

Teaching Civic Duties and Virtues to Citizens and Non-Citizens: Addressing the Issue of Immigration in
the United States through Civic Education

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Abstract

The aim of civic education is good citizenship, but citizenship is tied to particular political systems. The USA is a liberal democratic system. Americans disagree about many things, yet share an overlapping consensus committed to preserving basic liberties such as free speech, private ownership of property and the right to vote.

In America's liberal democratic political culture, people ordinarily put their private concerns first and think about politics or the common good less often. Even if citizenship is not the highest priority among Americans, it is not meaningless or unimportant. The basic elements of citizenship can be taught. The model of citizenship used in this paper includes five components of citizenship: rights, interests, affections, duties and virtues. American scholars stress the importance of rights and interests, and any citizenship program must stress them. What our model adds is a strong emphasis on affections, duties and virtues. Good citizens will cultivate civic affections, perform civic duties and practice civic virtues.

Civic affections include civic love (also known as patriotism) and civic friendship. Affections are crucial for civic cohesion, but they are not teachable. Civic duties include military service, paying taxes, jury duty, impartiality and non-discrimination. Beyond these legal and moral duties, the main duty is *civic respect*. Civic respect requires us to treat as equals persons with whom we may not agree, whose interests may diverge from ours, and who we might not like. Civic virtues are the qualities of character and personal skills necessary to make the exercise of citizenship meaningful. Civic virtues give us the capacity to exercise our rights, promote our interests and meet our duties. Civic virtues include justice, loyalty, reasonableness, tolerance, tact, poise, civility and civic attention. All of these virtues or skills need to be taught, but the focus in the paper is on civic attention because it is essential for civic respect.

Effective citizenship requires the ability to be seen and heard in public. Good citizenship requires us to pay close attention to those who are unjustly excluded or consigned to second-class citizenship. The main challenge to civic attention concerns our ability to pay attention to one another and get attention under conditions of diversity. Coming from a variety of backgrounds including class, ethnicity, religion, race and ideology makes it difficult for us to communicate effectively and respectfully. Learning how to teach respectful and effective civic communication between citizens and non-citizens when addressing the issue of immigration is at the heart of this project.

Many Americans, including many Americans with immigrant status or recent immigrant lineage, lack respect for immigrants of one variety or another. Immigrant rights often are not well-understood, and immigrant interests are discounted. Indeed, some Americans lack the basic understanding that they *do* have civic duties toward immigrants. Furthermore, some Americans do not appreciate the extent to which immigrants can enrich the political process as both naturalized citizens and as informal citizens who can skillfully articulate their own rights and interests, as well as provide bridging skills in pursuit of the common good (nationally and internationally) that encompasses both citizens and non-citizens.

This paper is designed to do three things: First, we articulate the conditions for respectful and attentive interaction among citizens and non-citizens with regard to the issue of immigration. Second, we explore the causes of misunderstanding, inattention and even hostility toward some immigrants. Finally, we outline teaching approaches designed to overcome the resistances to practicing good citizenship with respect to immigrants who are citizens, informal citizens and non-citizens. The aim will be to teach all of those who are involved in the political processes surrounding the issue of immigration (but especially the college students we encounter in our classrooms) to demonstrate civic respect by cultivating citizenly virtues that will secure our mutual benefit.

The highest form of the comic arises precisely when the individual comes directly under the infinite abstraction of "pure humanity," without any of these intermediary qualifications which temper the humour of man's position and strength, its pathos, without any of the concrete particulars of organization that the leveling process destroys.

Kierkegaard

Justice being taken away, then what are kingdoms but great robberies? For what are robberies themselves, but little kingdoms? The band itself is made up of men; it is ruled by the authority of a prince, it is knit together by the fact of the confederacy; the booty is divided by the law agreed on. If, by the admittance of abandoned men, this evil increases to such a degree that it holds places, fixes abodes, takes possession of cities, and subdues peoples, it assumes the more plainly the name kingdom, not by the removal of covetousness, but by the addition of impunity. Indeed, that was an apt and true reply which was given to Alexander the Great by a pirate who had been seized. For when the king had asked the man what he meant by keeping hostile possession of the seas, he answered with bold pride "what thou meanest by seizing the whole earth; but because I do it with a petty ship, I am called a robber, while thou who doest it with a great fleet art styled emperor."

St. Augustine

Then Zebedkiah the King asked Jeremiah secretly into his house and said: "Is there any word from the Lord?"
And Jeremiah said: "There is for thou shalt be delivered into the hands of the king of Babylon."

Jeremiah 37:17

Human and Citizen: The Essential Tension

Let us begin with a confession that serves as an invitation for like-minded persons who want to share in our search for ways to live our commitments and teach them to others. Our commitments begin with an inharmonious moral and political recognition of both those who are close and distant. We have thick ties born of loyalty to family, friends and citizens. We also have thinner, but very real, commitments to the strangers who compose "humanity." We cannot stress too strongly the absence of an easy harmony in our commitments. We are forced to navigate between two moral and political extremes that cost both citizens and non-citizens their lives and happiness. We could stubbornly take care of "our own" (friends, family and fellow citizens – though there are disharmonies among these) with utter disregard for those

“aliens” who we do not count. Or we could practice an abstract devotion to all of humanity without special regard for those with whom we have deep ties of loyalty and affection. The first approach leads to cruel and even murderous disregard for those we refuse to count in our deliberations. The second approach, an abstract devotion to humanity often leads to impotence and disguises its own cruelties. Our confession is a confession of hope in harmonizing commitments that are invariably riddled with tensions and an invitation to others to join the process of harmonization.

Many will doubt our claim that tensions among our commitments are inevitable. Fervent super-patriots will simply recur to the doctrines of *realpolitik* and claim that all that we have to offer foreigners are graces. Everything we give to foreigners, including the opportunity to naturalize, is a supererogatory gift from a sovereign power. On this view, sovereignty carries no obligations beyond its borders, perhaps not even within them. These Hobbesian assertions may be countered with a robust cosmopolitan ethos that insists on equal recognition and equal rights for all regardless of one’s place of birth. We owe everyone everything that can be owed in equal proportion the world over.

A strict doctrine of *realpolitik* is more than most of us can stomach. When we ask our students if they would be willing to kill and eat Mexicans or steal their food to address the problem of food shortages in America, thankfully, they abandon their view of Mexicans tools to satisfy their own needs. They offer recognition of our common humanity and concede that recognition carries obligations. That our students demur from their extreme views when faced with this extreme example does not mean that they abandon their belief in special obligations to other citizens, but rather makes them aware that “special” or local obligations must be tempered by broader concerns including their recognition of humans who are non-citizens.

Very few of our students are radical cosmopolitans believing that local obligations can never trump our universal loyalty to the rights and interests of humans. Indeed, they are more inclined to believe that local obligations to “our own” should regularly trump the needs of foreigners. Their views correspond to the predominant findings of opinion polls over the years that steadily overestimate the amount of foreign aid administered by the United States and begrudge what they think we are spending. Of course, that fact that citizens of the United States hold views that endorse the priority of local ties does not justify the local ties. It may, instead, remark a need to explore and combat xenophobia. What the predominant attitudes

among U. S, citizens do demonstrate is the rhetorical challenge that advocates of any form of cosmopolitan ethic must face.

Rhetorical challenges aside, many forms of cosmopolitanism face the serious challenge of convincing many of those who resist and abhor xenophobia that a cosmopolitan ethos is translucent and compelling. Let us consider two kinds of cosmopolitan claims about which we have doubts. First, some cosmopolitans are economic egalitarians. They claim that no regime is just that does not work to equalize both wealth and incomes worldwide. How equal wealth and income would be is open to disagreement among cosmopolitans. Some would require nearly equal income and wealth among all persons worldwide. Others would apply John Rawls's famous "difference" permitting only such differences in wealth and income as would serve to benefit the least advantaged among the world's population.¹ However the demand for economic equality is framed, it faces doubts that limit the likelihood that we (not to mention others who are less disposed toward cosmopolitan ethics than us) would be moved to make the cosmopolitan dream a reality.

The biggest doubts concern the level of sacrifice that might be demanded to achieve global justice. What if equalization of wealth and incomes to a level that would benefit the most disadvantaged, e.g. a Uruguayan family of four with an annual income of less than \$400 a year, required a radical loss of wealth and income for those of us who are privileged enough to have substantially higher holdings. Let's say that equalized incomes were leveled at \$4,000 a year. The lot of the worst off would be improved. Would most of us accept the notion that justice had been done even if we believed that our privileged position derived in large part from unjust acquisitions by our government now or in the past? Is a dream of a world filled with \$4,000 earners congruent with our basic notions of distributive justice even if we could put ourselves behind a veil of ignorance? If so, would justice trump concerns for safety, comfort and prosperity?

Two answers come to mind: 1) Yes, if that is what justice demands, that is what we should do.
2) We need not worry about the conflict between justice and other motives since economic egalitarianism

¹ Kok-Chor Tan makes a thoughtful case for using the difference principle for global distributive justice in *Justice without Borders: Cosmopolitanism, Nationalism and Patriotism* (Cambridge: The University Press, 2004). His argument, along with those of other cosmopolitans he discusses, puts him at odds with Rawls who refused to apply the difference principle beyond the borders of liberal polities. See *The Law of Peoples with "the Idea of Public Reason Revisited,"*(Harvard: The University Press, 1999).

would not require much, if any, sacrifice. The first answer is a rhetorical non-starter. Most people will simply balk at the idea of doing justice at the cost of prosperity and the visions of satisfaction that it rightly or wrongly carries. One of our authors is regularly rebuffed when asking students if they would sacrifice 10% of their income to end starvation. The idea that they would eliminate most of their economic aspirations for the sake of equality, as opposed to mere beneficence, seems chimerical.

The second answer assumes that there are voices among the many warring economists who can settle the endless disputes about “development policy” yielding a sure-fire technique for redistribution without serious loss of wealth and income. Let’s assume, for the sake of argument, that we can find an economist whose wisdom we implicitly trust. Applying the economist’s scheme of “development” would raise a different set of questions about the second kind of justice cherished by cosmopolitans – political justice.

A purely democratic conception of political justice would require that no one have a greater voice in determining the collective policies that affect us than any one else. Everyone would participate in making decisions equally and no one’s voice would drown out anyone else’s. The vision of a super-economist who settles the questions of development policy elevates the technician above politics. Economics is not an arena where voices are counted equally. The super-economist knows what justice is and knows how to attain it. There is nothing to discuss.

The illusion that there is nothing to discuss derives from assumptions we have accepted *arguendo*. We are assuming, for the sake of argument, that wealth and income freely translate into the good things of life that we are out to share equally. Nevertheless, the equation of purchasing power with what is desirable or even desired equally among the peoples of the world is starkly dubious.² Honor, friendship, art, religion, love, sex, conversation, safety and play are among the many valued things that can be distributed among the world’s peoples. A technocrat’s income tables will not measure the presence or distribution of these goods in a redistributive scheme. The best the technocrat can do is to aver that equal purchasing power (presumably with no opportunity for unequal accumulation of purchasing power that would re-engage inequality) provides an equal opportunity to distribute the goods we desire or that non-economic goods do not matter in doing justice. Either answer asks us to quiet the impulse toward

² See Kwame Anthony Appiah, *Cosmopolitanism: Ethics in a World of Strangers* (New York: Norton, 2006), 162-174.

citizenship and defer to our betters. Any commitment to principles of democracy would require us to leave a space for citizenly voices to resist the will of the technocrat.

If we leave a space for citizenship, the tensions in the cosmopolitan ideal become clear. Where are we to leave a voice of resistance while enacting the demand for global justice? What does political justice in a global setting require? A radical democrat would demand equal voice in shaping and resisting schemes of global justice for all humans. What would be the venue for these demands? The purest of pure democratic ideals would lead to a vision of global citizenship in a world government. That vision gives pause for two reasons. First, a world government seems impractical. Who would establish it? Who would accede to its will? Second, such a government holds great potential for injustice. A world government would have to govern in the face of radical diversity among the peoples of the world. It would have to ensure that religious, ethical and political diversities did not lead to resistance to the aims of universal justice. A world regime would risk squelching diversity without achieving justice. The risk of injustice could outweigh the hope for justice.

Do these doubts about a pure cosmopolitan regime eliminate any hope of greater global justice? We do not think so. We can urge support for greater economic equality without succumbing to the desolation of a global monastery. This is not the place to offer suggestions along these lines since our aim is more modest than contributing to discussions of distributive justice and global economic policy. Our questions are these: Is there a place for “global citizenship” in the political life of the United States? Can we improve our standards of political justice to include a greater voice among non-citizens, specifically immigrants and even more specifically as pertains to the issues of immigration in this country? Can we contribute to this gesture in the direction of global citizenship through programs of non-partisan civic education? We hope to show that these questions can be answered yes.

Answering them yes requires us to do three things. First, we will specify a model of citizenship that will lend itself to accommodating non-citizens. Second, we will state the challenges to extending the model to immigrants. Third, we will suggest teaching and learning strategies that promise to yield accommodation.

On Good Liberal Citizenship

We want to teach citizenship. We anticipate resistance from at least two sources: 1) strong “republican” and democratic theorists and 2) liberal neutralists.³ Strong republican and democratic theorists (following Rousseau) argue that liberalism is incompatible with citizenship. What liberal societies have are “subjects,” rather than “citizens,” whose levels of participation and commitment to civic virtue are too weak to achieve authentic citizenship; consequently, there may be nothing for us to teach.⁴ Strong republican and democratic theorists conceive citizenship too narrowly. Liberal civic virtue is seldom intense and involves many detailed obligations only intermittently (e.g., in times of war). Teaching people to participate in and use the resources of a regime does not replicate Spartan visions of civic virtue, but it involves more than simply asking subjects to obey. Liberal citizens have duties and exhibit virtues that make them more than mere subjects.

Liberal neutralists argue that liberal societies are neutral concerning the good life (as opposed to the basic principles of justice); consequently, any effort to inculcate citizenship in our public institutions may constitute an illegitimate imposition of values.⁵ To inculcate civic virtue requires shaping character and teaching people how to live, thus violating the principle of neutrality. In sum, liberal neutralism implies that we can teach liberal citizens, but we are not permitted to teach liberal citizenship.

Teaching duties and virtues makes the public university (as an arm of the liberal regime) a partisan in disputes over the good life.⁶ That conclusion does not alarm us because liberal regimes are not, and

³ Another likely source of criticism comes from particularists, including Afrocentrists, who contend that our cultural divisions run too deep to permit a common education. See Molefi Kete Asante, *The Afrocentric Idea* (Philadelphia: Temple, 1987). Will Kymlicka argues that deep cultural diversity is compatible with common citizenship. See Will Kymlicka, *Liberalism, Community and Culture* (Oxford, 1989); Will Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights* (Oxford, 1995); Will Kymlicka (ed.), *The Rights of Minority Cultures* (Oxford, 1995). For a critique of the notion that America exhibits cultural diversity too deep for common life, see Alan Wolfe, *One Nation After All* (Viking, 1998). For a brief discussion of the contentions among particularists, traditionalists and multiculturalists, see Larry W. Chappell, *George F. Will* (New York: Twayne, 1997), 84-86. However deep the divisions in the United States, they are surely deeper when we shift to a global stage.

⁴ See Benjamin Barber, *Strong Democracy: Participatory Politics for a New Age* (California, 1984) and J. G. A. Pocock, *The Machiavellian Moment* (Princeton, 1969).

⁵ See Bruce Ackerman, *Social Justice in the Liberal State* (Yale, 1980); Ronald Dworkin, *Taking Rights Seriously* (Harvard, 1978) and *A Matter of Principle* (Harvard, 1985), 181-204; Stuart Hampshire, *Innocence and Experience* (Harvard, 1989); Charles Larmore, *Patterns of Moral Complexity* (Cambridge, 1987); and John Rawls, *A Theory of Justice* (Harvard, 1971).

⁶ We accept the critiques of theorists who contend the ideal of neutrality is chimerical and that teaching virtues (including those necessary for good citizenship) is a necessary function of any regime. See Bruce Douglass, et al., editors, *Liberalism and the Good* (Routledge, 1990); William A. Galston, *Liberal Purposes: Goods, Virtues, and Diversity in the Liberal State* (Cambridge, 1991); and Stephen Macedo, *Diversity and Mistrust: Civic Education in a Multicultural Democracy* (Harvard, 2000) and *Liberal*

cannot be, neutral about our common life.⁷ They restrict our options concerning patterns for living to a less than infinite variety. They also influence us to choose some ways of life over others. They are not neutral because they are regimes. By “regime” we mean something close to the ancient Greek conception of *politeia* – which means we do not equate “regime” with “state.” A regime is a political way of life constituted by guiding norms. Having a regime is, as classical scholars stress, the principle condition of having a state.⁸ A regime is marked by its ability to inculcate norms that affect all aspects of our lives through formal and informal teaching involving both sanctions and rewards. A successful regime virtually secretes the kind of people it needs to sustain itself.⁹ Liberal educational institutions (which need not be schools) must promote the duties and virtues required for preserving the regime if they are to serve their regime well. Unless these duties and virtues become a part of the public lives of students, they may act in un-citizenly ways both inside and outside the university.

The aim of civic education is good citizenship. What is good citizenship?¹⁰ Aristotle is correct that standards of good citizenship vary from regime to regime. The United States is a “liberal” regime. By calling America “liberal,” we are not making a partisan plea. People devoted to a liberal democratic regime disagree about many things, yet share an overlapping consensus (to use John Rawls’ phrase) committing us to preserving basic liberties such as freedom of speech, private ownership of property and the right to vote.¹¹ In America’s liberal political culture, people ordinarily put their private concerns first and think about politics or common concerns less often. Usually, we only engage in public affairs when our private

Virtues: Citizenship, Virtue, and Community in Liberal Constitutionalism (Clarendon, 1990); Richard Dagger, *Civic Virtues: Rights, Citizenship, and Republican Liberalism* (Oxford: the University Press, 1997); Thomas A. Spragens, Jr., *Civic Liberalism: Reflections on Our Democratic Ideals* (Lanham, MD: Rowman and Littlefield, 1999)..

⁷ Saying that we have a common life or a common interest does not commit us to the notion of “the highest good. Our notion of the common interest is closer to Hobbes’ notion of “felicity” than to classical notions of the *Summum Bonum*. See Thomas Hobbes, *Leviathan* (Cambridge: The University Press, 1991), 69-70.

⁸ See the glossary entry for *politeia* in Martin Ostwald’s translation of Aristotle’s *Nicomachean Ethics*, (Macmillan, 1962), 312-13.

⁹ Charles Taylor argues that descriptive schemes “secrete” normative commitments. Describing a political system requires us to make assumptions about the standards that are imbedded in a particular political reality. Similarly, maintaining political institutions requires enforcing standards and conditioning people to live up to those standards. See Taylor, “Neutrality in Political Science,” in *Philosophical Papers, Volume Two, Philosophy and the Human Sciences* (Cambridge, 1985), 58-90.

¹⁰ A substantial portion of our analysis of good citizenship appears in an essay by Bernard L. Bray and Larry W. Chappell “Civic Theater for Civic Education,” *Journal of Political Science Education*, Vol. 1, (2005): 83-108.

¹¹ John Rawls, *Political Liberalism*, 133-172; “The Idea of an Overlapping Consensus,” in *Collected Papers* (Harvard, 1999), 421-448; “The Domain of the Political and Overlapping Consensus,” *Collected Papers*, 473-498.

interests are at stake, and only in times of crisis for the political community as a whole do we give the highest priority to the public interest.

There are five components of liberal citizenship: rights, interests, affections, duties and virtues. Liberal theorists have usually stressed the first two. Some critics of liberalism contend that liberal societies are so obsessed with rights that social cohesion has become problematic.¹² Other critics believe that competing interest groups diminish any conception of the common good. Some argue that liberal cosmopolitanism saps the patriotic commitments necessary to defend the country and carry us through times of crisis. Critics also assert that there is little room for viable conceptions of either the virtues or duties necessary for a decent society. Liberal theorists have begun to respond to these criticisms by defending the liberal tradition as flexible enough to include robust affections, duties and virtues.

Rights and Interests

Any attempt to teach good citizenship *will* begin with rights.¹³ Rights are guarantees of the freedom to act without interference by the government. The rights most central to effective citizenship are those in the First Amendment – speech, press and assembly – that make effective political participation possible. But our commitment to securing rights concerns the quality of private life as much as the quality of public life. For instance, we believe that freedom of religion deserves protection regardless of its contribution to public life because of its central importance to the private lives of our people.

Interests are legitimate claims to governmental protection or support for activities that secure our well-being without necessarily benefiting all citizens. Our legitimate interests, unlike “public goods” such as national defense or clean air, do not belong to everyone equally, but are, nevertheless, worthy of protection or support.¹⁴

Civic Affections

¹² Mary Ann Glendon, *Abortion and Divorce in Western Law: American Failures and European Challenges* (Harvard, 1987); and *Rights Talk* (Free Press, 1991).

¹³ Patricia J. Williams, a staunch critic of American racial injustice, concludes that the proper focus for remedying injustices must be on rights. *The Alchemy of Race and Rights*, (Harvard University Press, 1991), 146-165.

¹⁴ For instance, the Supreme Court held, in *Berman v. Parker* and subsequent cases involving the “taking clause” of the Fifth Amendment, that a “public purpose” can include helping some people (e.g., poor people who need assistance with housing) without directly benefiting everyone. *Berman v. Parker*, 348 U.S. 26, 75 S.Ct. 98, 99 L.Ed. 27 (1954).

Once citizens know their rights and pursue their interests; they have not exhausted their citizenship. Good citizens will need to sustain the sense of belonging together that comes from civic affection. Civic affection takes two forms: civic love and civic friendship.

Civic love is devotion to one's country and willingness to make sacrifices for it (usually termed patriotism).¹⁵ Civic love is distinct from nationalism, which is an uncritical support for one's country, right or wrong. What we love is our homeland and the relatively just regime that shelters that homeland. Were a fascist revolution to occur, a good liberal citizen would lose the love for and loyalty to the government without losing either love of the homeland or the desire to restore a decent regime. We are for critical civic love constrained by reason and consonant with loyalty to the regime.¹⁶

Civic friendship is reaching out to others in hope of finding a sense of common belonging. In this reaching out, one is doing more than performing a duty. One is building political bands that tie us together more solidly than mere duty ever could. As Aristotle stresses, political friendships are friendships grounded in utility.¹⁷ We build ties with one another, not out of personal liking, but because of our mutual usefulness in forging a common life. As Aristotle maintains, political friendship requires some degree of "homonoia" (like-mindedness), but liberal societies allow the flourishing of many character types and personal aims, placing severe limits on the amount of agreement we can expect and, surely, demand. Political friendship is not a virtue, but it is requisite for sustaining a regime.¹⁸

¹⁵ We use the term civic love to avoid the sexist connotation of "patriotism." There is a spirited debate concerning the possibility of affirming patriotism as a virtue. Alasdair MacIntyre, "Is Patriotism a Virtue," in *Communitarianism: A New Public Ethics*, ed. Markate Daly, 307-318; Martha Nussbaum, (with respondents), *For Love of Country: Debating the Limits of Patriotism* (Boston: Beacon, 1996); Maurizio Viroli, *For Love of Country: An Essay on Patriotism and Nationalism* (Oxford: Clarendon, 1995); Yael Tamir, *Liberal Nationalism* (Princeton: The UP, 1993) and Michael Lind, *The Next American Nation: The New Nationalism and the Fourth American Revolution* (New York: Free Press, 1995). Civic love is a feeling not a state, and, therefore, following Aristotle, is not a virtue. The virtue that is akin to civic love is loyalty.

¹⁶ Jean Bethke Elshtain captures the kind of love and loyalty we endorse: "We can be patriots.... But it is a chastened patriot I have in mind, men and women who have learned from the past. Rejecting the counsels of cynicism, they modulate the rhetoric of high patriotic purpose by keeping alive the distancing voice of ironic remembrance and recognition of the way patriotism can shade into the excesses of nationalism; recognition of the fact that patriotism in the form of armed civic virtue is a dangerous chimera. The chastened patriot is committed *and* detached: enough apart so that she and he can be reflective about patriotic ties and loyalties, cherishing many loyalties rather than valorizing one alone." *Women and War* (New York: Basic Books, 1987), 252-53.

¹⁷ Bernard Yack, *The Problems of a Political Animal: Community, Justice, and Conflict in Aristotelian Political Thought* (Berkeley: University of California Press, 1993), 109-27.

¹⁸ Both civic love and civic friendship are distinct from civic heroism. Civic heroes are those extraordinary persons who lead us in new directions during times of civic crisis. They do much more than perform their

Civic Duties

Affection is not enough to hold us together; we need to act well toward one another. Good citizens will meet their duties as citizens.¹⁹ Critics think liberalism is practically devoid of any sense of duty. Nevertheless, American society is quite capable of fulfilling Stephen Macedo's hope for a "liberalism with spine."²⁰ American citizens perform important duties that are exceedingly demanding such as military service, paying taxes, jury duty, impartiality and non-discrimination.²¹ Impartiality and non-discrimination are moral as well as legal duties. Together they form a part of political justice, which is preeminent among our legal and moral duties and virtues.

Good liberal citizens practice justice even when the law does not require it, including, as Aristotle maintains, political justice.²² In a liberal regime, the preeminent element of political justice as it relates to our civic life is civic respect, which requires reciprocity. We cannot peacefully exercise our rights and pursue our interests unless we respect each other's rights and interests. In addition to the requirements of justice, liberal citizens have an obligation to be reasonable. The three obligations -- civic respect, impartiality and non-discrimination -- that are prominent parts of liberal justice, as well as the obligation to be reasonable require some brief elaboration.

Civic Respect

Civic respect requires us to treat as equals other citizens with whom we may not agree, whose interests may diverge from ours, and who we might not like. It is not the *full* respect we owe to persons, but

duties or strengthen ties to other citizens. They help to transform the polity through their tremendous courage and willingness to sacrifice for the common good. Dr. Martin Luther King, Jr. is a good example of a civic hero.

¹⁹ Bruce Douglass, et al., editors, *Liberalism and the Good* (London: Routledge, 1990); William A. Galston, *Liberal Purposes: Goods, Virtues, and Diversity in the Liberal State* (Cambridge: the University Press, 1991); and Stephen Macedo, *Diversity and Mistrust: Civic Education in a Multicultural Democracy* (Cambridge: Harvard University Press, 2000) and *Liberal Virtues: Citizenship, Virtue, Community in Liberal Constitutionalism* (Oxford: Clarendon, 1990) and Thomas Spragens Jr., *Civic Liberalism: Reflections on our Democratic Ideals* (Lanham, MD: Rowman and Littlefield, 1998).

²⁰ Macedo, *Diversity and Mistrust*, 5.

²¹ Spinner *The Boundaries of Citizenship*, 39-49.

²² Aristotle, *Nicomachean Ethics*, 1134.

only the respect we owe others as equal citizens.²³ Civic respect comes in two forms: Hobbesian respect and free respect. When political power is used to deny access to full citizenship Hobbesian respect is necessary -- the use of political resources (including alliances) to force a *show* of respect from those who begrudge it.²⁴ Free respect comes from willingness to grant respect reciprocally. Free respect may fail because a person of good will is ignorant of another's entitlement to it or of the proper manner of giving it. Disrespect may also flow from the design of institutions, assigning people to second-class citizenship without anyone necessarily intending disrespect. When the source of disrespect is the blatant unwillingness to share the benefits of citizenship equitably, the remedy is to apply power against injustice. When the denial of full citizenship derives from flawed institutional design, the remedy is to alter the structures of power to allow meaningful participation. When the source is ignorance combined with good will, the remedy is civic education.

Impartiality

Liberal regimes cannot aspire to neutrality, but they can aim for impartiality.²⁵ Impartiality means that certain representatives of the regime (e.g., teachers, judges, bureaucrats and jurors), when carrying out their public duties, are obliged not to take sides among conflicting, "legitimate" political positions or among acceptable ways of living our private lives.²⁶

²³ Stephen Darwall distinguishes recognition respect from appraisal respect. Recognition respect is what we owe all people while appraisal respect reflects a high regard for the manifest character of another. "Two Kinds of Respect," *Ethics* 88 (October 1977): 38-46. Civic respect is recognition respect. For general introductions to the requirements of full respect, see Sara Lawrence Lightfoot, *Respect: An Exploration* (Cambridge, MA: Perseus, 2000) and Richard Sennett, *Respect in a World of Inequality* (New York: Norton, 2003).

²⁴ Hobbes notoriously argued that a social contract instigated through threats, since it is necessitated by fear of violent death, is valid. Once a government is instituted, the sovereign may then prohibit coercive contracts. This argument sets Hobbes apart from Locke. Rejecting Hobbes' theory of social contract would not invalidate the important insight that securing just cooperation may sometimes require force and threats of force. Hobbes, *Leviathan*, Chapter 14; Locke, *Second Treatise on Government*, *Second Treatise of Government* (Indianapolis: Hackett, 1980), Section 176.

²⁵ For a general discussion of impartiality in political theory, see Shane O'Neill, *Impartiality in Context: Grounding Justice in a Pluralist World* (Albany: State University of New York, 1997).

²⁶ For an argument that societies must protect their most fundamental commitments, see Patrick Devlin, *The Enforcement of Morals* (London: Oxford University Press, 1965). Using a phrase like "strongest commitments" is unfortunate but necessary. We do not want to commit to something like Mill's harm principle to demarcate liberal societies from others. For instance, we think a society can ban public nudity and still remain liberal. It could not allow forced marriages and still remain liberal. There is no single, simple principle that clearly sets a liberal society apart from a non-liberal one, but we can, nevertheless, distinguish between liberal and non-liberal regimes. For a critique of the notion that distinctions require algorithms see Michael Polanyi, *Personal Knowledge: Towards a Post-critical Philosophy* (Chicago: The University of Chicago Press, 1958.)

Impartiality is difficult, which leads some to hastily conclude that it is impossible. One thing that makes impartiality difficult is the presence of private views or interests that lead to bias. We assume that one can have private bias and still act impartially in making public judgments. If we cannot assume this liberal justice is impossible. If people cannot resist their private biases, we would have to send people to reeducation centers to do justice. That would wreck a liberal regime. We are talking here about public or civic impartiality, not about private impartiality. We can make efforts to minimize the influence of bias. For instance, we can make a strong effort within a set of rules to make sure juries include blacks. What we cannot do is to brainwash jurors before they judge or explore the hearts and minds of public officials to insure that they are “really” impartial. We can only monitor public performance, not private convictions.

There is a duty of impartiality for public teachers, but our students are not obligated to treat each other impartially unless they are called upon to make decisions (e.g., while serving on disciplinary committees). Nevertheless, teaching liberal citizenship well requires teaching impartiality because any citizen can expect to assume an impartial role, even if it is nothing more than jury duty. Of course, many of our students will become teachers who are obligated to act impartially on many occasions.

Non-Discrimination

Liberal societies also require non-discrimination. Neither the government nor individuals may act to deny people access to basic opportunities simply because of the group to which they happen to belong. Public officials (including teachers) have a duty to refrain from discrimination, and also to enforce non-discrimination. Impartiality and non-discrimination are requirements pertaining to the access to and use of public accommodations and civic space. Individuals are not required, in their private lives, to practice either impartiality or non-discrimination.

Civic Reason

Another basic duty in liberal regimes is “reasonableness.”²⁷ This is usually a moral rather than a legal duty, but it can become a requirement for participation in some settings. The classroom is the place where requirements of reasonability are most frequently enforced in liberal societies. Liberal citizens are expected to make cases for their claims about truth and rightness. We entertain those cases if reasons and evidence support them. We exclude controversial claims exclusively supported by emotion or dramatic effect. We regard some forms of dramatic effect (e.g., shouting or name-calling) as disruptive. Liberal regimes set constraints on serious discourse by insisting on rules of engagement where reasons and evidence rather than faith and feelings are ideally determinative of judgment.

Civic rationality helps us negotiate our differences while maintaining a stable, peaceful and relatively just and good society. Civic rationality should not be confused with reason *simpliciter*. Reason includes the ability and skill to make and follow valid arguments using recognized standards of good reasoning. In a variety of metaphysical theories, reason serves as a guiding faculty for thinking well or, in some theories, doing well. Civic rationality does not appeal to (indeed prohibits the imposition of) theories of rationality such as natural law or positivism. Civic rationality sets constitutional constraints on how we conduct public business. It limits what count as valid or invalid considerations.

We justify *public* reason or civic rationality politically.²⁸ We do not aim to justify the demand to be reasonable in all aspects of our lives. That demand is unreasonable. What we want to do is to justify the public use of reason in public settings. Civic rationality is not a universal quality. Being reasonable in public discussions varies depending on the kinds of reasons that public norms allow or demand. In earlier times, offering “because the Bible says so” as a premise was not simply permissible; it was mandatory. The sorts of things that count as premises and evidence vary from regime to regime.²⁹

²⁷ Stephen L. Esquith, *Intimacy and Spectacle: Liberal Theory as Political Education* (Ithaca: Cornell, 1994), 186-191; 272-78; Thomas Spragens, Jr., *Reason and Democracy*, (Durham: Duke University Press 1990).

²⁸ John Rawls, in his late work, insisted that public reasons are “political not metaphysical.” *Collected Papers*, 388-414. Rawls refers to the institutions of civil society as “background culture” which provide the setting for “basic” political institutions. The restrictions of public reason do not apply to these institutions.

²⁹ The debate over the universality of reasoning and rational capacities can be quite heated. See Gananath Obeyesekere, *The Apotheosis of Captain Cook: European Mythmaking in the Pacific* (Princeton, 1992) and Marshall Sahlins, *How Natives Think: About Captain Cook for Instance* (Chicago, 1995). For a review of the earlier debates on rationality among philosophers and anthropologists, see Stanley Jeyaraja Tambiah, *Magic, Science, Religion, and the Scope of Rationality* (Cambridge, 1990).

There are good civic reasons to insist on rationality. Our society exists against a backdrop of religious wars that grew from the righteous conviction that the parties to the wars were uniquely positioned to prescribe to others the proper manner of living. The demand for reasonableness is a demand to adjudicate disputes without affirming the unquestioned rightness of our competing visions of the good life. There are reasons and evidence we can adduce that do not rely on affirming the singular rightness of our diverse (allowable) ways of living. Reason is also valuable because it depersonalizes discourse and diminishes its emotional intensity. As Max Weber stresses, we can't rely on charismatic leadership to sustain a modern political order. In a pluralistic society where tradition has waned, the use of rationalistic discourse governed by impersonal legal rules is a desideratum.

We do not defend reason as a universal requirement for good living. Indeed, it violates the norms of a liberal regime to impose one's conception of full rationality on other citizens. One can pitch a conception of full rationality (or faith for that matter) while participating in partisan political disputes so long as one does not arrogate to oneself the authority to impose these convictions.³⁰

Civic Virtues

While duties constrain us, virtues enable us. Virtues enable us to meet our civic duties and/or enable us to be civically efficacious. Civic virtues are the qualities of character and personal skills necessary to make the exercise of citizenship meaningful. Civic virtues give us the capacity to exercise our rights, promote our interests and meet our duties. Civic virtues in a liberal society include maintaining loyalty in performing our civic roles, being reasonable, maintaining civility, practicing tolerance, exercising tact, exhibiting poise and cultivating civic attention (getting and paying attention).

³⁰ John Rawls makes room for political motivations that do not meet the standards of public reason through what he calls "the proviso." Basically, the proviso dictates that a political idea can come from any source so long as we can justify it through public reason. *The Law of Peoples with "the Idea of Public Reason Revisited,"* 144-56. Public reason regulates policy outputs, not inputs. Rawls' notion bears profitable comparison with the controversial distinction between the logic of discovery and the logic of justification in the philosophy of science.

Civic Loyalty

Loyalty is constitutive of our personal and political identities. It is, as Josiah Royce says “the central spirit of the moral and reasonable life.”³¹ To state one’s loyalties is to tell who one is. As Morton Grodzins puts it:

When you scratch a man you touch loyalty. For Man means society. And Society – social structure of every sort – rests upon loyalties: upon attitudes and actions directed at supporting groups, ideas and institutions. Loyalties sustain and are sustained by mutual rights and duties, common beliefs, and reciprocal obligations – all essential ingredients of social life.³²

That does not mean that being loyal requires us to lose the capacity for self-criticism. Reflective distance is always possible regarding our loyalties because we can always critique the ways we symbolize them.³³

Citizenship and, hence, civic education is founded in loyalty. Loyalty is a fragile foundation. Loyalty can seduce us into falsehood and injustice, but to lose it is to lose our sense of belonging.³⁴ That sense of belonging must be balanced against a sense of betrayal that often occasions our loyalties. In many cases, we find that our entire tradition has been off track for many generations. For instance, the liberalism we celebrate happily coexisted for many years with the racism we abhor.³⁵ How do we recognize betrayals as betrayals? Betrayal comes to notice in light of loyalty. The moral, political and epistemological communities we inhabit give us resources for dissent and criticism. They provide standards of criticism allowing recognition of deflections in practice from the norms governing our communities.³⁶

Loyalty needs to be distinguished from the ethnocentrism that Richard Rorty exalts. Ethnocentrism is smug. It founds itself in the given; whereas, loyalty is better understood as a constitutive process that integrates loyalties it discovers and creates many of the givens to which our loyalties attach.

³¹ Josiah Royce, *The Philosophy of Loyalty* (New York: Macmillan, 1908), vii.

³² Morton Grodzins, *The Loyal and the Disloyal: Social Boundaries of Patriotism and Treason* (Chicago: The University Press, 1956), 5-6.

³³ Eric Voegelin, *The Drama of Humanity and Other Miscellaneous Papers 1939-1985*, Collected Works, Vol. 33 (Columbia: The University of Missouri Press, 2004), 393-94; 422-23.

³⁴ George P. Fletcher, *Loyalty: An Essay on the Morality of Relationships* (New York: Oxford University Press, 1993).

³⁵ Rogers Smith, *Civic Ideals: Conflicting Visions of Citizenship in U.S. History* (Yale, 1997); and “Beyond Tocqueville, Myrdal and Hartz: The Multiple Traditions in America,” *American Political Science Review* (87) 549-66.

³⁶ Michael Walzer defends vigorous immanent criticisms of regimes and societies in *Interpretation and Social Criticism* (Harvard, 1987); and *The Company of Critics: Social Criticism and Political Commitment in the Twentieth Century* (Basic Books, 1988).

Prior to loyalty, there is no collective I or we. Ethnocentrism is the unreflective outcome of the integrating process that *is* loyalty. It cannot itself be a foundation without irresponsibly foregoing the demands of conscience.³⁷ Ethnocentrism is an illusory foundation, especially for anyone like Rorty or us who would nourish the liberal tradition in epistemology, ethics and politics. Liberalism prides itself on its openness to human variety and its reflexive ability to question its own foundations. In the hands of a John Stuart Mill or an Isaiah Berlin, it seeks to incorporate and synthesize that which seems alien to it. It cannot simply close itself off from the non-liberal world.³⁸ Genuine loyalty constitutes the given and resists it. Loyalty integrates plurality. It is a process of harmonizing rather than resting on a pre-existing harmony.

This is not to say that loyalty creates no specific ties. One cannot be loyal to either things in general or to Royce's famous "loyalty to loyalty." But one can maintain some distance from the specific loyalties that loyalty integrates. One can also respect the loyalties of others even when they do not respect our loyalties, without, of course, abandoning the right of self defense. Rorty is right to stress the localized character of our loyalties; he is wrong to neglect the need to integrate the conflicts within our loyalties and the need to accommodate alien loyalties. Royce is right to describe a good education in loyalty as getting "a new and wiser provincialism."³⁹ Royce, on the other hand, proposes a too-harmonious solution to the problem of loyalty. For him, loyalty to loyalty pays off with the realization that there is a harmony of harmonies that transcends the apparent conflicts among and within our parochial loyalties. He maintains that genuinely loyal persons will respect loyalty and uses this claim as a springboard to metaphysical arguments about the ideal harmony.

We share Royce's impulse to broaden and synthesize our loyalties and resist the smugness of ethnocentrism. However, our sensibilities are far too tragic to succumb easily to the temptation to comfort ourselves with Royce's metaphysical harmonies rising above the agonizing world of appearances we

³⁷ Conscience is embedded in communities, but it potentially transcends any particular historical embodiment of a tradition. Joyce Nelson, in her introduction to a play by Daniel Brooks and Guillermo Verdecchia emphasizes the communal dimension of conscience well: "The word 'conscience' is rarely heard anymore, as though it belonged to the dustbin of historical diction along with such quaint words as 'distaff' and 'coxcumbry.' When the word is used at all, conscience is understood in our society to be a thoroughly private matter. And yet, the word's Latin root *con + scire* means "to know together" – an indication that the ability to make moral distinctions between right and wrong has something to do with the community." *The Noam Chomsky Lectures: A Play* (Toronto: Coach House Press, 1991), 7-8.

³⁸ John Stuart Mill, *On Bentham and Coleridge* (New York: Harper & Row, 1962); Isaiah Berlin, *The Proper Study of Mankind: an Anthology of Essays* (New York: Farrar, Straus and Giroux, 1997) 243-604.

³⁹ Royce, *The Philosophy of Loyalty*, 245.

inhabit.⁴⁰ Agony is not the entire story though; tragedy is not fatalism. Our loyalties conflict; they are in tension. But we can balance and sustain those tensions. Balancing is the key to integrity, and integrity is the proper aim for liberal citizenship.

Loyalty expresses a way of living rather than mere beliefs about living or being. It articulates itself most fully in the faithful performance of roles rather than in discrete acts or understandings. Civic loyalty, then, is learning to play the role of citizen well. One must practice at doing what is demanded of a citizen even if doing one's citizenly duties conflicts with other loyalties that carry other obligations. A good President will choose saving his country over saving his son when the role of father and president conflict.⁴¹ Of course, there will come a time when the demands of conscience require ranking loyalty to family or religion over those of citizenship. That does not belie the need to understand and practice the role of citizen outside these moments of conflict and crisis, nor does it obviate the need to recognize that we are stepping out of role when we override our citizenly loyalties.

Civic loyalty needs to be distinguished from civic affection. Both civic love and civic friendship are activating feelings necessary to sustain liberal regimes. Because they are feelings, they are not virtues. As Aristotle stresses, virtues are borne by habit, not feeling. One who forms the habit of acting as a good citizen will sustain the right actions without being prompted to act by intense feelings. Indeed, one who performs the office of citizen well is free to feel nothing at all. Liberal societies do not sanction exploring the interiority or full character of a citizen. All that matters is the virtuous performance, not the animating spirit that sustains our virtues.

Reasonableness as a Virtue

Being reasonable is, as we have indicated, a duty. It constrains our public interactions. Reason is flexible enough to be thought of as a virtue as well, enabling us to be effective in pursuing our rights and interests as well as in meeting our duties. To understand reason as a virtue, we need to follow Aristotle and think of it as a tool or instrument. Also following Aristotle, we can think of reason as assuming different

⁴⁰ Miguel De Unamuno, *The Tragic Sense of Life* (Philadelphia: The University of Pennsylvania Press, 1921).

⁴¹ Eugene Burdick and Harvey Wheeler, *Fail Safe* (New York: Harper, 1999).

forms.⁴² To think of reason as a civic virtue, we need to address three forms: a) technical rationality, b) practical reason and c) judgment.

Technical or calculative rationality is the ability to “reckon consequences” as Hobbes puts it.⁴³ We can identify our purposes and match the best means to attaining those purposes. Aquinas insisted that this is a faculty we share with the lower animals. Hobbes assumed that calculative rationality is the only sort of rationality there is, but he identified a uniquely human form of reason by tying it to our capacity to produce abstract language (principally naming). For Hobbes reason provides no superior guide to moral action since it is subordinate to the passions.⁴⁴ It does not guide our passions but it can make them efficacious.

Technical rationality is, indeed, essential for being efficacious, and cultivating it is essential to effective politics in liberal societies. We require a variety of techniques, especially those provided by the sciences, for meeting our political aims because we live in commercial societies that are also large and diverse political communities. We cannot meet and influence those with whom we must compete and cooperate without learning and using technical skills. This justifies teaching the sciences and social sciences at some level as a part of common education. Even the Amish have felt compelled to acquire and use cell phones, and they at least know how to gain access to the technical skills of lawyers who file briefs to preserve their way of life.

There are two dangers surrounding technical rationality. First, we may not effectively teach about technical skills, thereby diminishing civic efficacy. Second, we may succumb to the positivist vision of full rationality and allow technical rationality to consume other politically useful forms of rationality.⁴⁵ Addressing the second danger requires us to discuss practical reason and judgment.

Practical reason is the ability to match deliberation with good results – to contemplate alternate courses of action and choose the best. How does that differ from calculative rationality? Calculative rationality merely matches a desire with a result, e.g., “I know how to score some cocaine.” Practical

⁴² Aristotle, *Nicomachean Ethics*, Book VI.

⁴³ *Leviathan*, Chapter 5 (Cambridge: the University Press, 1991), 31-37.

⁴⁴ Following in Hobbes’ footsteps, we encounter the following dramatic assertion: “Reason is and ought only to be the slave of the passions, and can never pretend to any other office than to serve and obey them.” David Hume, *A Treatise of Human Nature*, Book II, Section 3, 2nd ed. (Oxford: the University Press, 1978), 415.

⁴⁵ Herbert Marcuse, *One Dimensional Man* (Beacon, 1964); Jürgen Habermas, *Toward a Rational society: Student Protest, Science, and Politics* (Boston: Beacon, 1970); Max Horkheimer, *Critique of Instrumental Reason* (New York: Seabury, 1974).

reason allows us regularly to arrive at morally correct answers. A person possessing practical reason knows how to live well. We should correct a misimpression about Hobbes to which Hobbes contributed mightily. A Hobbesian can affirm and exert practical reason.⁴⁶ We merely need to be able to do what Hobbes thinks we can do and what Hume sometimes doubts and sometimes affirms. We need to be able to rank our competing passions so that we can distinguish our mere desires from our true interests. We are then in a position to distinguish successful outcomes of our actions from good choices.

Charles Anderson argues that the central mission of universities in liberal democracies is to prepare young people for meaningful participation in a liberal polity. Toward that end, he urges us to critique our curricula and pedagogies by assessing their contribution to cultivating “practical reason.” For Anderson, practical reason has a central place in our political education, and political education is central to the university.⁴⁷ Anderson's claims are valid but dangerous. The danger is that we will fail to maintain the division between public and private. As Aristotle understood, practical reason works at both the private and the public level, and what is good for us privately does not always harmonize with what is good for us publicly. In a liberal society, we must not try to teach people how to conduct their private affairs when it impinges on conscience or interests. We must teach *civic* rationality. For civic purposes, practical wisdom (*phronesis*) is an ability to negotiate successfully our public worlds by making the right decision while deliberating on our common interests. We can neither subordinate the public interest to our private interests nor instruct our citizens on what their private interests or deepest convictions of conscience should be.

Judgment is related to practical reason, yet subtly different. Hannah Arendt once called judgment the most political of faculties. To be citizens sharing a common world, we must have and exercise the capacity to judge. Many social scientists would banish political judgment from the classroom, contending that true education is about what is “objective” while political judgment is about what is “subjective.” These critics would offer the political judgment that political judgment has no place in our colleges and universities.

⁴⁶ On the compatibility of Hobbes with some forms of virtue ethics, see R. E. Ewin, *Virtues and Rights: the Moral Philosophy of Thomas Hobbes* (Westview, 1991).

⁴⁷ *Prescribing the Life of the Mind: An Essay on the Purpose of the University, the Aims of Liberal Education, the Competence of Citizens and the Cultivation of Practical Reason* (Wisconsin, 1993). *Phronesis* is only one of a variety of civic virtues liberal societies need. We discuss several of these later.

Kant famously defined stupidity as the incapacity to make judgments. Teachers and students ought not to make themselves stupid.⁴⁸ But is it possible not to be stupid? Maybe we are just stuck with the stupefying human condition of never being able to publicize our judgments except about matters of "objective fact" (assuming that there is such a thing and assuming that it is worth getting at for some reason we cannot give). Defending judgment against the charge of subjectivity requires us to address key questions about it. What are judgments? How do we form them? What makes them public? What are they good for?

Hannah Arendt offers a much needed defense of the public character of judgment. Judgment is related to, but distinct from "*phronesis*" or practical wisdom, the virtue that allows us to make the right choices in various circumstances. Instead of telling us how to act, judgment tells us how to form graded distinctions, deciding that x is a better example of y than is z. That does not mean that judgment is unrelated to action. For Arendt, judgment teaches us what "company to keep," an important aspect of our cultural and political lives.⁴⁹

Deciding what company to keep is, as Arendt notes, relative to the sphere of activity in which we are engaged. We make different judgments depending upon the purposes at hand. Political judgment is distinct, for instance, from aesthetic judgment. Judging is always a matter of "judging particulars." In her *Lectures on Kant's Political Philosophy*, Arendt struggles with the problem of judging particulars-- making judgments about things that cannot be subsumed under general rules or laws. In addressing the problem she turns to Kant's aesthetic theory (which she thinks is more useful for political problems than his moral theory). Kant recognized the uniqueness of great works of art. There is no rule or set of rules for making or judging a Van Gogh.⁵⁰ How then are we to judge a great work?

One of Kant's answers involved the notion of "exemplary validity." Arendt explains Kant's idea:

Every particular object -- for instance, a table -- has a corresponding concept by which we recognize the table as a table. This can be conceived of as a "Platonic" idea or Kantian schema: that is, one has before the eyes of one's mind a schematic or merely formal table shape to which every table somehow must conform. Or one proceeds, conversely, from the many tables one has seen in one's lives, strips them of all secondary qualities, and the remainder is a table-in-general containing the minimum properties

⁴⁸ On the importance of teaching criticism in the classroom, see Eric B. Gorham, *The Theater of Politics: Hannah Arendt, Political Science, and Higher Education* (Lexington Books, 2000).

⁴⁹ Hannah Arendt, *Between Past and Future: Eight Exercises in Political Thought*, 2nd Ed. (New York: Viking, 1968), 225-26.

⁵⁰ Immanuel Kant, *Critique of Judgment* (New York: Hafner, 1972).

common to all tables: the abstract table. One more possibility is left, and this enters into judgments that are not cognitions: one may encounter or think of some table that one judges to be the best possible table and take this table as the example of how tables actually should be: the exemplary table (“example” comes from *eximere*, “to single out some particular”). This exemplar is and remains a particular that in its very particularity reveals the generality that otherwise could not be defined. Courage is like Achilles, etc.⁵¹

The notion of exemplary validity is useful, but the notion begs a more fundamental question: What makes us think that an exemplar is valid? Jesus (Arendt’s exemplar for “goodness”) may not be as good as Arendt thinks he is, and Achilles may not be all that courageous. The key question is this: Can judgment escape the charge of subjectivity? Arendt, following Kant, is keen to insist that judgment can have public significance and assist us in escaping subjectivity by promoting “common sense.”

Kant insists that taste is subjective because it involves “reflective” rather than “determinant” judgments (i.e., judgments about particulars that can be algorithmically subsumed under a universal). “This is beautiful” would be reflective rather than a determinant judgment because it cannot be subsumed under a rule for identifying beautiful things. The universal is constituted by an iteration of particulars rather than being identified by being subsumed under a rule.

In labeling taste “subjective,” Kant did not level the charge of arbitrariness that comes with contemporary conceptions of subjectivity. Kant insists that taste is a form of “universal subjectivity.” In affirming that a rose is beautiful, I judge, not for myself, but for all humanity. Furthermore, the qualities of judgments are not equal. Some people are better judges than others. Kant believes that judgments can be cultivated. The key to cultivating judgment is imagination. I must be able to imagine how an object would appear to another free of the perspectival bias I may bring to it. By enlarging my imagination, my judgments become more valid. I become a better judge of how the object would appear unencumbered by my particular interests and prejudices.

Arendt applies Kant’s theory of imaginative appreciation to political as well as aesthetic phenomena. As Ronald Beiner notes, she does this in two ways. Beiner insists that there are *two* nascent

⁵¹ Hannah Arendt, *Lectures on Kant’s Political Philosophy*, ed. Ronald Beiner (Chicago: The University Press, 1982), 76-77. Beiner insists that there is a break between Arendt’s early notion of judgment and her later notion -- the early work being more Aristotelian, the later more Kantian. In a roundtable on Eric Gorham’s book *The Theater of Politics*, Gorham argued that the two sides of judgment are present in both the early and late writings of Arendt. Gorham’s case is persuasive. For our purposes, the existence or non-existence of a temporal break is unimportant. There are two “moments” in Arendtian judgment – one involving encounter, the other withdrawal. Both are important for enlarging our mentalities. The roundtable was at the 2002 meeting of the Alabama Political Science Association.

theories of judgment in Arendt's work – one stressing judgment formed through public encounters and another involving the judgment of detached spectators learning to “represent” objects through imagination.⁵²

First, Arendt emphasizes the formation of judgments through actual encounters with others. We enlarge our mentality absorbing the perspectives of those we meet. In her early work, Arendt extends Kant's aesthetic theory to political judgment exercised by actors. Politics, for Arendt, involves sharing a common world. It is not “subjective,” but rather common – shared from plural perspectives. Our worlds become more common (inter-subjective perhaps) when we enlarge our political imaginations. Since the aim is a common world, political judgment aims at moving us beyond our private worlds to a world enlarged and made common when we allow our imagination to be expanded by actual engagement with others. We may, on occasion, need to withdraw and seek impartiality, but we need not always withdraw to judge.⁵³ When Arendt stresses the need for encountering others to form judgments she is close to Hans-Georg Gadamer who argues that good judgment requires us to “fuse horizons” with others whose perspectives diverge markedly from our own.⁵⁴ Fusing horizons requires us to engage in an open-ended process of interpretation that adjusts our ways of knowing as we encounter others. Our judgment improves as we seriously consider perspectives other than our own.

Arendt also presents a more spectatorial version, closer to Kant, of enlarged mentality. She urges us to engage in “representative thinking” allowing our imagination to “go visiting.”⁵⁵ What would it be like to experience this object if I were poor, black, a foreigner or a woman? Or what would it be like if I had never seen any such object before? An imagination that goes visiting does not have another person around. Indeed, withdrawal is a prerequisite to judgment, since imagination aims to make that which is absent present. For Arendt, the major examples of withdrawing to judge are historians and storytellers who reconcile us to brutal reality and lend meaning to our existence.

⁵² Ronald Beiner, “Interpretive Essay,” in Arendt, *Lectures on Kant's Political Philosophy*, 89-156.

⁵³ Jurors withdraw to attain impartiality, but they hardly withdraw to the solitude of a scholar or poet. A theory of judgment that is incapable of accounting for the kind of impartiality we seek from jurors is clearly inadequate. We also hold that a theory of judgment that seeks impartiality as a condition of all good political judgment is inadequate for a liberal society.

⁵⁴ Hans-Georg Gadamer, *Truth and Method* (New York: Crossroad, 1982).

⁵⁵ Arendt, *Lectures on Kant's Political Philosophy*, 40-46. For a good discussion of the role of imagination and narrative in Arendt, see Lisa Jane Disch, *Hannah Arendt and the Limits of Philosophy* (Cornell University Press, 1994).

This is, up to a point, precisely how any critic judges. We are hard pressed, however, to imagine a good critic who never reads other critics or communicates with them in any way. Disputation is central to the valid exercise of imagination – something Kant recognized. He would never recommend withdrawing from the “reading public” which is essential to nurturing imagination and judgment.

We hope to preserve both moments in Arendt’s conception of judgment. We recognize the need to withdraw and reflect before we make aesthetic or political judgments. We also want to preserve the idea of judgments formed through encounter, because we think that criticism forged with engagement can lead to better citizenship as well as better aesthetics.⁵⁶ Engagement requires a space of appearances and common commitments where we can judge together. We need to think of citizens (and potential citizens) as actors who need to understand how to supplement their grasp of rules, abstractions and facts with the capacity to engage through “intelligent performance.”⁵⁷

It is important for citizens to realize that judgment is hard work, and that it requires serious and continuing effort to learn this virtue well. The main barriers to recognizing the challenge of judgment are the tendency (already mentioned) of dismissing judgment as subjectivity and the equally disastrous substitution of ersatz judgment for considered judgment. Ersatz judgment relieves us of the burden of judging well by substituting abstractions and stereotypes for particulars. It is much easier to reduce someone to a few superficial characteristics for a reflective conclusion about a single "case." For instance, a jury could simply assume that black people are thieves and overlook evidence that would clear a defendant. Or one could simply assume that a “drug dealer” or “illegal immigrant” is not entitled to any protection from border guards whose decision to shoot should go judicially unchallenged. The irresponsibility of substituting a few abstractions for considered judgment is encouraged by the widespread belief that technical rationality is all the rationality there is. The irresponsible foreswearing of judgment will probably be complete when college professors leave all their reading of student essays to grading machines.

⁵⁶ If Arendt is correct that enlarged imagination is a condition of good citizenship, we are led to conclude that hermeneutics is a condition of good citizenship. Our term for what citizens need for good judgment is civic hermeneutics. See our essay, "Civic Theater for Civic Education."

⁵⁷ We borrow, while modifying, the phrase “intelligent performance” from Peter J. Steinberger, *The Concept of Political Judgment* (The University of Chicago Press, 1993).

Civility

Liberal society provides a unique context for making judgments, especially public judgments. For example, sincerity may be a virtue in some contexts but not in the public arenas of liberal societies. Indeed, sincerity can be a political vice in a liberal society.⁵⁸ We do not claim that insincerity is a virtue. Rather, we claim that liberal citizens (and those who teach them) need to learn the art of expressing oneself well independent of one's feelings and beliefs.

To understand why sincerity is a public vice we must distinguish it from honesty. Sincerity involves the irrepressible will to express one's thoughts and feelings however worthy those thoughts and feelings may be. Sincerity is congruence between what one thinks and feels and what one shows in public.⁵⁹ Honesty requires us to assess the value of what we intend to express.⁶⁰ An honest assessment of a situation will frequently dictate expressing ourselves cautiously and respectfully. Sincerity urges us to spew thoughts and feelings indiscriminately. Sincerity, in large doses, is destructive of civility.

Civility asks us to give respect to those we do not know and also perhaps those whom we despise.⁶¹ Like the more general politeness that is required in private situations, civility allows for smooth relations among diverse and unequal people who must not only live together (which is what good manners allows) but also work together or negotiate together to do public business. Civility requires a high degree of emotional distance combined with close physical proximity. Civility requires us to discuss public business without preaching to one another. Nothing destroys civility more readily than an exaggerated sense of

⁵⁸ Judith Shklar believes that hypocrisy is a vice in liberal societies. That does not lead her to exalt the virtues of candidness or "openness." *Ordinary Vices*, 45-86. Non-sincerity (as opposed to insincerity) does not require hypocrisy. Shklar distinguishes between "crude" hypocrisy (merely self-serving deceit) and the kind of hypocrisy that is useful because it compliments virtue. Hannah Arendt offers a devastating portrait of a politics dedicated to the elimination of hypocrisy in *On Revolution* (New York: Viking, 1963), 91-101.

⁵⁹ An indispensable study of sincerity is Lionel Trilling, *Sincerity and Authenticity* (Harvard, 1972.) For a more glowing tribute to sincerity with some useful etymological references, see Herbert Read, *The Cult of Sincerity* (Horizon Press, 1969).

⁶⁰ We borrow the distinction between honesty and sincerity from Walter Kaufmann, *Without Guilt or Justice: From Decidophobia to Autonomy* (Dell, 1973). We should be careful, as Trilling is, to distinguish sincerity from authenticity, which concerns our relationship to our true selves (assuming we have any). See Charles Taylor, *The Ethics of Authenticity* (Cambridge: Harvard University Press, 1991). The distinction between honesty and sincerity parallels the distinction between self-esteem and self-respect. See Charles Murray, *In Pursuit of Happiness and Good Government* (New York: Touchstone, 1988), 113-19.

⁶¹ Barney Frank has said of the Congress, "If you're not able to work closely with people you despise, you can't really work here," *Planet Out*, August 5, 2000.

righteousness.⁶² We cannot work together in our diversity if we demand emotional harmony and purity of heart.

What is civility? Much of the literature on civility involves an exaggerated and ill conceived effort to distance it too far from politeness. Politeness and civility are denigrated as small virtues that should not detain those seeking for the most crucial of civic virtues.⁶³ Civility is indeed distinguishable from politeness in two ways. First, politeness or manners relate to civil society and private relations rather than to the civic sphere. We are polite to one another when we meet strangers in public accommodations or when we meet persons with whom we are not intimate in private settings. Civility concerns doing public business and relates us to those with whom we must deliberate. Second, as Edward Shils argues, civility aims for the public interest rather than being a manipulative tool for personal advancement. In Shils' language, civility reflects our "collective self-consciousness" and aims for the common good.⁶⁴ In our language, it facilitates deliberation on our common interests. Shils correctly identifies two moments in the life of civility -- its formal structure of courtesy or manners and its "substantive" aim at what is common. How are the two moments connected? How, in turn, is the civility that contributes to civic deliberations related to the politeness that characterizes private encounters and those in public accommodations?

Several writers investigating the meaning of civility cite the third definition in the *Oxford English Dictionary*, which ends with the phrase: "decent respect, consideration."⁶⁵ Few commentators have chosen to dwell on this phrase. We will.

Civility is not identical with respect. There are a variety of ways to be respectful. Civility is one way. The key word for understanding civility is "consideration." Consideration is a tool for enacting respect. It requires us to think of more than just ourselves. We must think of the needs, rights, interests and

⁶² Donald Macedo fulminates against those, like us, who agree with many of his ideas and observations but find his tone disturbing. We agree that a healthy intellectual and political culture requires a "multiplicity of discourses rather than a monolithic way of writing." He is also correct that there is a place for "stridency" in political discourse, but if we sustain that tone as steadily as Macedo, we risk alienating potential allies as well as ruining the quality of civic discussion. Surely one of the points of politics is effectiveness. Self-righteousness is a major vice in liberal politics. Macedo, *Literacies of Power: What Americans are not allowed to Know* (Boulder, CO: Westview 1994), 5.

⁶³ James Schmidt, "Is Civility a Virtue?" in *Civility*, Ed. Leroy S. Rouner (Notre Dame: the University Press, 2000), 17-37. The volume in which Schmidt's essay appears is a good source for contemporary controversies surrounding civility. See also Christine T. Sistare, Ed. *Civility and its Discontents: Civic Virtue, Toleration, and Cultural Fragmentation* (Lawrence: University Press of Kansas), 2004.

⁶⁴ *The Virtue of Civility: Selected Essays on Liberalism, Tradition, and Civil Society* (Indianapolis: Liberty Fund, 1997), 320-55.

⁶⁵ See, for instance, Carrie Doehring, "Civility in the Family," *Civility*, Ed. Leroy S. Rouner, 172.

feelings of others. That "must" operates differently depending on context; what we must consider and how we must show consideration vary from setting to setting. In civil society and in private settings, we must consider others superficially in comparison to the intimate relationships among friends, family and lovers. We do not have much obligation to go out of our way to help strangers in liberal societies. We do owe them courtesy and minor assistance in some circumstances and more intensive assistance in emergencies.

The consideration shown through civility is superficial as well. Civility meets the obligation of civic respect by framing our words and deeds to avoid giving undue offense when conducting public business. We avoid giving offense to enable us to conduct public business properly. We forego the dubious pleasures of self-expression to secure our common interests. If we fail to be considerate in doing public business, free cooperation among equals will falter and the common interest that we constitute through communication will fail. This is no small matter. We cannot set ourselves on the inconsiderate course of walking over others without ruining civic life.

Civility must remain superficial. If we move beyond demanding that citizens *show* consideration by demanding that they *have* it, we violate liberal norms of privacy and, in all likelihood, free speech. Speech codes wrongly promote "civility" because they reach into the recesses of our personality, beliefs and feelings to make us "whole persons." Liberal societies have no business manufacturing whole persons to replace the civic personae who are perfectly capable of fair cooperation among free and equal citizens. We do not have to be concerned to show consideration. When we ask people we meet in the hall how they are doing, we do not expect or even want a sincere answer. We only want to show them consideration. Acting as if we care is what civility calls for. Acting as if we care has two good consequences: minimizing conflict and getting people to do good things without caring. Demanding that ordinary citizens "really" care is asking too much.

Civility is a virtue, not a feeling. We do not have to have warm feelings toward those with whom we must cooperate. We can even despise them personally. What we must do is to form the habit of taking others into consideration -- including their feelings and conceits into our actions and calculations when conducting public business. The aim of avoiding undue offense should not lead us to tempting but false conclusions. "Undue offense" is not the same as "no offense." Civic deliberation is bound to offend someone, and we should not sacrifice the dictates of conscience or our commitment to the common interest

to an urge for good feelings. Good feelings are instruments of the common good – not the other way around. Furthermore, civility cannot and should not put an end to disagreement. Civic life in a liberal democracy frames disagreements by setting constitutional limits and by urging both compromise concerning our interests as well as acceptance of (temporary) defeat when our side in partisan disputes loses out. Eliminating disagreement would require us to succumb to tyranny.

Why is civility an especially liberal virtue? Liberal regimes need stability that is not guaranteed by force or tradition. Civility contributes to stability in a society where high levels of agreement are not enforced. Indeed, the liberal commitment to tolerance requires a respect for cultural diversity that virtually ensures steady levels of political diversity. Also, our commitment to free speech permits relatively high degrees of ideological division.

Our differences are potentially exacerbated by our physical proximity with strangers. Liberal regimes are built on commerce. Commerce breeds mobility and urbanization. Highly mobile, urban societies corrode the forces of tradition and direct supervision that make for the relative stability and smooth relationships that characterize more traditional or more authoritarian societies. We are more at liberty to show our contempt for one another without stretching the boundaries of law or enforceable custom. The liberty of liberal citizens enhances the need to make civility integral to their civic education. The liberty of liberal citizens also constrains our opportunity to teach. Civility is a virtue, not a duty. It is an essential virtue, but no one can directly teach or enforce it unless it becomes or approaches a breach of peace.⁶⁶

⁶⁶ We cannot fully explore serious problems concerning freedom of speech as they appear in the classroom in this essay. See Robert Wheeler Lane, *Beyond the Schoolhouse Gate: Free Speech and the Inculcation of Values* (Temple, 1995) and Joan Delfattore *What Johnny Shouldn't Read: Textbook Censorship in America* (Yale, 1992). We would place few, if any, restrictions on the content of student comments so long as they are pertinent to the courses being taught. What we do restrict is the manner in which comments are to be justified if they are to receive consideration for course credit. We do not want to regulate what students say but how they say it. At some point the content/style dichotomy may break down even if the comments are germane. The boundaries between the permissible and the impermissible are far more fluid, subtle and contestable than these brief comments could hope to suggest. For a critique of the notion of content neutrality in the classroom, see Hugh T. Wilder, "The Philosopher as Teacher: Tolerance and Teaching Philosophy," in *Professor's Duties: Ethical Issues in College Teaching* (Rowman & Littlefield, 1994), 129-141. Rejecting content neutrality in teaching does not necessarily lead to restrictions on freedom of speech by the teacher. Nor does it restrict her capacity to argue for the best answer to controversial questions or insisting on correct answers when they can be found. It surely should not restrict her capacity to critique bad arguments and bad form in student presentations.

In some cases the requirement to show respect can be enforced. We forbid name calling in our classes.⁶⁷ Students are not free to express their disagreements, however deep, by engaging in personal attacks. They can (often ill advisedly) reveal contempt for one another, but we can enforce minimum decency (as a requirement of order) by forbidding name-calling.

Even when civility can be enforced, it is not always the best policy to do so. A person can often learn civility better through persuasion than force. A story from one of our classrooms illustrates the merits of not demanding civility as a command performance. In one of our classes, the students and teacher were discussing discrimination. The specific topic was “women in combat.” Predictably, students disagreed on whether the U.S. policy of excluding women from combat constitutes reasonable discrimination. One student supported allowing women in combat with an offensive comment: “If they let faggots in, I don’t see why they can’t let women serve.” The teacher felt compelled to do two things: 1) to signal a breach of civility and 2) to correct the student’s misinformation about U.S. policy – in that order. The teacher remarked: “I would prefer that you not call people that name in this class.” The student asked: “What do they want to be called?” Another student remarked: “They prefer to be called gay or lesbian.” The discussion continued with a wide range of comments leading to a clarification of the “don’t ask don’t tell” policy and a wide range of comparisons between it and the military policy toward women.

We assume that the offensive word constituted a breach of order in the classroom. The teacher could have enforced the duty to show respect by silencing the student. Enforcing silence rather than inviting discussion with “I prefer” would have eliminated an opportunity to teach civility through civil discussion. The student had an opportunity to learn civility (whether or not he took it) by participating in a controversial discussion in a civil way. Simply silencing him would have encouraged all the bubbling resentment and conspiratorial anger that Milton associates with censorship.⁶⁸

Tolerance

Tolerance is the virtue of permitting diverse ways of life to continue unmolested. Exercising it requires us to allow others to live in ways we may find repulsive. Tolerance should be distinguished from acceptance, which is more controversial. Tolerance merely requires us to allow others we find repellent to

⁶⁷ The Supreme Court upheld the suppression of “fighting words” in *Chaplinsky v. New Hampshire*, 315 U.S. 568(1942).

⁶⁸ John Milton, *Areopagitica and Other Political Writings* (Indianapolis: Liberty Fund, 1999).

live as they choose; acceptance requires either open-mindedness about the possible value of a diverse way of living or a positive acceptance of it.⁶⁹ Teaching acceptance of diversity by public representatives is too intrusive, whereas teaching tolerance should be permitted. It may be the case that something ought to be accepted without assuming that teachers in public institutions and other civil servants ought to teach its acceptability. Teaching tolerance demands that students not to interfere with those practices that legally permitted simply because they find them disgusting. We have no business, for instance, harassing smokers, even if we are committed to having their behavior legally regulated. It also teaches the prudential value of not allowing our moral convictions to ruin our civic efforts. Deciding that something is wrong does not automatically require us to attack it or to attack it in the strongest possible terms. We lose allies and ruin cooperation if we do. We should set the threshold of intolerability high if we are to promote both partisan effectiveness and free and fair cooperation. Most important, we must not allow our moral judgments to wreck our most basic civic commitments by excluding from citizenship or cosigning to second class citizenship those who have a right to full citizenship. Civic tolerance recognizes, for instance, the right of adulterers to full citizenship regardless of our level of moral condemnation concerning adultery. To renounce civic tolerance in this form requires the strongest possible assertion of public reason explaining why someone should be consigned to the status of non-citizen or second class citizen.⁷⁰ Civic tolerance is a

⁶⁹ What we are talking about under the heading of “open mindedness” often appears in liberal theory as “autonomy,” thinking for oneself and making one’s decisions for oneself. There is a vigorous debate among liberals concerning the propriety of teaching autonomy in public schools. Our position is that teaching autonomy is acceptable only insofar as it serves the interests of equal and effective citizenship. One seldom needs full autonomy to deliberate public issues affecting one’s rights and interests. A strong defender of teaching autonomy as a necessary ingredient of civic education is Eamonn Callan, *Creating Citizens: Political Education and Liberal Democracy* (Oxford: the University Press, 1997). A critic of the view that liberal societies should teach autonomy is William A. Galston, *Liberal Pluralism: The Implications of Value Pluralism for Political Theory and Practice* (Cambridge: the University Press, 2001), 20-26. We take a position closer to Galston’s than Callan’s. Teaching civic rationality both as duty and virtue requires teaching students to speak for themselves, not necessarily to think for themselves. A great swath of their personal (including their religious) commitments can remain unchallenged in public schools while teaching them to approach others as equal citizens respectfully. Many of the disputes about autonomy among liberal theorists come to a head in discussions of *Mozert v. Hawkins County Board of Education*, 827 Fed Reporter, 1987. This case involved an effort by fundamentalist students to shield their students from texts they found offensive to their basic religious commitments.

⁷⁰ Andrew Sullivan insists that all of the basic obligations society owes to gay people derive from their standing as full citizens in a liberal society. He thinks that recognizing rights requires some basic recognition of the shared humanity of other citizens. Unlike Spinner, he limits the requirement of non-discrimination to state action and accepts no role for the government in enforcing non-discrimination in civil society. For Sullivan, avoiding second class citizenship for gay people would require accepting gays and lesbians in the military and recognizing same-sex marriages. Failing to do so would violate the principle we are calling impartiality, but which Sullivan designates neutrality. Nothing would prohibit

civic virtue. It rests on the supposition that no one should be consigned to second class citizenship because of our disgust. We do not, however, owe others our moral approval.

Liberal societies came into existence in large part as attempts to subdue the war of faiths ravaging Europe. Tolerance is pivotal for those who value domestic peace, security and liberty. It is not an easy virtue. Recognizing deflections from tolerance in ourselves is difficult; convincing others of the propriety of it is more so. We rub against the grain of our normal tendencies when we ask ourselves to permit others to be different, nay, even repulsive by the standards we apply to ourselves. Nevertheless, the blessings of tolerance are great. First, we secure what Hobbes and his successors wanted most -- the opportunity to lead peaceful and productive lives without constant threat to our security. Second, we gain the possibility, cherished by Mill, of learning from various experiments in living and improving our own lives. Of course, diversity carries costs as well. Many ways of living seem threatening to "our" way of life; some are threatening. Knowing the difference between genuine and ersatz threats is a matter of great difficulty and greater urgency.

Teaching tolerance may lead students to produce inelegant and theoretically problematic formulations such as: "One should never impose one's values on another." In any case, the purpose of training in virtue is not to produce logicians and scholars. Rather, an education in virtue fits us for living in a concrete regime.⁷¹ We may decide that the regime is flawed and seek to transform or abandon it, but the threshold question is whether the virtues taught in a polity sustain it. Critics of tolerance have not shown that our students are unfit for their way of life.

Tact

Learning when to shut up is an important skill. We have to determine the right time and occasion to refrain from speaking. One barrier to tact is our understandable but tragically unqualified commitment to the truth. We think of speaking the truth as an unqualified obligation in every circumstance and elevate candor to a sacred duty. Nietzsche asked the right questions about truth telling. Is it an unqualified good? Is

"private" discrimination, however. Sullivan endorses tolerance for civic reasons rather than acceptance on grounds of full humanity. *Virtually Normal: An Argument about Homosexuality* (New York: Vintage, 1996). We think that the distinction between public and private can be policed while prohibiting discrimination in public accommodations. We also agree with Spinner that access to public accommodations is a condition of civic efficacy. We also recognize, however, that there is a difficult tradeoff between freedom of association and non-discrimination that allows for no formulaic judgments.

⁷¹ Aristotle contends that the moral virtues aim at correctness rather than truth. Teaching virtue requires inculcating good habits rather than sound understanding. *Nicomachean Ethics*, Book VI, Chapter Nine.

it always good to share it with everyone even when it is a good? Beyond Nietzsche, we can ask the more fundamental question that Hannah Arendt explores with considerable subtlety: Is it always a civic good?⁷²

John Stuart Mill, in *On Liberty*, offers good reasons to think that truth telling has civic importance. We rob ourselves of important truths when we shut people up who have important things to say of which we are unaware. Defending the right to speak, however, does not establish an obligation to speak, and it is consistent with an obligation not to speak. We ought not to speak harmful and offensive truths without an overriding justification. Merely knowing what we are talking about is not reason enough to talk.

There is a pathos of being right that poisons social intercourse. One of us recalls a childhood fistfight. That fistfight was prompted by two competing claims. First, one of our authors claimed that a forest fire he had proudly helped to extinguish was set intentionally. Second, he claimed that a picture in a book was an orange. His interlocutor claimed that the forest fire was accidental and that the picture was a grapefruit. They began to "settle" these claims via fisticuffs. Of course, these children needed to learn better methods for investigating competing claims as well as a greater appreciation of ambiguity, but those are not the proper civic lessons. Civically (maybe even academically) nothing hinged on being right. What did it matter? It mattered enough to produce a fight. Significantly, it mattered enough to children. It should not matter to adults, but it does. On many public occasions we aim little more than competitively showing off our superior knowledge. The poison of resentment is inevitable. For the sake of free and fair cooperation, adults should learn to keep their mouths shut. It contributes to civic respect. Even if one cares little for civic respect, the aim of civic efficacy is thwarted by failure of tact. People who go out of the way to display their superiority deprive themselves of potential allies who would prefer to be treated as equals.

Tact not only serves the aim of civic efficacy and the duty of civic respect, it also helps us meet the duty of non-discrimination. The duty not to discriminate is burdensome and includes the obligation of silence, notwithstanding our commitment to free speech. Jeff Spinner argues this point forcefully and succinctly.

Liberalism is ... a prescription for how people ought to act when they meet their fellow citizens in civil society and in the public square. In many different settings liberal citizens may see others whom they dislike, but liberalism calls on them to control their feelings. Liberal citizens must put away their hate and prejudices in public.⁷³

⁷² *Between Past and Future*, 227-64; *Crises of the Republic* (Harcourt Brace Jovanovich, 1972), 1-48.

⁷³ *The Boundaries of Citizenship*, 47.

Non-discrimination requires us to exercise the virtue of tact. This means that, somewhere, we must learn that expressing what we think and feel is sometimes unacceptable -- to play our role rather than announcing ourselves. We must learn that a hotel manager can neither deny a room to an African American nor complain that an African American is using the public accommodation. A teacher may neither flunk a gay student for being gay nor complain that too many gay students are taking her biology class. These duties of public silence do not eliminate the right of free expression or association. The hotel manager can join the Ku Klux Klan. The biology teacher can write a pamphlet denouncing the immorality of homosexuality. Both must, however, perform their public duties properly.

Poise

Lists of virtues, certainly lists of civic virtues, do not typically include poise. Stephen L. Esquith, following Emerson, seeks to place it among the virtues essential for democracy and to give it the pride of place in democratic theory.⁷⁴ We are not here concerned with democratic theory. Rather, we insist that poise is also a valuable liberal civic virtue.

What is poise? Poise is staying in balance while in motion, maintaining self-control while acting and being sensitive to the effects of both language and action in one's environment. It recognizes the stages on which one is speaking and knowing where one's audiences are. Poise requires us to adjust to unusual circumstances and appear at ease in them.

If maintaining balance in motion requires self-control, how can we distinguish it from the "moderation" (*sophrosune*) recommended by ancient writers such as Plato and Aristotle? Poise is not principally self-control of appetites but rather control of the desire for self-expression. It must be grounded in civility, tact and tolerance, but it requires even more renunciation than these. One cannot be fully oneself and be poised. A poised person must learn to play the role demanded by a situation. We adjust roles and take roles as the situation demands.

Self control is not enough. A poised person must have confidence. Confidence is related to but different from courage. Courage requires overcoming our fear of bodily harm or death. Confidence requires overcoming shyness in new public settings. It asks us to overcome our fear of shame and embarrassment. Poise, like courage, is not necessarily a moral virtue although it may be required to exercise other virtues.

⁷⁴ Esquith, *Intimacy and Spectacle*, 223-78.

Courage is necessary for the existence of other moral virtues in most, if not all, societies. Unlike courage, poise is not as much a virtue in some societies as others. Some societies require too much coordination to permit poised responses. Like courage, if it is detached from other virtues, it is a dangerous vice.

Poise requires savvy: an ability to effectively engage all the senses in a new situation and slant our efforts in the proper direction. If we have savvy, we must be able to take in all the sights, sounds, tastes, smells and feelings that flood in from a new environment and adjust our expectations and behavior to match the environment. Savvy is similar to *phronesis* but differs insofar as the aim is not making good decisions but rather making a good appearance. A person with savvy could well lack practical wisdom or vice versa. The best liberal citizen would combine these virtues.

Poise expresses itself as charm. Charm involves the ability to appear as others would like us to appear. We need to discover the manner that puts others at ease in the situations in which we find ourselves. A charming person can appear to be one of us despite marked differences in beliefs, feelings and dispositions. Charm is an essential adjunct to savvy. We may well be able to “scope out” a situation without being able to manage it. Or we may know how to appear to a certain audience but misjudge the audience for whom we perform. A poised performance combines savvy and charm.

Why do liberal citizens need poise? Liberal regimes threaten equilibrium. Leaving citizens free to make their own choices encourages diversity which means that we will have to work with strange people in strange situations to conduct public business or gain access to public accommodations. Furthermore, liberal societies stress innovation and experimentation enhancing the need for adaptation.

A liberal citizen must find a way to encounter power. Poise can be a tool of exercising power and resisting power that does not always know itself as power. What is the best way to encounter power and improve our regime while so doing? Stephen Esquith's comments on Emerson illustrate the value of poise for addressing power:

He [Emerson] gives his readers a way of coming to terms with some of the dominant forms of power by emphasizing the importance of poise to political character. This is not precious or genteel manner. Poise describes one way to listen closely and keep one's balance in the unpredictable mesh of events in a modern democracy.⁷⁵

Two words should be noted in the above quotation: listen and unpredictable. Listening closely and carefully may be the most important part. Listening (along with other modes of attention) is a foundational

⁷⁵ Esquith, 272.

condition of civic efficacy and a prelude to civic attention. Note that, in approaching power, one is in motion and one is part of the action. Put differently, one is on stage. Poise is a uniquely theatrical virtue. Developing it as a theatrical skill can enrich or ruin reasonableness and respect. When we enter the uncertain, even playful, Emersonian world of subterranean and invisible power, poise helps to make the other virtues more efficacious if we tame it and tie it to an integral education in the civic virtues.

Civic Attention

Effective citizenship requires the ability to be seen and heard in public. Good citizens must learn how to get attention and also to pay attention to others when they are civically obligated to do so. Central to civic education is enabling citizens to practice civic attention. The ability to communicate is, then, at the heart of civic education.

By “communicate” we do not mean simply sharing and receiving information. We need information that can be shared and integrated into political action. Politics and teaching are both about communication. The boundaries between teaching politics and doing politics are often indistinguishable -- especially when teaching citizenship. A good teacher of citizenship is practicing citizenship in the act of communicating it.

Getting attention is essential for exercising our rights and promoting our interests. Effective citizens must learn to confront power. Confronting power requires us to seek allies and notify opponents and enemies of our resources for resistance. If we do not know how to get attention properly, we will fail in our confrontations with power.

Paying attention is crucial for exercising our rights, promoting our interests and doing our duties. We must pay attention if we are to protect our rights and interests. If we do not pay attention to potential allies or to the signals of power or genuine concessions of our opponents, we cannot be effective in defending our rights and interests. We also have to pay attention to perform our duties. The relationship between attention and duty is more complex than its relationship to rights and interests, and requires more detailed comment.

Elevating attention in civic education is ambiguous. Who is to pay attention to whom? Ideally, in a society of equals, everyone would pay attention to everyone else about all matters of common concern. We fall short of the ideal because we are not a society of equals. Some people operate at central loci while

others subsist at the margins of power. The inequality of power creates two problems that ruin the promise of equal citizenship.

First, those at the centers of power sometimes lack civic respect and sustain civic bondage by using their power to protect illegitimate interests by hostile and conscious exclusion of those at the margins and their just claims. Second, those closer to the centers of power often have good will toward those at the margins, but their distorted perceptions of what marginalized people want or need create civic disrespect out of ignorance. The challenges of oppressive power and civic ignorance pose separate problems of communication and, consequently, require different communication skills.

In the case of oppression, the remedy is Hobbesian respect. The oppressor must be made to *show* respect. Showing respect is not necessarily the same as feeling, and certainly not having, respect. It only requires that those with bad inclinations act as if they had good ones. Kant famously said that a race of devils could solve the problem of the social compact if only they were intelligent.⁷⁶ Seeking Hobbesian respect puts Kant's claim to the test. What communication skills are needed to create Hobbesian respect? People at the margins need two things in order to demand a show of respect. First, they need allies. Second, they need solidarity. They must learn to communicate with in-group audiences and out-group audiences without alienating either.

In a pluralistic society, allies are essential. Coalition politics requires a cool, deliberate style that is sensitive to the nuances of potential allies. Above all, communicating with potential allies requires the virtue of poise – the ability to maintain one's balance when performing on shifting stages. It also requires us to learn to pay attention to others whose presentational styles differ from our own – to adapt our listening to hear potential allies.

Discourse for solidarity aims at those who are in civic bondage who would communicate with one another. They seek unity to leverage respect by acting in concert. They also seek to find sympathetic onlookers who will join their quest for civic liberation. Effectively reaching out-group audiences may require different styles of presentation as well as diverse points of focus.

Hobbesian respect is not enough for good citizenship. Even if Kant is right about the possibilities for devils to live among one another, we aspire to more than successful devilry. Many of us want to be

⁷⁶ Kant, *Perpetual Peace: A Philosophical Sketch*, 1st supplement.

good citizens who *have* respect – not just show respect – gained freely and exercised effectively. Free respect requires correcting the distortions in our communications with one another. Attaining free respect especially requires making those closer to the centers of power more aware of the need to reduce the distortions in communication that make them unwilling oppressors. That means that we must learn to attend to one another in a civic minded manner. We must learn that civic effectiveness is not the only end of civic discourse. We must also see and hear one another as citizens. That sometimes requires us to see past the prejudices and abstractions that govern our personal views of others to see them as citizens. We have to learn how to compartmentalize and segregate private and civic judgments.

We must also learn to see and hear reflexively. We must view ourselves as power holders. We must also view ourselves as actual or potential beneficiaries of power exercised unjustly. We must view ourselves as citizens willing to renounce and relinquish unjust governance. That often means seeing ourselves imaginatively through the eyes of those on the receiving end of our unjust exercises of power.

Citizenship for Non-Citizens:
Including Immigrants in Civic Engagements

Having enunciated a model of liberal citizenship, an obvious question emerges: What has all of this to do with immigrants who are not citizens unless they are naturalized? How can we speak of the rights and duties of and toward people who are not included? The answer most readily at hand is to focus on one dimension of citizenship – rights. Some immigrant activists stress the protection of “human rights” as the proper foundation for inclusion. Relying on human rights has two defects. First, human rights without a secure civic foundation are no more than empty promises. Second, human rights are not enough. Immigrants need to be included in the civic life of a host community to secure not only rights, but also legitimate interests.

The hope that mere appeals to human rights would provide sufficient security for immigrants was dashed by the brutal realities of ideological politics in the 20th Century. In *The Origins of Totalitarianism*, Hannah Arendt argues at length that the rise of Nazism has demonstrated “the perplexities of the rights of man.” These perplexities are dramatically demonstrated in the Nazi's program of genocide. The Nazis first had to deprive the Jews of their citizenship before they deprived them of their rights. Without a political context the “inalienable” rights of man were easily alienated. Arendt concludes that rights can only exist

when guaranteed by some polity such as the nation-state. Thus, the decline of the nation-state via the rise of totalitarian supra-nationalism signaled the end of rights of man.⁷⁷

For Arendt, rights must be understood as Edmund Burke understood them, i.e., as "the rights of Englishmen" rather than the rights of man. Arendt caustically observes that

the paradox involved in the loss of human rights is that such loss coincides with the instant when a person becomes a human being in general--without a profession, without a citizenship, without an opinion, without a deed by which to identify and specify himself--and different in general, representing nothing but his own absolutely unique individuality which, deprived of expression within and action upon a common world, loses all significance.⁷⁸

Whatever content we assign to "human rights," then, must be matched with political guarantees that these rights will be respected and enforced.

In the United States, protecting "human rights" is deeply problematic. The problematic character of protecting rights derives from a conflict between two constitutional principles that are inherently tensional.⁷⁹ First, the U.S. Constitution does recognize immigrants within its borders as rights bearing persons. Immigrants share with citizens a host of procedural and substantive protections. Indeed, in some discrimination cases immigrants enjoy greater protection than some marginalized citizen groups (e.g. in cases involving sexual orientation, gender and disability status) because they lack the political means to protect themselves that accompany citizenship. Immigrants who have not been naturalized are members of "discrete and insular" minorities, and discrimination against them sometimes occasions "heightened" or "strict" scrutiny.⁸⁰

On the other hand, the United States reserves to itself "sovereign powers." Sovereign powers are those (e.g., the power to make war or treaties) without which a nation state could not secure its survival. Many of these sovereign powers became the province of executive power in the 20th Century. Sovereign powers, whether implied or express, are on a more than equal footing with other provisions of the

⁷⁷ Hannah Arendt, *The Origins of Totalitarianism*, Second edition (New York: Harcourt Brace Jovanovich, 1951) 266-302.

⁷⁸ *Origins of Totalitarianism*, 302; see also *Eichmann in Jerusalem: A Report on the Banality of Evil*, 2nd ed. (New York: Viking, 1964), 272.

⁷⁹ For a good discussion of this tension, see Victor C. Romero, *Alienated: Immigrant Rights, the Constitution, and Equality in America* (New York: NYU Press, 2005). See also Peter H. Schuck, *Citizens, Strangers and In-betweens: Essays on Immigration and Citizenship* (Boulder, CO: Westview, 1998), 17-88.

⁸⁰ *United States v. Carolene Products Co.*, 304 U. S. 144, 153, n. 4 (1938).

Constitution, and the imperative of survival may and has trumped the assertion of basic rights. Included among the sovereign powers is the power to determine the membership of the polity (through naturalization, but also through deportation). Consequently, the rights afforded to un-naturalized and undocumented immigrants are insecure. The courts frequently defer on issues of rights to executive claims of sovereign prerogative.

There is no ready constitutional solution to this problem. No nation will relinquish control of its membership, and the courts must indeed allow wide (though probably less wide than they have) latitude to the executive branch to make decisions concerning both membership and national security. Barring a legal solution, the solution must be political.

Politically, Americans would be well-advised to follow the guide of Edmund Burke who castigated the British in a series of letters during America's colonial period. Repeatedly, the British rebuffed colonial assertions that the Crown was failing to adhere to the British constitution in its dealings with the colonies. Burke rejected the steady and foolish equation of authority with prudence. Just because someone has the authority to do something does not make it wise. In cases where rights and security potentially conflict, we should be willing to ask whether the threat to security is as grave as we presume. Were we less controlled by images and more cognizant difference the answer would be "no" more often than a post-911 environment permits us to confess. From a civic point of view, the aim should be to reduce the domination of stereotypes and derogatory imagery that requires staging civic encounters between immigrants and non-immigrants designed to reduce the prejudicial noise surrounding the hot-button issue of immigration.

Such reduction is possible. Jody David Armour argues for the key theoretical distinction supporting that possibility. He distinguishes between prejudice and stereotypes. Prejudice refers to consciously held beliefs that stigmatize and target out-groups. Stereotypes are images of out-groups that do not always attain conscious and regulated status. Armour argues that low prejudice persons can have a variety of stereotypes that can be brought to consciousness and regulated. The "and regulated" is the crucial component to consider. If civic education exercises can bring to awareness stereotypes that conflict with creedal commitments to liberal equality they can be resisted and deactivated. That is the cornerstone of our approach to civic education. Empirically, Armour buttresses his argument with recent experiments in social

psychology that support the theory.⁸¹ It appears that attention is the key. People with low prejudice but negative stereotypes relinquish them when conscious attention is drawn to them. The psychological research supports our claim that civic attention is a precondition to removing barriers to rights. Once brought to recognition the stereotypes can be consciously inhibited. Citizens can be brought to recognition if invited to discover their stereotypes.⁸²

If citizens are brought to the point of recognition and consciously inhibit their stereotypes, have they met their obligations to non-citizens? Our theory of citizenship requires recognition in two regards. We must respect both the rights and interests of others. Un-naturalized immigrants, including undocumented immigrants have both rights and interests. There is an odd reality to our discourses on immigration. When we speak of prisoners – as punitive as our discourses on prisoners are – we never sink to the level of full depersonalization.⁸³ Criminals have both rights and interests that we have to respect. When speaking of “illegal immigrants,” Americans frequently reach a level of vituperation that comes close to consigning living breathing human beings out primarily to support their families to the category of subhuman. Even immigrants with Visas are treated as thieves out to steal “our” jobs. Lowering the temperature of the discourse is the principle precondition for assessing policy and insuring the recognition that is due.

Why do immigrants have interests over and above the rights they possess? Principally, immigrants have interests that they should be allowed to voice because they are stakeholders in American society. Whatever one thinks of the decision in *Plyler v. Doe* which recognized a right to free public education to children of undocumented immigrants, it had the distinct merit of recognizing how the lives and fortunes of citizens and non-citizens are entangled.⁸⁴ The court recognized that these children are here and likely to sustain an invisible presence in the lives of this country for many years to come. The court recognized, sensibly, that it makes a difference in the life of a community whether these children grew to be educated jobholders or uneducated criminals.

⁸¹ Jody David Armour, *Negrophobia and Reasonable Racism: The Hidden Costs of Being Black in America* (New York: NYU Press 1997), 115-153.

⁸² Armour, 135-39.

⁸³ On the punitive quality of our discourses about “the criminal,” see Stuart A Scheingold, *The Politics of Street Crime: Criminal Process and Cultural Obsession* (Philadelphia: Temple University Press, 1991) and *The Politics of Law and Order: Street Crime and Public Policy* (New York: Longman, 1984).

⁸⁴ 487 U.S. 202 (1982).

Immigrants have interests because they are stakeholders. They have invested their lives into trying to make this their temporary or permanent home. Their efforts may be rebuffed, and they may lose their investment, but civic respect requires that they have a voice. Citizens should treat them as informal citizens whose rights and interests should be weighed and judged rather than dismissed out of hand. They should be heard because they have a legitimate stake in the outcomes of the public business. Stakeholding derives from making a contribution to an ongoing enterprise in ways that ought to be recognized by those engaged in the enterprise. A discourse about "illegal immigration" should be receptive to evidence of the contributions that undocumented persons make -- rather than simply focusing on the real or imagined costs they bring to the enterprise. Doing something illegal does not automatically deprive a person of stakeholder status. Furthermore, immigrants must have a voice in immigration policy because they are potential victims of policy in that area. No person should be passively subject to oppression (being robbed of her rights and interests) without some opportunity to be heard.

If non-citizens can be treated with civic respect, and if the primary tool of treating them with respect is to recognize the status of informal citizenship through civic attention, we are left with the crucial question for civic education: What pedagogical strategies are appropriate for guaranteeing informal citizenship?

Toward a Pedagogy of the Excluded:
Teaching and Learning among Immigrants and Non-immigrants

Teaching citizenship is primarily about teaching civic efficacy and civic duties. Both efficacy and duties require us to practice civic virtues. Consequently, teaching citizenship is more than "academic." It is not about learning a "subject." It is learning how to approach a variety of subjects in a civically virtuous way. It, like all good teaching and learning, should not be conceived exclusively as a hierarchical relationship between teacher and students. Teachers can learn from students and students can learn from students.

In the context of teaching and learning among citizens and non-citizens, we should problematize the question: Who is the teacher? Citizens should be willing to learn from non-citizens as students when the non-citizen is in a superior position of knowledge. Immigrant groups know a lot about themselves that they

could teach to citizens who wish to practice civic attention well. More important, they often know more about citizenship having practiced the arts of respectful and effective civic engagement with more frequency and urgency than many citizens. The temptation to patronize politically astute immigrants is a vice to be diligently avoided. In any case, all parties to serious civic engagements, whether formal or informal citizens, need to learn how to practice civic duties and virtues and teach them to others through instruction and by example.

Good citizenship, formal or informal, should have three layers. First, we should have knowledge. Knowledge includes, but exceeds, “information.” Having information and understanding the importance of that information are two different things. Good citizenship will integrate knowledge into an understanding of rights, interests, affections and duties.

Second, citizens should develop competency. A good citizen will convert her understanding of interests, rights, affections and duties into civic virtues. She will develop the habit of doing the things that good citizenship requires. Simply knowing one’s rights and how the political process works is not enough to practice good citizenship. We should know how to convert information into action. Knowing the three branches of the national government, for instance, is a necessary first step to influencing Congress, or the courts or some sector of the bureaucracy, but that knowledge is more likely to be used to pass tests in political science classes than to practice citizenship. Unfortunately, most knowledge about government and politics remains inert. Converting “knowledge about” into “how to” knowledge is central to attaining civic competency.

Third, citizens need to act. Knowing how to do something is not the same as doing it. More important, knowing how to do something is not the same as doing it well. Good citizens should strive for excellence in citizenship, which requires more than mere competence in exercising our rights, asserting our interests, expressing our affections and performing our duties. Think of jury duty. When someone’s life is at stake, is it enough to say: “I understood the judge’s instructions, and I am educated enough to follow an argument”? That would make one a competent juror, but would it mean that the juror was effective in carrying out solemn duties? The threshold of competency is crossed too infrequently; that of citizen effectiveness is crossed with even less regularity. Good citizens must be motivated to act and act well. That is the task of civic education.

Civic education must teach all five dimensions of citizenship – rights, interests, affections, duties and virtues. Notice we say “teach” rather than “teach about.” Too much of what passes for civic education is abstract teaching about citizenship rather than teaching potential citizens to actually practice good citizenship. Civic education by public institutions must be impartial. That does not mean it cannot be robust. Our citizens require much assistance to become the sort of citizens that a liberal society needs.

What sorts of pedagogical strategies would increase the likelihood that persons will communicate about common issues more effectively and respectfully? If we aim to include others who are perceived as “alien,” we need to learn to incorporate perspectives that may be alien to us. We need to ask those we encounter as aliens what they know and how they came to know it. We need to treat them as informal citizens starting from a place where we can meet them. Once we meet them where they are, we can ask how to proceed together toward greater civic responsibility.

Meeting others where they are does not mean encouraging or allowing them to stay where they are. Respectful attention never requires capitulation to irresponsibility. There is no need to seek or expect full agreement on the issues surrounding immigration. What we can expect is that all parties to the issues approach them with civic rationality and civic respect. That requires us all to practice civic virtues. How can we teach and learn good citizenship together in the face of our differences and disagreements? We can only offer some suggestions here and invite refinements in the process of civic engagement.

Civic Loyalty

Civic loyalty seems an odd notion to apply to issues of immigration. Non-citizens are – well, non-citizens. Why should they be loyal to a regime that does not offer them membership or for which they have no desire of becoming a member. The answer is twofold. First, non-citizens want to be seen and heard. They want to be treated as informal citizens. Being treated as an informal citizen requires maintaining a regime that welcomes informal citizenship. A liberal regime that lives up to its ideals by inviting informal citizenship should solicit some degree of loyalty on the part of non-citizens if nothing more than a loyalty to the process that welcomes them. They would not necessarily have to be willing to die for the regime (although many non-naturalized immigrants do, in fact serve in the United States’ armed forces) but they would have to act to sustain enough loyalty to play the role of informal citizen well. To do that would be to act as any good, loyal, formal citizen would act.

A basic dilemma of liberalism is its tendency to teach political skepticism. We learn that power is abused and needs to be checked. We learn that government can be overweening and oppressive. We develop an ethos of mistrust concerning politics. These are good lessons. We tend to learn them too well. We need somehow to keep our political skepticism alive while learning the loyalty necessary to our regime. We need to develop loyalty to the regime matched with a grudging appreciation of what government does for us. That means, cognitively, that citizens and non-citizens need to learn that they do or can benefit in some way from living in a liberal regime. It would mean assessing the goods that derive from liberal living. Simply doing that would tend to make us too trusting. Assessing the goods of the regime could be and should be matched with assessments of its dangers and shortcomings. "Assessment" would not mean lecturing. To appreciate the goods of the regime, we have to grasp them discursively through a variety of modes of discourse including dialogue, deliberation, literature, song and theater.

Citizens and non-citizens should also be taught their rights. Both citizens and non-citizens are often unnecessarily enmeshed in oppressive power simply because they have not learned how to stand up for their rights. We need to learn both what our rights are and how to aggressively assert them. We should also absorb an appreciation of the role of duties and virtues in preserving the goods of the regime.

Civic Rationality

Many attempts at teaching rationality confine themselves to imparting technical rationality. Good citizens should be reasonable, but technique is a small portion of civic rationality. Teaching citizenship should emphasize public reason. We need to learn that the cultural and religious authority we cherish in our small circles lose their power to convince as the circles widen in a broader liberal culture. We need to learn to discuss and deliberate with the aim of finding common ground to act together to secure the common interest – to protect the rights and interests of all persons within our borders. We need to know that the discussions may falter, but they should keep trying. To keep trying would involve a willingness to start over from a different angle and speak and listen in a different register if the discussion falters. Simply insisting that others share our cultural and religious convictions will thwart the possibility for civic discourse.

Citizens and non-citizens should also learn practical reason and judgment. Merely discussing issues has two failings. First, we can view the discussion as an amusing (or boring) and abstract game

distant from our everyday concerns. Most “public” debates assume this character. We fail to realize that “issues” have common consequences. Second, we retreat into partisanship or subjectivity and refuse to engage others as persons who may have something worth contributing to our common lives. To prevent distancing from a discussion requires learning phronesis. To prevent withdrawal from a discussion requires judgment.

Practical reason can be taught. It can be taught by asking ourselves to take into account the civic consequences of actions as we work toward a decision. We need to ask about the consequences of an action for “us” rather than merely reiterating our convictions or asserting our narrow interests. We would ask ourselves, for instance, what it would take to deport millions of “illegal aliens” and what consequences would attend to a successful effort to adopt such a policy.

Learning judgment requires three things. First, it requires a willingness to see graded distinction. It requires us to be willing to state that student “A” “deserves” a better grade than student “B” because she has more of the qualities in greater degree that we expect from our students. It means saying that this is a better grade of beef or a higher quality of wine than that. Second, we must be willing to make our judgments public. We must state as clearly as possible the standards we used in making the graded distinctions we made. We will not be able to produce algorithms supporting these public standards, but we must make clear that they are not arbitrary. Third, we must demand of all persons involved in civic engagements that they make graded distinctions and make them public. John Stuart Mill argued that citizens should not be allowed to vote privately, that to make citizenship meaningful, they need to be willing to defend their preference publicly. We are not in favor of abolishing the Australian ballot, but Mill is right. Good citizens should expect to make their judgments public insofar as their knowledge and abilities allow. Merely aggregating arbitrary preferences is not enough to sustain a common civic life.

Civility

Learning civility can be thought of as a specialized aspect of speech or writing. It asks us to learn how to speak and write with less than full candor. It also requires us to place speaking and writing under the constraints of civic mindedness by asking ourselves: Is what I am about to write or say going to improve or diminish cooperation? If it will diminish it, I may want to rephrase it. There could be regular civility exercises in the civic learning. We could use a technique developed by Viktor Frankl called

“paradoxical intention.”⁸⁵ We could ask ourselves to try to be as offensive as possible – to create the most poisonous civic atmosphere we can imagine. That would allow us to approach the topic of civility with both the calming that comes from purging and an awareness of the dangers of gratuitous hurtfulness. It would also give us a clearer picture of what to avoid.

We could then develop exercises for expressing disagreement without undue hurt. The diminished hurt could be attested by whoever is on the receiving end of the disagreement. Doing these exercises would have to begin with a prohibition against the use of racial, ethnic, and other predictable slurs. Refusing to subject one another to epithets would allow the opportunity for all of us to be seen and heard.

Tact

Teachers tend to be afraid of silence. If the students fail to respond to a query or provocation, we chatter on to kill the pain or embarrassment of silence. We should learn to appreciate the merits of silence. We should use silence for punctuation. Learning to appreciate silence is the first step toward learning tact. Of course, appreciating silence is neither equivalent to being tactful nor sufficient to teach it. What must we ask of ourselves?

Exercises in tact can be coordinated with exercises in civility. Learning tact is related to the essential skill of editing. Editing is done best when done cooperatively. We could ask ourselves to produce civic discourses as individuals and edit them in groups. The editing would ask: What can be left unsaid? Identifying the “best left unsaid” would have literary and rhetorical aims, but it would also have civic aims. We would ask ourselves what is beyond rephrasing. What is, perhaps true, but distractive from or destructive of cooperation. It would be crucial to maintain the cooperative spirit. The person who produced the civic discourse would not be required to omit phrases. He or she would have to absorb the suggestions and accept them to learn tact. Practicing the art of tact in mixed groups of citizens and non-citizens would provide the additional opportunity for us to learn what is offensive and non-offensive across racial, cultural and religious divides.

⁸⁵ Viktor E. Frankl, *Man’s Search for Meaning*, Second Edition (New York: Washington Square, 1985).

Tolerance

Learning tolerance requires learning the debilitating effects of prejudice. One cannot learn that lesson without taking the role of the other. Taking the role of the other requires developing judgment well through both direct and imaginative encounters with others as Arendt argues. Taking the role of the other does not require accepting or approving that role. One must simply be asked to understand how someone who is entitled to formal or informal citizenship is being mistreated by civic exclusion. One could imagine what it is like to be a Jehovah's Witness asked to salute a flag. One could imagine the role without approving the anti-Catholicism that the role would entail. One could imagine what it is like to be unjustly excluded from civic life without endorsing a religion one is entitled to reject. One can imagine what it is like to be thought of as a person intent on robbing people of their livelihood and exporting drugs and crime to destroy the peace and prosperity of communities. One can see past these stereotypes without settling the case for or against "open borders."

Role playing would be essential to teaching the lessons of tolerance. Psychologists have conducted ingenious experiments that show that people can learn the effects of prejudice and that any of us can easily be drawn into the power networks that reinforce it. Incorporating these techniques into civic education could help teach the virtue of tolerance and its importance in meeting the duty of non-discrimination.

Poise

Teaching poise requires getting us out of our seats. It also requires subjecting us to the risk of falling. Debates are a common and effective tool for teaching poise since they require an ability to think on one's feet.

One thing we do to teach poise in our classrooms is to emphasize learning outside the classroom. Modern universities have become increasingly aware of the need to have students learn through practical experience – internships, externships, and service learning. Internships and externships would require students to meet people outside their ordinary circles and deal effectively with them. A scholarship of engagement would require them, not just to meet new people, but also to influence them. It would build the confidence and savvy required to do politics rather than simply study it from afar. There is no reason to

confine teaching and learning outside the classroom to citizen to citizen interactions. We can broaden the insights of contemporary pedagogy to include attention to non-citizens as bearers of rights and interests.

We could also begin to learn comparative etiquette. Comparative etiquette would include a homogenized treatment of the common manners that characterize our public lives. (Miss Manners could provide the essential readings.) It would also include practical studies of how to adjust one's manners to move through more local, less homogenized terrain. What does one do if he is brought up in an upper class Presbyterian home and asked to visit a black church in rural Mississippi? What if one is brought up in a poor Baptist household in Mississippi and wants to apply for a job in Manhattan? What does one have to do before inviting a Muslim over for dinner? What does one do when going to the home of someone from a distinctly foreign culture? Developing poise requires facing the challenges of comparative etiquette. Facing those challenges also prepares one to practice civic attention.

Civic Attention

Learning civic attention is not so much about being well-informed about public issues – although that is a major part of the picture – as it is learning to recognize, cope with and build on the reality of diversity. That means that civic education must focus as much on developing civic minded pedagogies as with encouraging us to think about the common good. We must be willing to grant proper recognition to one another as citizens and non-citizens in our teaching and learning. We must not allow our difference to obscure our common rights and interests.

Our vision of civic education involves “civic multiculturalism” as an approach to improving respectful attention in the face of diversity. Citizens should not be asked to practice a *deep* multiculturalism requiring full understanding and appreciation of those who are different. Citizens in a liberal society, where our private concerns predominate, do not have the time to learn everything there is to know about people who differ from us. Furthermore, we do not have a moral or civic obligation to know all there is to know about one another even if it were possible. In a liberal society, we are justified in directing most of our attention to those such as friends and family who most immediately concern us. *Civic* multiculturalism urges citizens to appreciate enough of their differences to grant civic respect.

Including civic multiculturalism in a program of civic education would focus our attention *on* attention. It would ask us to improve our presentational skills and our capacity to pay attention in the face

of diversity. Success would depend on all parties in civic engagements, but especially those close to power, giving respectful attention to those whose presence is not adequately respected to insure civic belonging. It would require close attention to the terrible hurt governing the experience of civic exclusion. It would be based on enabling groups at the margins of civic life to demand respectful attention and those at the centers of civic life to give it.

An actual example of teaching civic attention is provided in the following item from Larry Chappell's fall syllabus for American Government and Politics:

Oral Presentation on Citizenship in the Delta: Each student will examine a political controversy in the Mississippi Delta that deeply divides citizens in this area (e.g., same sex marriage or affirmative action.) Students will locate a citizen or group of citizens who disagree with their own positions and engage them to learn why they believe the way they do. The students must take copious notes on the reasons why these fellow citizens disagree with them. These notes can be written, taped or both. The notes must be given to the instructor following the oral presentation.

Each student will then do a brief (15-25 minute) oral presentation explaining why the citizen(s) they located disagree with them. The student must strive to make the other person's case for her/his position as plausible as possible. Each student must; therefore, listen very respectfully and attentively to the person whose views they present. Students may follow up their oral presentations by making the person they encountered available to the class to discuss the issue they explored. The presentation will count as 20% of the final grade.

In his writing class this semester, Chappell is requiring all students to interview an immigrant. The aim is not just to pay attention to those who are different, but rather to learn how not to depersonalize or exoticize those who are different. We can never recognize persons as bearers of rights and interests if they are dangerous non-persons or exotic oddities.