are included among the members of the American body politic.)
7. I use the term “scope” here to refer to the range of diverse kinds of circumstances in which a given right applies. The term “preemptive force” concerns the extent to which an individual’s possession of a given right overrides, from a moral standpoint, other kinds of considerations, which ordinarily would provide adequate moral justification for a government to place limits on individual liberty. The phrase “preemptive force,” as used in the previous sense, was (to my knowledge) introduced by Joseph Raz. See Joseph Raz, *The Morality of Law* (Oxford: Oxford University Press, 1986), 57–69.
8. John Stuart Mill, *Considerations on Representative Government* (Amherst: Prometheus Books, 1991), 82.
9. John Stuart Mill, *Principles of Political Economy*, ed. Jonathan Riley (Oxford: Oxford University Press, 1994), 324.
10. *Ibid.*
11. 376 U.S. 254, 279 (1964).
12. Thomas Hobbes, *De Cive*, in *Man and Citizen*, ed. Bernard Gert (New York: Doubleday & Co., 1972), 115–119.
13. The topic of how best to understand the idea of morally legitimate governmental authority is clearly far too large a subject for an in-depth treatment in this chapter. I have outlined my views in this matter, however. See Robert F.

- Ladenson, "Is the Right of Free Speech Special?", *Social Theory and Practice* 23 (1997): 260–268.
14. Bernard Gert, *Morality* (New York: Oxford University Press, 2005), 281.
  15. Ronald Dworkin, *Is Democracy Possible Here?* (Princeton, NJ: Princeton University Press, 2006), 148–149.
  16. Randall Curren, "Governing Classrooms Well: Pre-Collegiate Ethics and the Ethics of Teaching," [http://squirefoundation.org/documents/curren\\_2010.pdf](http://squirefoundation.org/documents/curren_2010.pdf).
  17. For more detailed information about the APPE IEB (including samples of past cases), please see <http://www.indiana.edu/~appe/ethicsbowl.html>.
  18. *Ibid.*
  19. See [http://squirefoundation.org/ethics\\_bowl.html](http://squirefoundation.org/ethics_bowl.html); <http://www.indiana.edu/~appe/pcethics.html>.
  20. See Robert F. Ladenson, "The Educational Significance of the Ethics Bowl," *Teaching Ethics* 1 (2001): 74–77.

## 13 Authentic Civic Participation Requires Critical Thinking Methods That Work

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### INTRODUCTION

The concept of civility appears to mark off distinctions that lie in the space bounded by etiquette and good manners. This appearance is deceiving, for the root notion, "civil," is a highly complex one that relates citizens to each other. Relations between citizens raise questions about the purpose or the *telos* of such relations. If civility is restricted to nothing more than good table manners, holding the door for someone in a crowded department store, or not raising one's voice in a bus terminal (among many other things), then the nature of the *telos* of civil relations between citizens in a polis is entirely obscured, if not misinterpreted. One could imagine different rules of etiquette that make no difference with respect to civil relations between citizens. Moreover, one could imagine breaches of good manners that make no difference to civil relations between citizens. Of course, such differences and breaches in etiquette will manifest themselves variously in terms of the relations between citizens. But if we restrict relations to those in which only etiquette and good manners are countenanced, then, once again, we have lost sight of the *telos* of civil relations. It is instructive to consult the dictionary<sup>1</sup> for the minimal set of necessary and sufficient conditions for the concept "civility." There we find that civility is defined as courteous behavior or politeness. Courteous behavior is characterized by gracious consideration toward others, and being gracious is to be kind and warm or to be tactful toward others. This does not help much in bringing us outside the arena of etiquette and good manners. However, it is not necessary that proper etiquette or good manners be characterized by gracious consideration toward others (although this characterization holds in modern American society). It follows that the concept of civility does not necessarily take in etiquette and good manners, although when it does, that is nothing more than a historical accident.

Where does that leave us, however? It might be that the only way to provide a substantial thickness to the concept of civility lies in employing the set of relations between citizen and citizen and between citizens and larger societal structures. In this chapter, I draw out those relations by considering