

## **Chapter 13: The Real Morality of Public Discourse: Civility as an Orienting Attitude<sup>1</sup>**

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As the previous chapters in this book show, the United States has experienced many periods of political and cultural conflict before. Yet civility does seem to be in rapid decline today. The culture wars of the 1990s led to the strong group identities fostered by the rise of populist politics in the 2000s and the echo chambers within the radio, print, television, and online media of the 2010s. This development has elicited conditions conducive to incivility and the loss of the careful, considered evaluation of ideas within public life. The 2016 US Presidential election was unlike anything most of us have ever seen. While there are doubtless many social, structural, economic, and political factors leading to such a decline, there are psychological forces as well. These forces include (1) our capacity to engage in careful reasoning, (2) our identity or the self-concept we hold of ourselves, our abilities, and our knowledge, and (3) the attitudes that we take toward our fellow citizens as interlocutors, and the evaluation of belief itself. Each of these psychological capacities and foibles affect the assumptions we make about ourselves, others, and how we should treat them.

Philosophers and psychologists have long known that our reasoning is subject to influence and error. The tension between reason and emotion—first appearing in Plato’s famous division of the human psyche into three parts—is commonly felt.<sup>2</sup> Many times our decisions are irrationally swayed by impulses, overridden by desires, or clouded by emotion. Arguments are often the expression of our anger rather than a real attempt to resolve a problem, as any party in a discussion about public policy (or a long-term relationship) well knows.

We also hold inaccurate and inflated views of ourselves and our capacities. In a study of positive illusion—illusions we hold for the sake of protecting our ego or concept of the self—psychologists Alicke and Govorun describe the ‘better-than-average effect’: using data from the 1976 College Board Exams for students who took the SAT (approximately one million that year), they show that 70 percent of students rated themselves above the median for leadership, 60 percent ranked themselves as higher in athletic prowess, and 85 percent of students reported they had a higher-than-average ability to get along well with others.<sup>3</sup> Our cognitive illusions also extend to morality and our beliefs. Tappin and McKay published a study in 2016 in which 270 subjects were asked to evaluate their own traits as compared to others. Nearly all individuals in the study considered themselves more moral than others and ranked themselves most highly for the category of morality over the collection of thirty traits.<sup>4</sup>

We not only have cognitive illusions about our selves, but also assume the reliability and accuracy of the views we hold. Study after study demonstrates confirmation bias, our tendency to seek out and uncritically accept evidence that supports our existing views.<sup>5</sup> Worse still, we are increasingly unwilling to engage with others or to have our ideas challenged to any degree. Beginning in 2008 there was a sharp increase in the number of individuals who reported displeasure at the very idea of their son or daughter marrying a member of the opposing political party.<sup>6</sup> And the recent well-publicized spate of student protests against speakers on college campuses speaks volumes.<sup>7</sup> Clearly, we want to avoid talking about politics at family dinners and to surround ourselves with those who affirm our views, not those who challenge them.

While there is nothing new about the polarizing nature of contentious issues, this very recent spike in incivility, polarization, political sorting, and the loss of public discourse portends a dark future for the American people. Constant calls for civility in the media, on the campaign

trail, and on college campuses have come to naught because, as a collective body of reasoners, we are past the point where vague appeals will be effective. Conceptual confusion between politeness and civility abounds, introducing confounds in what researchers on public discourse study as well as blurred lines for acceptable behavior within public discourse. Most problematically, some assume free speech to be normatively boundless and treat calls for civility as an immoral imposition.

We need a better conception of civility and why it matters—one that accurately reflects our psychological capacities and foibles—and concrete proposals for how civility can be developed, maintained, and increased within the American people. John Stuart Mill’s classic text *On Liberty* is renowned for its passionate defense of liberty and free speech, yet his demands for the normative constraints on public discourse are little known. To some, it might seem counterintuitive to mine an analysis on liberty to develop an account of civility. If civility—as commonly assumed—requires holding one’s tongue, placing restrictions on ideas, adhering to social conventions, or restricting free speech in any way, then it seems like an uneasy marriage, at best, and antithetical, at worst, to the nature of liberty. However, Mill wrote extensively on the liberty of thought and discussion, and his insights can help us to understand what civility is, what its relationship is to politeness, and why it does not restrict free speech when such speech is in the service of inquiry and analysis. Further, the metaphor of the marketplace of ideas—commonly but mistakenly believed to capture Mill’s position—has wide appeal, but it falsely assumes that human reasoners are purely rational.<sup>8</sup> A careful examination of Mill’s account provides a psychologically realistic model of reasoners in the midst of our irrationality, conviction, and illusions. Using Mill’s insights, I develop a robust account of civility that capitalizes on our psychological foibles to provide a normative guide for public discourse. Given

the concept of civility as an orienting attitude, I ultimately offer an empirical proposal for researchers, an educational policy proposal, and an appeal to all citizens.

### **Public Discourse and the Freedom of Thought**

Most of us believe we are free as long as we are able to engage in various pursuits unfettered physically, socially, or politically (e.g., political occupation). But for Mill, such freedoms, although legitimate, do not exhaust the nature of liberty: true liberty consists in the freedom of thought. Unfortunately, freedom of thought is everywhere chained by our parochialism, contingent on our individual experience, social groups, institutions, culture, and history as well as on the prejudice created by our unquestioning acceptance of beliefs. Mill provides many examples of such parochialism, but in particular he offers an extended discussion of the nature of Christian belief in his day.<sup>9</sup> He points out that although many individuals have a deep respect for and adhere to Christian doctrines, they do not believe the doctrines because they chose them after a process of selection, had a doctrinal preference, or had a deep historical and theological understanding. Rather, they inherited the doctrines from their families, neighbors, and culture. Religious belief continues as an example in our time as well, although it might be easier for us to recognize the inherited beliefs surrounding race given the highly publicized nature of confederate heritage and monuments.<sup>10</sup> For Mill, even if inherited beliefs are true (think, for example, of the legacy of knowledge in science), unless they are believed *because* one understands the reasons and evidence in support of them—and has chosen and assented to them thereby—one is merely trapped by the received narrow-mindedness of one's family, neighbors, country, culture, or period of time in history.<sup>11</sup>

Even worse than the chains and weights of parochialism on the freedom of thought is the fact that inherited and passively accepted beliefs (what Mill calls ‘dead beliefs’) can become so cemented that they prejudice us both against new ideas and against the active process of evaluating ideas. Mill explains the effect of dead belief on free thought: “encrusting and petrifying it against all other influences addressed to the higher parts of our nature; manifesting its power not by suffering any fresh and living conviction to get in, but itself doing nothing for the mind or heart, except standing sentinel over them to keep them vacant.”<sup>12</sup> Again, Mill notes that inherited dead beliefs may, as a matter of luck, be true—but their truth is no guard against their destructive power as gatekeepers. He asserts that “this is not the way in which truth ought to be held by a rational being. This is not knowing the truth. Truth, thus held, is but one superstition the more, accidentally clinging to the words which enunciate a truth.”<sup>13</sup> Legitimate (as opposed to dead) belief not only requires active assent, but also requires assent as a consequence of evaluation of reasons and evidence.

Mill refers to ignorance of the reasons and evidence in support of one’s belief as more than a mere intellectual or epistemic problem; rather, he calls such ignorance a ‘moral evil.’<sup>14</sup> For Mill, freedom of thought requires both (1) the active subjection of opinion to evaluation as widespread and accepted practice and (2) the development of minds. Individuals must have the mental capacity to fairly and impartially subject opinion to scrutiny, see the relevance of reasons, comprehend the quality of evidence, believe only on the basis of evidence, and to suspend judgment otherwise—recognizing our fallibility and the limits of knowledge.<sup>15</sup> He notes that “if the cultivation of the understanding consists in one thing more than in another, it is surely in learning the grounds of one’s own opinions.”<sup>16</sup> And because both our own beliefs as well as those of others are equally fallible, given the contingencies of inheritance and the threat of

prejudice, Mill insists that the practice of evaluating beliefs must be widespread, on-going, and engaged in by all.<sup>17</sup> If the conditions of society are such that they exclude either of the above two necessary conditions, then a people cannot be free. He explains:

No one can be a great thinker who does not recognise [sic], that as a thinker it is his first duty to follow his intellect to whatever conclusions it may lead. Truth gains more even by the errors of one who, with due study and preparation, thinks for himself, than by the true opinions of those who only hold them because they do not suffer themselves to think. Not that it is solely, or chiefly, to form great thinkers, that freedom of thinking is required. On the contrary, it is as much, and even more indispensable to enable average human beings to attain the mental stature which they are capable of. There have been, and may again be, great individual thinkers in a general atmosphere of mental slavery. But there never has been, nor ever will be, in that atmosphere an intellectually active people (284).

Mill does not mince words: the loss of freedom of thought is mental slavery—a moral evil—perhaps most insidious because it escapes identification in our very thoughts.

Given Mill's defense of the freedom of thought, he devotes a great deal of attention to how individuals both can and should engage in evaluating belief. The importance of securing freedom of thought, while essential to each individual, increases with both time and numbers. We are not isolated, individual thinkers; rather, we are engaged in a collective human enterprise in which we pass information and build on knowledge from generation to generation. As many thinkers have expressed (most famously, Isaac Newton): each individual is miniscule, but we see farther and accomplish more by standing on the shoulders of giants, the amalgam of human knowledge through history.<sup>18</sup> Much like Newton, Mill notes that the vast majority of human beliefs contain partial truths.<sup>19</sup> The history of human progress is marked by jettisoning false or partially true

beliefs in favor of those which are better—those either true or closer to the truth as we advance our knowledge.<sup>20</sup> Mill explains that “wrong opinions and practices gradually yield to fact and argument; but facts and arguments, to produce any effect on the mind, must be brought before it.”<sup>21</sup> We have the opportunity to seek freedom of thought and advance our knowledge, both collectively and individually, only when we can replace false or partially true beliefs with better beliefs.

This emphasis on attaining true beliefs sets a normative goal, which should guide us in our endeavors, both private and public. Mill proposes that agents should adopt a particular attitude in the interest of truth and justice which entails:

condemning every one, on whichever side of the argument on which he places himself, in whose mode of advocacy either want of candour, or malignity, bigotry, or intolerance of feeling manifest themselves; but not inferring these vices from the side which a person takes, though it be the contrary side of the question to our own: and giving merited honour to every one, whatever opinion he may hold, who has calmness to see and honesty to state what his opponents and their opinions really are, exaggerating nothing to their discredit, keeping back nothing which tells, or can be supposed to tell, in their favour. This is the *real morality of public discussion* (303-304, my emphasis).

For Mill, this attitude toward public discussion is not one merely of politeness or expediency, but a matter of *morality*. It is a moral matter because the conditions of public discussion and the evaluation of belief affect the opportunity for both ourselves and others to seek freedom of thought and advance knowledge. As a moral matter, this attitude is one we should take, not toward specific persons, but toward the enterprise of evaluating belief itself.

## Civility as an Orienting Attitude

Mill's description of the morality within public discussion provides us with a normative goal for seeking the truth and developing knowledge along with a normative justification of the attitude we should take toward the enterprise of evaluating belief. I argue that such an attitude can best be understood as an *orienting attitude*.<sup>22</sup> One can take an attitude, or mental stance, toward a variety of objects, states of affairs, or propositions. For instance, one can take the attitude of *hope* toward a plan or be *apathetic*; one can *despise* a nosy neighbor, *love* a thoughtful partner, *fear* losing a job, or *wish* that one had a crack at that upcoming promotion. Similarly, one can *believe* a proposition like 'George W. Bush weighs less than an elephant,' or believe that the proposition that 'Donald Trump won the popular election' is false (taking the attitude of *disbelief*). Like a regular attitude, an *orienting attitude* is a mental stance one takes. Unlike a regular attitude, an orienting attitude is not linked to specific objects, states of affairs, or propositions but is instead a general stance one takes. As a general stance, an orienting attitude directs one as to what attitude should be taken across a range of objects, states of affairs, or propositions. And just as the concept of 'orienting' connotes direction, alignment, or positioning relative to specified criteria, the notion of an orienting attitude connotes direction, alignment, or positioning relative to specified goals, thereby providing both constraints and guidance for actions.

The metaphor of a compass is helpful in explicating the notion of an orienting attitude. As a device or tool for orientation, a compass makes traveling through familiar terrain easier and is invaluable in helping one navigate unfamiliar terrain. But, of course, a compass is only useful if one has the ability to use the tool properly. If one holds the compass upside down, one cannot

see the dial; if one holds it vertically, the dial will not move—either way, the compass provides the user with no information. But if one holds the compass flat in the palm of his hand, the dial reliably aligns with the magnetic north pole, providing the user with moment-by-moment updates of the slightest alteration in direction. Given one’s goal—let’s say one is in Pittsburgh and has a hankering to travel east to New York—the magnetic compass dial will track North which allows one to travel due East, marked by 90 degrees to the right of North on the dial. Further, one can use the cardinal directions of North, South, East, and West as well as the notational directions embedded in the compass housing (N, S, E, W) to evaluate both whether the device is functioning properly and whether one should stay the course or alter the path at any given moment. For instance, if the magnetic compass dial does not rotate as one turns but is ‘stuck’ irrespective of the direction in which one moves, then the device is jammed or broken. But in cases where the magnetic dial spins freely as one moves, consistently tracking the magnetic north, it is functioning properly and is a reliable mechanism.<sup>23</sup> In these cases, the notational directions marked on the compass housing provide the standards one relies on to identify the current direction of travel and whether any adjustments are needed. Lastly, as an orienting device, one need not check the compass prior to taking each step; rather, one can use the tool to provide general direction, and one needs only to glance at it for either a quick confirmation or realignment.

With the metaphor of the compass in place, we can turn again to the notion of an orienting attitude and its connection with civility. Just as a compass is a device that orients one toward a selected destination, civility as an orienting attitude directs the activity or enterprise of evaluating belief. Just as a compass is an orienting device that guides one’s travel, civility is an orienting attitude that guides not only how we should engage in evaluating beliefs but also how

we should interact with each other when doing so. And just as a compass limits or excludes alternative travel routes given one's desired destination, given our desires for freedom of thought and the advancement of knowledge, civility limits, constrains, and guides our actions. There is clearly nothing stopping one from changing travel destinations: one is always free to abandon the goal of trekking to New York in favor of, say, hiking Southeast to intersect with the Appalachian Trail. Similarly, one is always free to abandon the foundational goals of liberty in thought and gaining true knowledge in favor of, say, maintaining a political group identity and rejecting any potential problematic evidence out of hand. However, unlike the case of selecting travel destinations, abandoning these epistemic and normative goals yields a moral harm to both oneself and others, losing the current conditions of and the opportunity for complete liberty for a people. As an orienting attitude then, civility aligns our pursuits with these goals, directs the activity or enterprise of evaluating belief, and guides our actions and interactions—simultaneously imposing constraints on unacceptable practices while promoting those which are acceptable in light of our goals. As an orienting attitude, civility is action-guiding in the fullest sense.

For a deeper analysis of how civility is an orienting attitude, let's return to Mill's description of the real morality of public discussion:

*condemning every one, on whichever side of the argument on which he places himself, in whose mode of advocacy either want of candour, or malignity, bigotry, or intolerance of feeling manifest themselves; but not inferring these vices from the side which a person takes, though it be the contrary side of the question to our own: and giving merited honour to every one, whatever opinion he may hold, who has calmness to see and honesty to state what his opponents and their opinions really are, exaggerating nothing to their discredit,*

*keeping back nothing* which tells, or can be supposed to tell, in their favour. This is the real morality of public discussion (303-304, my emphases).

The first thing to note is that such an attitude carries within it goals and values, standards or criteria for how to evaluate belief, and parameters for the acceptable behavior of oneself and others. By emphasizing the fact that there are various sides to an argument and that one evaluates what counts as being in favor of or discrediting an opinion, Mill reaffirms that the *goal* of public discussion is the evaluation and selection of beliefs that increasingly edge nearer the truth. He also offers us some specific *standards* or *criteria* to use regarding how to evaluate beliefs: first, every side of an argument must be considered; second, our evaluative efforts must be honest (i.e., one must not exaggerate details, distort facts, or deflect challenges for the sake of ‘saving’ a cherished belief);<sup>24</sup> third, we must consider the entirety of evidence (i.e., one cannot withhold crucial information because its presentation would weaken one’s position); and fourth, we cannot discredit a position because it is held or stated by another with whom we disagree (i.e., we cannot reject arguments based on their origins, but only in virtue of evaluating their content and quality).<sup>25</sup> Lastly, he provides *parameters* for the acceptable behavior of oneself and others. There are two such parameters: first, he details what individuals should avoid doing (i.e., maligning others, being intolerant, presenting bigoted views, or lacking frankness); and second, he recommends what individuals should do (i.e., attempt to consider all sides of an opinion calmly, and to be impartial, fairly stating and evaluating positions). These parameters not only provide each individual with behavioral guidance, but they also offer a standard of assessment. As he notes, anyone—including oneself—who violates these parameters should be condemned, and those who adhere to them should be praised and treated with honor.

Mill does not end his account with a mere recommendation for assessment, but provides a powerful tool for the development and reinforcement of *values*. Although individuals can attempt to discover the grounds of their beliefs privately, the very nature of public discourse makes the process of belief evaluation a public matter. And as a public matter, we can assess how successfully others (as well as ourselves) adhere to the standards for evaluating belief and how they follow the parameters for acceptable behavior in interacting with others while doing so. The very public nature of such assessment capitalizes on the power of models, social censure or praise, and peer pressure. Whenever any individual evaluates beliefs well and behaves appropriately in the process of doing so, she provides a model to others which serves as a form of social education. For example, think of a young child watching his father discuss the DACA initiative (the Deferred Action for Child Arrivals, otherwise known as the failed DREAMer Act) with a next-door neighbor. The child will learn whatever standards and behaviors the father demonstrates as he interacts with the neighbor, even if he is unaware that he is providing an educational model. As the child observes others engaging in conversation in the neighborhood, at church, at school, or on the news, the model he previously learned will either be challenged or reinforced.

Suppose that by the time he becomes a teenager the child (let's call him Ted) fully absorbs a model that endorses the distortion of facts and maligning the character of others the moment they appear to disagree with his stated position. Mill recommends that his interlocutors make liberal use of social censure or praise: in this case, those around him should criticize him for his treatment of facts and others—his mode of advocacy—not for the position he holds. Such social censure need not take a negative or combative turn, for one can demonstrate disapproval merely by withholding attention from one and while giving it to another.<sup>26</sup> For instance, if Sarah

presents her arguments without attacking others—even if her position is poorly explained, unclear, lacking good support, or involves outlandish claims—others should continue to engage in conversation: pressing her on various claims, asking questions for clarification, presenting worrisome scenarios she must explain, etc. And if young Ted persists in twisting facts and attacking the character of others—even if he has a well-thought out position and interesting claims—others should redirect their attention to Sarah for she, and only she, is attempting to engage in the enterprise of evaluating belief within a public discussion. Ted will get the message that he needs to alter his approach when he is sidelined each and every time he violates the standards and parameters of civility. He may be quite stubborn or not the brightest, but he will eventually understand and update his model accordingly.<sup>27</sup>

This adjustment of action and the aligning of a model with public expectations inculcates value for the behavioral parameters, evaluative standards, and the goal of evaluating belief. In caring about whether others listen to him, whether they think he said something valuable, or whether he can persuade others to adopt his opinion, Ted eventually realizes that there are better and worse ways of engaging with facts and others and comes to understand the value of civility. Even though he started out with a poor model, the social and psychological power of public discussion and interaction induces him to value civility. He sees the value it holds for others, recognizes the value for himself, and then adopts, implements, and guides his actions accordingly. And for those individuals fortunate enough to start out with an excellent model, the public enforcement of civility—through the behaviors exhibited and modeled by others, social praise, and peer encouragement—serve to reinforce the value of civility. The social nature of public discourse inculcates value for civility, and civility—as an orienting attitude—serves to reinforce the standards used to evaluate beliefs and how we interact with others while doing so.<sup>28</sup>

To return to our metaphor above, one may not initially see the value of the compass (perhaps one thinks it a silly and useless tool), but one comes to understand its value by watching how others use it, learning how it functions, having others correct one's use of it (as needed), and witnessing how it successfully directs travel and progress toward one's destination. The compass is no longer seen as a useless gadget. Instead, it becomes an indispensable device for hiking and orienteering, functioning to guide and direct one's own travel. Similarly, once one recognizes that there are better and worse ways of evaluating belief and interacting with others, civility functions as an orienting attitude. It aligns our pursuits with the selection of better belief, directs the activity or enterprise of evaluating belief through standards, and guides our actions and interactions through parameters of acceptable behavior.

Orienting attitudes align, direct, and guide the actions of individuals, but the practice of civility is not a solitary affair: civility is strengthened through social support. As we all know, it is easy to see the faults and failings of others but it is monumentally difficult to see them in ourselves. It is even more difficult to scrutinize the grounds of chosen beliefs or to attempt to break the concrete framing of our inherited beliefs. Mill grants that very few individuals have the capacity of high logical reasoning, capable of honestly evaluating both sides of a position with absolute impartiality.<sup>29</sup> We may have civility as an orienting attitude and honestly and forthrightly attempt to align our reasoning to the standards for evaluating belief. Yet we may only manage to do so part of the time or to a certain degree: civility guides our attitudes, but our thoughts themselves are not yet free. Civility becomes easier when others share the same orienting attitude and serve as a 'check' on the opinions we hold and the ways in which we evaluate them. To return to our metaphor, suppose that one amateur hiker reliably reads the compass accurately but tends to veer slightly to the left with every step, while another is capable

of maintaining a straight course but tends to read the compass quickly and make sloppy measurements. They both are orienting via the compass, but their various liabilities and skills affect their travel. When corrected by the other, each is a more effective orienteer.

Correspondingly, civility is strengthened and becomes more effective when others hold the same orienting attitude toward the enterprise of belief evaluation. For instance, one individual may consistently default to a particular interpretation of events while another can evaluate events impartially yet, when feeling pressed, tends to blow up in anger or to malign characters rather than to evaluate claims. Because it is psychologically easier for us to evaluate how successfully others adhere to the above standards for evaluating belief and follow the parameters for acceptable behavior (blind to our own faults, we tend to protect our tender egos but can be ruthless with others), we each serve as a means of correction or ‘check’ in the enterprise of belief evaluation. In an odd twist, our psychological limitations become a form of support for others in the process of belief evaluation. As Mill explains, “the steady habit of correcting and completing his own opinion by collating it with those of others, so far from causing doubt and hesitation in carrying it into practice, is the only stable foundation for a just reliance on it” (272). The social nature of public discourse means that we each serve as such checks, yet nothing about our interaction requires active cooperation. As an orienting attitude, civility requires only that each individual maintain a commitment to the parameters, standards, and goal of belief evaluation: a commitment to the enterprise itself. As long as individuals have such an orienting attitude, their commitment guides their own actions and places others under their watchful eye. Given the strong role others play in sustaining civility, in the next section I explain the implications of civility as an orienting attitude for engagement, tolerance, and free speech.

## **Implications for Engagement, Tolerance, and Free Speech**

We previously considered the example of Sarah and Ted and how the standards for belief evaluation and behavioral parameters both develop and reinforce the value of civility. Rather than providing a set of guidelines, an account of civility as an orienting attitude serves to develop a general approach, stance, or attitude that one should take toward the evaluation of belief across all situations and in all contexts. And as an orienting attitude, civility carries some interesting—and perhaps unexpected—implications for our attitudes toward engagement, tolerance, and free speech. One might assume that civility would require three things: (1) our engagement with others must always be polite, (2) extreme emotion or conviction would be considered unacceptable, or (3) one must avoid treating interlocutors as adversaries. On the contrary, Mill's behavioral parameters are narrowly focused on the activity and process of belief evaluation. They impose no additional limitations as long as such behaviors do not negatively affect the process. To understand why, let's take a closer look at each of these.

Let us first consider politeness. Although many people assume that civility and politeness are synonyms, politeness is merely a potential marker for civil behavior. For example, seeing a colleague carry an umbrella is a good marker or clue that it is raining outside, but the clue does not mean that it is in fact raining: on this sunny day, your colleague might merely be returning the umbrella to her office. Much like the statistical regularity between rainy days and umbrellas, there are statistical regularities between occurrences of civility and politeness. Markers merely provide valuable information about the relationship or occurrence. Politeness serves to regulate our action in conformity with commonly held social expectations: the social niceties of phrases surrounding arrival and departure, gift giving and acts of kindness, group gatherings and family

events, professional interactions, and ceremonies or rituals. In short, politeness is the standard of proper manners in social contexts. But of course, manners also include speech, and this is the crucial point of intersection between these two concepts. Regarding polite speech, former US Ambassador to the United Nations, Adlai Stevenson II, perhaps defined politeness best when he quipped, “Politeness is the art of choosing among one’s real thoughts.”<sup>30</sup> In the midst of conversation—particularly, heated conversation over contentious topics—one may be tempted to say many things, but politeness is the learned art that helps us to reduce inflamed feelings, tame our tongues, and select our thoughts with an eye toward maintaining the niceties of social convention.

Politeness serves as a potentially valuable marker or clue that another is civil, or that one is guiding one’s actions by the orienting attitude of civility. Suppose that one is engaged in a highly emotional argument about kneeling during the national anthem with Sarah. Because tempers have flared on all sides, when one observes Sarah pause, mull over her thoughts, and then say something in a calmer fashion than she had previously, her newly polite speech provides a valuable clue that she is now attempting to engage civilly and to guide her actions accordingly—despite failing mightily when she lashed out in anger earlier in the conversation. Suppose Ted is also a member of this heated debate and previously flung personal insults and mocked everyone who disagreed with him. When one observes him refrain from making such comments when he speaks next, this marked change toward polite behavior is again a valuable clue that he is now attempting to engage civilly. But politeness is merely a marker and not definitive proof of civility, for one can artfully select words that are perfectly polite yet say them in a tone dripping with contempt or poorly concealed anger. Although the formal niceties of

social convention may be maintained, contempt and anger are especially valuable clues that one's interlocutor is unlikely to evaluate one's argument impartially.

Such clues provide valuable information about the attitude held by others, and they allow us to know how to respond. Suppose that Ted calmly presents a view about black football players and appears to be earnest and frank in presenting his belief, yet the view he presents is highly bigoted. Mill insists that all must present opinions calmly, evaluate claims and positions impartially, and refrain from maligning others, being intolerant, presenting bigoted views, or being disingenuous. So how should one respond in this case? Ted has violated the criteria for evaluating belief, yet meets the behavioral parameters. Is he being inflammatory? Up to his old tricks? Does he honestly believe the bigoted view he just presented? Does he even realize that it is a bigoted view? Should one engage him or simply give up on the attempt? If Ted has adjusted his previous behavior, his increased politeness is a valuable clue that he now is engaging civilly; hence, one should continue to engage him. However, if Ted had not adjusted his previous behavior, standards of polite discourse provide no markers of a civil attitude; hence, continued attempts at engagement accomplish nothing beyond providing him a soapbox. Polite speech merely serves as a possible marker for a civil orientation, but civility does not require politeness.

Second, let us consider the role of emotion in our discourse. Suppose Ted presents his bigoted views without maligning or attacking others, but it is clear that he is very passionate about the views he presents and cannot hide his anger in response to Sarah's arguments. Civil engagement also does not prohibit the presence and expression of extreme emotion or strong conviction, as long as it does not negatively affect the enterprise of evaluating belief. Because issues that dominate public discourse are typically highly contentious, prohibiting extreme emotion and conviction would be impractical: few of us have the desire and none of us have the

ability to engage as passionless Vulcans.<sup>31</sup> How, then, should we interpret Mill's behavioral parameters to consider all sides of an opinion calmly, and to be impartial, fairly stating and evaluating positions? The solution here is to note that emotions come in types and degrees. Some emotions will be more disruptive to our reasoning than others. A momentary flash of anger at something another says may pose no lasting harm to our interactive enterprise of belief evaluation, but flying into a blind rage surely does. Feeling righteous indignation at the misinterpretation of one's claim poses no harm as long as one is able to explain the evidence and reasons for one's position clearly, but refusing to engage further because of the (mistaken) slight surely does. Similarly, feeling strong conviction which drives one to engage in vigorous debate poses no harm. Mill notes: "I must be permitted to observe, that it is not the feeling sure of a doctrine (be what it may) which I call an assumption of infallibility. It is the undertaking to decide that question *for others*, without allowing them to hear what can be said on the contrary side."<sup>32</sup> Strong conviction that motivates the attempt to restrict the free thought of others—an abuse of power and the destruction of an opportunity—is surely harmful. Consequently, whether extreme emotions or strong convictions are acceptable depends entirely on whether they are curtailed to function appropriately within our interactions and public discourse: aligned, guided, and directed by civility as an orienting attitude.<sup>33</sup>

And third, let us consider the potential adversarial nature of some forms of discourse. As we noted above, civility is sustained and strengthened under the watchful eye of others, but such a watchful eye does not require active cooperation and may even take the air of a careful guard. In fact, Mill argues that the stakes of belief evaluation are so high that human knowledge and progress toward the truth "has to be made by the rough process of a struggle between combatants fighting under hostile banners."<sup>34</sup> Fighting under hostile banners—opposing forces—does not

entail that one should behave with hostility toward another. It merely suggests that one's interlocutor is a competitor. To civilly engage with another as a competitor, one constantly challenges the beliefs of others: testing them for weaknesses, posing objections, raising additional sources of evidence, evaluating the quality of the evidence presented, considering whether facts have been presented fairly, and rooting out the bias and prejudice of hidden, inherited, dead beliefs. Although such a constant and direct challenge to the views of others violates norms of politeness, such engagement is civil because it is guided by a commitment to the above behavioral parameters and standards of belief evaluation. In an interesting twist, civil engagement allows treating one's interlocutor as a competitor and engaging in aggressive debate as long as one is guided and limited by civility as an orienting attitude.<sup>35</sup>

What do these details surrounding civil engagement mean for tolerance? Because the term 'tolerance' is used in various ways, how we answer this question depends on how we think of the concept of tolerance: tolerance for actions, other persons, or ideas. Our previous discussion of engagement offers insights for tolerance of action. In the context of belief evaluation,<sup>36</sup> actions that violate the evaluative standards and behavioral parameters of civil engagement need not be tolerated. If another is slinging insults, spouting prejudiced, dead beliefs, and refusing to consider facts and sources of evidence fairly then there is no point in attempting to engage. But if there is any indication that the other is honestly interested in engagement, even if he is quite poor at doing so or presents a bigoted view, then one should tolerate his actions, attempt to engage, and guide the process of belief evaluation given one's own commitment to civility. In making this determination, Mill demands careful analysis of one's motives for, most often, the appeal to temperance or toleration "is given whenever the attack is telling and powerful, and that every opponent who pushes them hard, and whom they

find it difficult to answer, appears to them, if she shows any strong feeling on the subject, an intemperate opponent.”<sup>37</sup> We cannot make calls for temperance and we cannot charge another with incivility in the self-serving support of our position. Doing so would itself violate the evaluative standards of belief required by a civil orientation. Consequently, as long as another is attempting to engage civilly, we must continue as well, tolerating him and his ideas.

Note that true tolerance in the context of civil engagement is not silence, but the active discussion of ideas, however abhorrent they may be. As he notes, an agent “is capable of rectifying his mistakes, by discussion and experience. Not by experience alone. There must be discussion, to show how experience is to be interpreted.”<sup>38</sup> Tolerance of ideas is not acceptance, but the submission of an idea—like any other—to the same process of belief evaluation.

Tolerance of one who holds abhorrent ideas is not silent exclusion, but active engagement with a competitor, a competitor that one happens to believe holds a false belief, a poorly formed opinion, or an inherited bigoted view. In fact, Mill urges gratitude at the opportunity to challenge one’s own position: “let us thank them for it, open our minds to listen to them, and rejoice that there is some one to do for us what we otherwise ought, if we have any regard for either the certainty or the vitality of our convictions, to do with much greater labour for ourselves.”<sup>39</sup> True tolerance in civil discourse is not silence, exclusion, or avoidance but the active engagement with those with whom one disagrees and the subjection of their beliefs to scrutiny.

Lastly, we can examine the implications for free speech. Given Mill’s analysis of the nature of liberty, freedom of thought, and insistence on the consideration of all ideas, free speech is of supreme—although not absolute—value. In our culture, appeals to free speech are often made to justify statements intended to harm such as slurs, labels that marginalize, attacks on character, or public ridicule. As we have seen, such statements would violate the behavioral

parameters of civility and Mill holds that they should be denounced. This bears repeating: the most ardent defender of free speech would deny that such statements have any place in public discourse. One's utterance may have other purposes—to express indignation, demonstrate party loyalty or partisanship, maintain identity with a social group, etc.—but such an utterance is not the presentation of a belief for the purposes of its evaluation. Of course, one remains physically and politically at liberty to say and do whatever one pleases, but such statements have no moral justification insofar as they do nothing to support or advance conditions for the liberty of thought. Similarly, mere pronouncements of one's view (e.g., “I believe X, I have the right to say so, and I do not care what you think”) also fail to claim the moral justification for free speech. Such a close-minded pronouncement may be nothing more than the presentation of an inherited, dead belief, full of bias, once true and full of meaning, but now merely a façade of words for a trapped mind. Again, one remains physically and politically at liberty to make such pronouncements, but for Mill such utterances are not forms of free speech. Consequently, whether something qualifies as an instance of free speech—and hence, whether it has moral justification for its expression—depends on whether one is actively engaged with others in the enterprise of evaluating belief. For Mill, the difference between mere utterances and free speech is the nature of the activity and the orienting attitude we hold.

### **Proposals: Empirical, Educational, and Personal**

We began this chapter with the hunt for a better conception of civility and how it was related to the notions of politeness, free speech, and toleration for difference. A second motivating question for the chapter was to discover how civility can be developed, maintained,

and increased within the American people. How the second question is answered depends on our answer to the first as well as our goals, which are either descriptive or normative.

As citizens and researchers, we all recognize the problem: a rapid loss of civility and a severe decline in the quality of American public discourse. One approach to studying the problem is descriptive: the goal is to catalog the variety, extent, and interaction of contributing factors. Clearly, before we can take steps to address the problem, we must understand how it came to be. And an essential step in gaining an accurate description is to identify civility as a distinct concept and phenomenon. Much like a physician attempting to diagnose a patient, it is essential to detail all the symptoms and to discriminate between related phenomena. If she confounds two related illnesses or makes the wrong diagnosis, the prescribed treatment plan may accomplish little, be completely ineffective, or make the illness worse.

The account of civility as an orienting attitude allows researchers to tease apart the notions of civility and politeness. By maintaining a focus on civility as norms surrounding the enterprise of belief evaluation and politeness as social convention more broadly, researchers can more accurately describe and diagnose the rapid loss of civility and its effects on reason and evidence in the public square. The account of civility offered here also allows researchers to tease apart civility and toleration. By maintaining a focus on civility as normative requirements for engagement and toleration (or what typically passes for it) as refusal to engage yet suffering to listen in silence, researchers can more accurately describe and diagnose the rapid loss of civility and how it relates to disengagement and exclusion (and engagement and inclusion, correspondingly). This account of civility also clarifies the relationship between civility and free speech. By maintaining a focus on civility as a normative limit on free speech, researchers can more accurately describe and diagnose when claims to free speech are likely to be inflammatory

or receive public support, whether on college campuses, in the media, or in the speech of politicians. Lastly, this account of civility integrates a psychological and a social analysis. By maintaining a focus on the psychological foibles of individual human reasoners and how they function within social contexts, researchers can more accurately describe and diagnose how certain kinds of social interactions either diminish or strengthen civility and our capacity for deliberation within a democracy. Consequently, my first proposal for researchers is to adopt the model of civility as an orienting attitude for myriad empirical benefits.

The second approach in answering the question of how civility can be developed, maintained, and increased within the American people is normative. On this approach, the goal is to explain civility as an achievable ideal. Clearly, before we can take steps to address the problem of the rapid loss of civility and its effect on public discourse we must know what we would like to achieve. The most detailed description of the problem yields no productive proposals without a vision for what we think *should* be the case. A physician may have full access to all information about a patient—weight and blood pressure readings, diet analysis, lists of allergies and medications, bloodwork, genetic tests, x-rays, and MRI scans—but lacking a guiding conception of health and a plan to achieve it, one is merely awash in detail.

The account of civility as an orienting attitude provides precisely such an achievable ideal. Through his discussion of the ‘real morality’ of public discussion, Mill provides us with a normative argument based in freedom of thought. The robust conception of civility developed upon it provides a goal or an aspirational vision for what we can achieve as individuals and collectively in public discourse. The goal is simple and likely to be overlooked by many as being too mundane, for it merely requires the adoption of a particular attitude toward the enterprise of belief evaluation. This account of civility provides researchers with a normative basis on which

they can develop their proposals to arrest and reverse the loss of civility and the erosion of public discourse. The marriage of the descriptive and normative approaches provides an analysis that not only accurately describes the current state of the problem, but also provides a normative justification for a proposal that can move us toward our goal.

Although Mill provides us with a normative justification for civility, our goal is not an idealistic philosopher's fiction for he also offers practical guidance on how civility can be achieved: training in philosophy, beginning with logic. He notes:

It is the fashion of the present time to disparage negative logic—that which points out weaknesses in theory or errors in practice, without establishing positive truths. Such negative criticism would indeed be poor enough as an ultimate result; but as a means to attaining any positive knowledge or conviction worthy the name, it cannot be valued too highly; and until people are again systematically trained to it, there will be few great thinkers, and a low general average of intellect” (294-295).

As individuals, we need not become great thinkers. We merely should aspire to become citizens of general and average intellect. This is an attainable goal, reached easily by teaching citizens how to evaluate arguments with the tools of logic.

Beyond the explicit study of logic, general training in philosophy serves to mitigate the psychological foibles of human reasoners, and in particular the cognitive illusions that interfere with the impartial and accurate evaluation of belief. We tend not only to hold ourselves in great esteem, better than average on a host of traits, but we also tend to engage in motivated reasoning to maintain our beliefs. We seek out evidence that confirms the beliefs we currently hold, and we accept supporting evidence without question. It is worse still when all parties to a debate believe that they are more moral than others, that the views they espouse to be better supported, and that

they have the weight of morality behind them in discounting all attempts to challenge their positions. Philosophy, as a discipline, focuses on the analysis and justification for belief—any belief and all beliefs—regardless of topic. The modes of presenting arguments and subjecting all belief to equal scrutiny, the use of logic to examine the underlying structure or form of an argument, the careful evaluation of evidence, the variety of argument types, and the systems of logic all provide individuals with a common basis: a collective set of concepts, theoretical tools, and strategies for evaluating belief.

This is where civility as an orienting attitude not only gains a foothold, but becomes a fortress. Even though individual thinkers may not have the developed cognitive and logical skills to be fully impartial, civil interlocutors provide sufficient challenge to their beliefs: pressing claims, presenting counterexamples, challenging evidence, questioning the relevance of evidence for a claim, condemning one for a misstep in making an attack on another's character or relying on a fallacy to press a point. This kind of civil engagement is modeled within classes where claims and positions are considered as items of analysis—apart from the loyalties or illusions of who happens to believe them—and jointly scrutinized by members of the class.<sup>40</sup> Such a method teaches students the common tools and strategies how to evaluate belief, the manner in which they might engage civilly in the midst of scrutinizing highly contentious issues, and the ways in which they can be combatants and defenders of an idea under the guidance and constraint of civility as an orienting attitude.

Mill's endorsement of philosophy, both in terms of the study of logic and as active training in belief analysis, leads me to offer an educational proposal for increasing civility within public discourse. Nationwide, General Education programs within colleges and universities require some facility with critical thinking, but unfortunately, much of what passes for critical

thinking amounts to a general process of analysis and synthesis from Bloom's taxonomy of learning, not rigorous belief evaluation trained by logic and philosophy. Educators can make General Education requirements more stringent, and college and university officials can also impose additional requirements: if our concern is to educate students to be competent reasoners capable of engaging in civil discourse then few requirements seem as pressing.<sup>41</sup> Further, critical thinking and logic can and should be taught at all levels of the curriculum, adjusting for content, difficulty, and skill from K-12 through college.<sup>42</sup> By teaching students the tools of logic and providing active training in belief analysis, educators teach students norms for belief evaluation and parameters for acceptable behavior when evaluating beliefs with others.

Seen in this light, the project of teaching philosophy is to teach the shared norms of public discourse. And the justification for teaching students these shared norms can only be normative: it necessarily depends upon a goal or aspirational vision for what we can achieve as individuals and collectively in public discourse. As individuals, we can become good thinkers, capable of engaging with others to evaluate personal beliefs and public policy on issues that affect our lives. And collectively, we can become an informed and engaged people, capable of choosing policies that determine the conditions and opportunities of people, including those for discussion and free thought—the only conditions Mill thought made us truly free. In the end, these reflections drive us to think about how we, as citizens, can help to develop, maintain, and increase civility within the American people. In thinking about this second motivation for the chapter, what concrete things can we do to increase civility within our own lives and our interactions with others?

The third and final proposal I offer is ultimately an appeal to each citizen: if we are concerned with increasing civility within public discourse, then we must each attempt to adopt

civility as an orienting attitude. Given the length of time it takes to implement new research and educational policies, such a commitment on the part of each citizen may seem insignificant, yet is perhaps the most crucial given the current lack of civility within American public life. In the words of Abraham Lincoln, this is an appeal to “the better angels of our nature”<sup>43</sup> in the pursuit of our vision. We have already seen that our cognitive illusions affect how we think of ourselves and how we treat others. We are each subject to cognitive illusions about the quality of our own reasoning, the self-serving belief that we are more moral than others, and the propensity to engage in motivated reasoning by seeking evidence to support our reasoning and avoiding that which does not. To have these illusions of our cognitive and moral superiority and the quality of our arguments and yet to commit to subjecting one’s beliefs to the scrutiny of another—whose morality one suspects is tainted and whose reasoning capacity one believes is low—is difficult.

Adopting civility as an orienting attitude is a significant action on the part of each individual because it is a significant commitment. Such a commitment requires us to make choices, moment by moment, as to how we will treat others: whether we will engage with them and submit our cherished beliefs to scrutiny, attempt to manipulate the outcome through skewing evidence or attacking others, or perhaps refuse to engage at all. These choices are not all made in moments of calm discussion with those who share like positions. The choices that matter most are those in the midst of discussions with those with whom we share the least commonality of experience, assumption, interpretation, and belief.

Perhaps this appeal to adopt civility as an orienting attitude should be recast as a challenge—a challenge to each citizen because it is a challenge in terms of difficulty. If we merely interact with those who share like positions, who hold the same religious beliefs, share our political beliefs, or desire to raise children in the same way, we will doubtless have many

polite and pleasurable reaffirmations of commonly shared beliefs. Such interactions primarily involve the exchange of dead beliefs. Rarely do they involve the enterprise of belief evaluation. The challenge for us is to realize that our desire to surround ourselves with like-minded others is an unwillingness to have our identities, moral views, beliefs challenged. So this is another concrete choice, moment by moment, about our attitudes toward those with whom we choose to engage. We do not need to be bosom friends with others, share a commitment to shared governance, have an attitude of cooperation, agree with any opinion they hold, like them as persons, or even respect others' intellects. All we must do is to commit to engage with others even if and even when they challenge our beliefs and to guide and direct our actions and responses by civility. In the end, civility within public discourse depends on each individual holding civility as an orienting attitude.

### **Conclusion**

The primary motivation for this chapter was to develop a better conception of civility combined with a secondary motivation to explore how civility can be developed, maintained, and increased within the American people. John Stuart Mill's account of liberty and the freedom of thought provides the normative basis for public discourse we need to develop a robust conception of civility. The account of civility as an orienting attitude provides researchers with clear distinctions as well as explanations of the relationships between civility and politeness, tolerance, and free speech. Additionally, this account of civility can help us all to navigate our social relations better by providing a new interpretive context for challenges to our beliefs and new criteria to know what tolerance requires of us, when free speech is justified, and when the

social norms of politeness are appropriately breached.

As well as shaping our research on civility, this account also yields an educational proposal that we redirect our efforts to teach the shared norms of public discourse. Although there may be many proposals for how to address the problem of declining civility and increasingly dysfunctional public discourse, no proposals will be effective solutions unless they attend to the ways in which individuals either learn—or fail to learn—the shared norms of public discourse. Similarly, no proposals will be effective solutions unless they attend to the psychological foibles and limitations we have as human reasoners. And in the end, all research and proposals are but theoretical exercises unless we make the choice to engage with others and careful choices about how we treat them when doing so. As Mill puts it, this is the real morality of public discourse. The smallest step forward, yet one which all can take, is for each individual to adopt civility as an orienting attitude. And with one step, we begin.

## Endnotes

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<sup>1</sup> I am deeply grateful to Robert Boatright and Steven Skultety for helpful comments on an earlier version of this chapter.

<sup>2</sup> Although Plato presents an extended metaphor and discussion of the division of the psyche into the charioteer and two horses in his dialog *Phaedrus*, readers will likely be most familiar with *The Republic* in which he marks a tri-partite division of the psyche into reason, spirit (emotions/the passions), and the appetites (instincts). See Plato (XXXX/2008): “Book IV,” *The Republic*. Translated by B. Jowett, Project Guttenberg.

<http://www.gutenberg.org/files/1497/1497-h/1497-h.htm>

<sup>3</sup> Alicke, Mark and Govorun, Oleya (2005): “The Better than Average Effect,” in *The Self in Social Judgment*, Alicke, Mark, Dunning, David and Joachim Krueger (eds), New York, NY: Psychology Press.

<sup>4</sup> Tappin, Ben and Ryan McKay (2016): “The Illusion of Moral Superiority,” *Social Psychological and Personality Science* 8(6): 623-631.

<sup>5</sup> For what is perhaps the classic study, see Lord, Charles, Ross, Lee, and Mark Lepper (1979): “Biased Assimilation and Attitude Polarization: The Effects of Prior Theories on Subsequently Considered Evidence,” *Journal of Personality and Social Psychology* 37: 2098–2109.

<sup>6</sup> Iyengar, Shanto, Sood, Gaurav and Yphtach Lelkes (2012): “Affect, Not Ideology: A Social Identity Perspective on Polarization,” *Public Opinion Quarterly* 76(3): 405-431.

<sup>7</sup> See for example, details about the protests surrounding political scientist Charles Murray. Svrluga, Susan (2017): “Some Harvard Students Protest Charles Murray Speech” *The Washington Post* September 6, 2017, <https://www.washingtonpost.com/news/grade->

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point/wp/2017/09/06/some-harvard-students-protest-charles-murray-speech/?utm\_term=.1325b94e0b44.

<sup>8</sup> The metaphor of ‘the marketplace of ideas’ first appeared in print in Justice William O. Douglas’ concurring opinion in the 1953 United States Supreme Court case *United States v. Rumely*. Unfortunately, Mill never used that phrase and the metaphor—hailing from models of free-market capitalism and idealized purely rational actors from economics—is woefully inadequate at best and a gross misrepresentation at worst. Mill’s arguments involve a teleological progression toward truth, competition between agents (not ideas), are fully attentive to all the psychological foibles of real thinkers, and offer an account of cognitive development.

<sup>9</sup> John Stuart Mill, “On Liberty” (1859), in *Essential Works of John Stuart Mill*, ed. Max Lerner (New York: Bantam Books, 1965), pp. 291-301. All remaining references to Mill are from this text.

<sup>10</sup> Examples abound surrounding the controversies of declarations of Confederate Heritage Month and the Confederate flag and monuments. In 2016, Mississippi Governor Phil Bryant declared April to be ‘Confederate Heritage Month’ and posted the official proclamation on his website. The proclamation, issued again 2017 but nowhere to be found on the Governor’s website, was found for a time on the Mississippi Division of the Sons of Confederate Veterans website. The controversies over the use of the Confederate symbol on the Mississippi state flag persist to this day with groups on both sides forming protests demanding its maintenance or removal. The issues are best explored in a newspaper article by a local paper in Mississippi: see Dreher, Arielle. “Mississippi Flag: A Symbol of Hate or Reconciliation” *The Jackson Free Press*, September 9, 2015. <http://www.jacksonfreepress.com/news/2015/sep/09/mississippi-flag-symbol-hate-or-reconciliation/>

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<sup>11</sup> Mill notes that individuals place “unbounded reliance only on such of their opinions as are shared by all who surround them, or to whom they habitually defer; for in proportion to a man’s want of confidence in his own solitary judgment, does he usually repose, with implicit trust, on the infallibility of ‘the world’ in general. And the world, to each individual, means the part of it with which he comes in contact; his party, his sect, his church, his class of society” (270). This more narrow-minded person he contrasts with someone slightly more open-minded, yet still a slave to inherited beliefs: “the man may be called, by comparison, almost liberal and large-minded to whom it means anything so comprehensive as his own country or his own age. Nor is his faith in this collective authority at all shaken by his being aware that other ages, countries, sects, churches, classes, and parties have thought, and even now think, the exact reverse. He devolves upon his own world the responsibility of being in the right against the dissentient worlds of other people; and it never troubles him that mere accident has decided which of these numerous worlds is the object of his reliance” (270).

<sup>12</sup> P. 290-291.

<sup>13</sup> P. 285-286.

<sup>14</sup> P. 289.

<sup>15</sup> He notes that an agent’s “reasons may be good, and no one may have been able to refute them. But if he is equally unable to refute the reasons on the opposite side; if he does not so much as know what they are, he has no ground for preferring either opinion. The rational position for him would be suspension of judgment” (287).

<sup>16</sup> P. 286.

<sup>17</sup> He explains that “the beliefs which we have most warrant for, have no safeguard to rest on, but a standing invitation to the whole world to prove them unfounded. If the challenge is not

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accepted, or is accepted and the attempt fails, we are far enough from certainty still; but we have done the best that the existing state of human reason admits of; we have neglected nothing that could give the truth a chance of reaching us: if the lists are kept open, we may hope that if there be a better truth, it will be found when the human mind is capable of receiving it; and in the meantime we may rely on having attained such approach to truth, as is possible in our own day. This is the amount of certainty attainable by a fallible being, and this is the sole way of attaining it” (271).

<sup>18</sup> The original quotation by Newton is: “If I have seen further it is by standing on ye sholders [sic] of Giants.” *The Correspondence of Isaac Newton, Volume I*, edited by HW Turnbull, 1959, p. 416.

<sup>19</sup> Mill notes: “the conflicting doctrines, instead of being one true and the other false, share the truth between them; and the nonconforming opinion is needed to supply the remainder of the truth, of which the received doctrine embodies only a part” (295).

<sup>20</sup> Within the history of science, the concept of phlogiston provides the best example of Mill’s point. Early chemists sought to explain why items that burned lost weight, given that the remaining ash was considerably lighter. They posited phlogiston as a substance inhering in combustible objects, that, when burned, was given off into the air. Although we now know that phlogiston does not exist, the theory was not completely wrong-headed. Phlogiston theorists were correct that there was some substance that was being lost or exchanged in the process of combustion, although they did not have a correct account of the substance. The rejection of phlogiston theory in favor of oxygen illustrates how humanity can move to adopt better beliefs that capture or more closely approximate the truth.

<sup>21</sup> P. 272.

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<sup>22</sup> Philosophers will recognize in the following discussion many features of a virtue; indeed, I think civility is best understood as an intellectual virtue. There are many fascinating issues as to how civility relates to other intellectual virtues such as humility, open-mindedness, or prudence but that discussion is beyond the purpose of this chapter.

<sup>23</sup> Goldman, Alvin (1979): “What is Justified Belief?” reprinted in A.I. Goldman, *Reliabilism and Contemporary Epistemology*, New York: Oxford University Press, 2012, pp. 29–49.

<sup>24</sup> He charges that the ‘gravest’ problem with argumentation is “to argue sophistically, to suppress facts or arguments, to misstate the elements of the case, or misrepresent the opposite opinion” (302-303).

<sup>25</sup> Philosophers refer to the attempt to either accept or reject an argument based on its origin as a ‘genetic fallacy’: the erroneous evaluation of an argument based on factors extraneous to it rather than the content of the argument itself.

<sup>26</sup> And of course, social censure may sometimes require more dramatic—and direct—action. Such situations come easily to mind (e.g., a disruptive student in a classroom, a peer making a racist slur in the midst of co-workers, etc.), and the type of direct responses are clear (e.g., the professor excusing the student from class or imposing penalties on classroom participation points, informing the peer that such views are unacceptable, etc.). My focus in this paragraph is on less direct forms of social censure because such examples and potential responses do not spring easily to mind, although they are no less common and the responses are no less powerful a form of disapproval.

<sup>27</sup> As this example makes clear, Mill is not endorsing the modern notion of the ‘call-out.’ The public call-out is a recent strategy adopted by some (typically on on-line platforms and in social media) to draw attention to the views of others considered morally problematic in some way

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(e.g., an instance of cultural appropriation, such as a photograph posted on Facebook of someone at a party dressed as a Native American), under the assumption that social progress is best made by making particular individuals accountable (and subject to public censure) for the views they hold. Despite the (potentially) laudable goals (i.e., moral progress) behind the notion of the call-out, the trouble is that it has tended to be used merely as a way to malign the character of others, which forestalls all conversation and is itself considered morally unacceptable by Mill (see points above). The crucial point is that for Mill, public censure can be used only when individuals are failing to engage civilly within public discourse in either how they approach facts or engage with others, but one cannot censure others merely because of the views they hold. For Mill, there are moral limits on when any form of public censure can be used, either direct or indirect: it must be in the service of advancing public discourse. Consequently, the notion of accountability would not suffice to morally justify a public call-out, even for views that we find morally reprehensible.

<sup>28</sup> Moral psychologist Mark Alfano (2013) similarly notes the power of public assessment in his description of virtue labels to describe the behavior of others as a means to inculcate virtue.

<sup>29</sup> Mill notes that “there are few mental attributes more rare than that judicial faculty which can sit in intelligent judgment between two sides of a question” (301). Current psychological research is bearing out Mill’s view of the rarity of developed, impartial judgment. Psychologist Jonathan Haidt notes that “the literature on everyday reasoning...suggests that such an ability may be common only among philosophers, who have been extensively trained and socialized to follow reasoning...the fact that there are at least a few people among us who can reach such conclusions on their own and then argue for them eloquently (Link 3) means that pure moral reasoning can play a causal role” (829) [Jonathan Haidt (2001): “The Emotional Dog and Its

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Rational Tail: A Social Intuitionist Approach to Moral Judgment,” *Psychological Review* 108: 814-834.]. Current psychological research is also bearing out Mill’s view of human reasoning as commonly beset by a multiplicity of foibles such as the distorting influence of emotion, errors of reasoning, and systematic biases. For example, see Daniel Kahneman’s *Thinking: Fast and Slow* (New York: Farrar, Straus and Giroux 2011). Because Mill recognizes that individual agents often have faulty and weak reasoning, he focuses on the necessary interaction with other agents as a corrective measure and on the education of the populace. In fact, Haidt’s account of social intuitionism (see above citation) provides an interesting support for Mill’s emphasis on interaction and the social practice of civility as a process of belief evaluation: Haidt’s reasoned persuasion (Link 3) and social persuasion (Link 4) in his model of moral judgment illustrate the important role of interaction with other agents to influence and correct judgment.

<sup>30</sup> Despite the fact that this quotation is widely attributed to Stevenson, I have never been able to track down a precise reference for a particular speech, letter, or text.

<sup>31</sup>The role of emotion and its relation to reasoning is a complex matter, as there is significant disagreement about what emotions are as mental states within the disciplines of philosophy, psychology, and cognitive science. However, emotion (broadly defined) appears to be necessary for the proper functioning of reasoning itself. The philosopher David Hume is perhaps most famous for arguing that emotion is necessary for value and motivation. See David Hume (1751/1957): *Enquiry Concerning the Principles of Morals*, edited by Charles W. Hendell. Indianapolis, IN: Bobbs-Merrill Company, Inc. See also David Hume (1888/1978): *Treatise of Human Nature*, 2<sup>nd</sup> Edition, Edited by Selby-Bigge and P.H. Nidditch. Oxford: Clarendon Press (Oxford University Press). Neuroscientist Antonio Damasio confirms that emotions play a key role within rational thought by focusing attention, providing information about bodily states, and

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marking salient features of situations. See Antonio Damasio (1994): *Descartes' Error: Emotion, Reason, and the Human Brain*, New York: G.P. Putnam's Sons. See also Robert Zajonc (2000) "Feeling and Thinking: Closing the Debate over the Independence of Affect," in *Feeling and Thinking: The Role of Affect in Social Cognition*, Joseph P. Forgas (ed.), Cambridge: Cambridge University Press, 31–58.

<sup>32</sup> P. 275.

<sup>33</sup> Note that this is a claim about how emotion functions within the exchange and not an empirical claim about the possibility or difficulty of curtailing emotion psychologically for specific individuals. Clearly, curtailing emotion is difficult. Within any interaction with another, we may successfully experience extreme emotion and engage civilly at one moment and fail to do so later in the conversation. Similarly, someone who has a goal to lose weight or to stop smoking may successfully avoid chocolate cake or a tempting cigarette at one moment and not another. Extreme emotion can be but is not always disruptive; nor is it impossible to overcome. Psychologists using cognitive behavioral therapy to treat anxiety, depression, addiction, and anger management provide a great case in point.

<sup>34</sup> P. 297.

<sup>35</sup> This feature of civility as an orienting attitude has an important connection with the distinction between competition and melees in the philosophy of sport. Competitions are constrained by background agreement on rules, standards, or norms while melees lack such means of governing or guiding behavior. Note that what is most distinctive about civility as an orienting attitude is that it may begin with only one party conforming to the standards of belief evaluation and parameters of behavior. Over time, one can inculcate value in others for the background rules, standards, or norms via social praise and censure. From this standpoint, what is so problematic

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about much of what passes for discussion in the public square presently is that it has the character of a melee. And what is so interesting about civility as an orienting attitude in light of the distinction between competitions and melees is that it offers a means to transform current melees into competitions for the analysis of belief and social policy. For more on the distinction between competition and melees and types of competition, see Skultety, Steven. 2011.

“Categories of Competition,” *Sport, Ethics, and Philosophy* 5: 433-446.

<sup>36</sup> Tolerance of actions toward others given cultural and global differences is a different topic, far beyond our focus on the conditions of public discourse.

<sup>37</sup> P. 302.

<sup>38</sup> P. 272.

<sup>39</sup> P. 285.

<sup>40</sup> This is the basis for taking on the role of a ‘devil’s advocate’ in which one must practice the ardent defense of a position, whether or not one happens to believe it. The aggressive presentation of arguments is invaluable for learning the grounds of our beliefs, and Mill argues that if we cannot find individuals who actually believe positions to argue for them, then we must ourselves become devil’s advocates. We must “know them [the arguments] in their most plausible and persuasive form; he must feel the whole force of the difficulty which the true view of the subject has to encounter and dispose of; else he will never really possess himself of the portion of truth which meets and removes that difficulty....So essential is this discipline to a real understanding of moral and human subjects, that if opponents of all important truths do not exist, it is indispensable to imagine them, and supply them with the strongest arguments which the most skilful [sic] devil’s advocate can conjure up” (287-288).

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<sup>41</sup> The new University of Mississippi Creed includes civility, and faculty, staff, and administration are actively seeking ways to foster and develop it within curricula and extra-curricular activities. For more information, see <https://olemiss.edu/info/creed.html>.

<sup>42</sup> In fact, the national organization PLATO (Philosophy Learning and Teaching Organization) focuses on pre-college philosophy learning opportunities. See <https://www.plato-philosophy.org/> for more information.

<sup>43</sup> Lincoln, Abraham (1861): “First Inaugural Address” March 4, 1861. Abraham Lincoln Online. <http://showcase.netins.net/web/creative/lincoln/speeches/1inaug.htm>.