Six Questions About Civility

Six Questions About Civility

Nicole Billante and Peter Saunders

CIS Occasional Paper 82

THE CENTRE FOR
INDEPENDENT
S T U D I E S

2002

Contents

Six Questions about Civility[1]

Nicole Billante and Peter Saunders

Introduction

When Rudolf Giuliani was mayor of New York in the 1990s, he introduced 'Quality of Life' initiatives designed to instil a sense of civility in the city. As Mayor Giuliani put it: 'A decent society is a society of civility'.[2] The initiative targeted petty property crimes like vandalism (arrests went up ten-fold) and graffiti spraying (over 20 million square feet of graffiti were removed from public spaces), as well as things like noise, litter, jaywalking, service standards of taxi drivers and the zoning of antisocial businesses like sex shops (Times Square, for example, was purged of its seamy side).

The New York initiative was an explicit attempt to put into practice what is known as the 'Broken Windows' theory of crime.[3] The basic insight of this theory is that neglect of minor incivilities in a neighbourhood tends to encourage more serious forms of antisocial behaviour. To tackle the big problems like crime, it is necessary to pay attention to the little issues. To its supporters the theory appears to have worked in New York with a reduction of serious crime of over 60% since 1993.[4]

Whether or not the 'Broken Windows' theory explains

Giuliani's success in reducing crime in New York, we can all presumably agree with the Mayor that the quality of social life depends on the strength of a culture of civility. In the coming months CIS will be investigating the importance of civility for the quality of life in Australia. We shall investigate the links (if any) between civility and crime as well as asking whether civility is improving or deteriorating and what might be done to strengthen it. In this paper we set out six basic questions that need to be addressed in any discussion of civility, starting with the most basic question of all.

Question One: What is civility?

The word 'civility' shares an etymological root with the idea of 'citizenship' on the one hand, and of 'civilisation' on the other.[5] This alerts us to two distinct but related ways in which the concept gets applied.

Political civility

The first sense of civility, reflecting the link to the concept of citizenship, is found in the idea of 'civic behaviour'. Philosophy professor Cheshire Calhoun calls this 'liberal civility'[6] and it refers specifically to the norms governing people's participation in a liberal democratic polity.

The essence of good citizenship in a liberal democracy is said to be a willingness to compromise so that we might all continue to live together in relative harmony. Political theorist John Rawls argues that political legitimacy must be based on public reason. As such, 'the ideal of citizenship imposes a moral, not a legal, duty—the duty of civility—to be able to explain to one another . . . the principles and policies they advocate and vote for'.[7] Moreover, to Rawls civility also requires 'a willingness to listen to others and a fair-mindedness'.[8]

For those directly engaged in politics, this means listening to others, being tolerant of views other than one's own, and recognising that the principle of 'shared governance' has a superior claim to one's allegiance over any sectional or ideological claim. American sociologist Edward Shils, with his strong focus

on political civility, argues that 'civility is an attitude and a mode of action which attempts to strike a balance between conflicting demands and conflicting interests'.[9] This does not mean that one must meekly give in to opponents—liberal civility is fully consistent with robust criticism and passionate advocacy—but it does mean that expression of hatred, contempt or distrust of political adversaries is ruled out as illiberal and uncivil. We discuss this differentiation later in the paper.

Social civility

It is the second sense of civility, the association with civilisation, that we shall be concerned with throughout the rest of this paper. It is much broader than Calhoun's notion of liberal civility for it refers to the norms that govern social behaviour in general.

Sociologist Norbert Elias believes that the growing awareness and use of the word civilité (French for civility) can be seen as the start of the civilising process. He argues that the civilised and uncivilised are not necessarily opposites such as good and bad, but rather stages in the development of societies. The views of appropriate public behaviour captured in the word civilité have thus historically been the foundations for the concept of civilised and civilisation.[10]

Because of the connection to public behaviour civility is often equated with 'manners' or 'etiquette'. The Australian Concise Oxford Dictionary, for example, defines civility as 'politeness'. But while manners and etiquette are one aspect of civility, the concept encompasses more than mere politeness. From our review of an extensive academic literature, and from talking with ordinary Australians in our focus groups, we suggest that civility should be understood as being made up of three elements.

The three elements of civility

The first is that civility involves a demonstration of respect for others. At the age of 16, George Washington set down his '110 Rules of Civility and Decent Behaviour in Company

and Conversation'.[11] His first rule was: 'Every action done in company ought to be with some sign of respect to those that are present.' This emphasis on respecting others is still central to the idea of civility today. Yale Professor of Law Stephen Carter, for example, defines civility as: 'An attitude of respect, even love, for our fellow citizens',[12] and Calhoun argues that civility involves communicating an attitude of respect towards others.[13]

This was echoed in our focus groups about civility that we conducted in Sydney.[14] We asked participants to consider minor acts of civility, such as younger people offering their seat on a bus to their elders. Such behaviour was commonly seen as important precisely because it expresses and recognises a norm of respect:

> *(Elderly female):* I think it's a matter of respect that my generation was imbued with. It happens to me on occasion [when] I get onto a bus, I'm more than middle aged but I do get on to buses, and young people give me a seat. Men never do. But younger people do, even a young woman will do it. I think it is just a sign of respect.
> *(Middle aged female):* I was brought up that if I was on a bus and somebody older than myself got on then you give your seat up.
> *(Middle aged male):* It was all part of that unspoken rule of respecting your elders.
> *(Middle aged female):* Well it's respect [to] let someone older than you get on . . . I always do that.

Calhoun echoes these ideas when he explains that civility is the common language for communicating respect for one another.[15] The importance, in other words, is in the symbolism of the gesture more than the outcome of the behaviour. Irrespective of whether the other person on the bus is physically capable of standing for the duration of the journey, offering your seat is a way of communicating respect towards them.

Closely tied with this idea of respect is 'the golden rule', for there is an element of reciprocity involved in treating others with

respect. When we treat others with respect, we are also treating them in a manner that we ourselves would want to be treated. Again, this was something recognised in our focus groups.

> *(Middle aged female):* It's about being able to put yourself in the other people's shoes . . . and perhaps if we all did that a little bit more, so that you know in life, [if] we just thought I wonder what it's like for her I know how it feels for me, because then we would be a bit more thoughtful or a bit more generous . . .

The second element is that civility relates to public behaviour in that it governs relations between people who may not know each other. As philosophy professor Michael Meyer notes, 'Civility is primarily a stance taken towards strangers.'[16] And, Carter says it 'equips us for everyday life with strangers . . . we need neither love them nor hate them in order to be civil towards them'.[17]

It is the fact that civility requires us to show respect for people we do not know that invests it with a strong moral quality. Consideration shown to friends and family may derive from empathy or affection, and it is likely to be reinforced by the knowledge that we shall have to interact with them again in the future. Civility towards strangers, however, requires that we behave in certain ways towards people who may mean nothing to us, and whom we are unlikely ever to encounter again. This Good Samaritan ethic means that civility does not rest upon a concern or sympathy towards specific others, but is rather the product of a generalised empathy which we feel we owe to all who share society with us.[18]

The third element of civility is what Carter calls 'sacrifice', or what might less dramatically be referred to as self-regulation. Civility involves holding back in the pursuit of one's own immediate self-interest—we desist from doing what would be most pleasing to us for the sake of harmonious relations with strangers. Civility means doing the right thing:

> *(Middle aged male):* The corollary of personal freedom is personal obligation. You get what you give . . . once you go into a public place you have to accept a reasonable level of public protocols.

> *(Middle aged female):* So [civility is] probably thinking before you act and it's [as] if everybody came from a position of generosity.

Adam Smith recognised that the desire to do the right thing by others is based in a deep-seated human need to feel worthy in the eyes of others. It was Smith's genius to understand, not only that the pursuit of self-interest produces outcomes beneficial to others (the well-known proposition from *The Wealth of Nations*) but also that individual behaviour is driven by the desire to win the justified approval of others. He writes in *The Theory of Moral Sentiments* of the 'impartial spectator' in our breast which produces a bitter sense of self-hate within us when we act in ways that we know would incur the justified disapproval of others.[19]

The approval of others has to be earned. We feel shame-faced when we receive praise or honour that we know is undeserved, and we gain nothing by having our 'self-esteem' boosted by psychiatrists, social workers and feel-better paperbacks. We need to know that others hold us in high moral regard and that we are worthy of their admiration. This is precisely why modern attempts to raise people's 'self-esteem' are so flawed, for in the end, one's judgement of one's own worth must depend on a realistic appraisal of how others value us.[20]

As George Washington noted in the last of his 110 rules of civility: 'Labour to keep alive in your breast that little spark of celestial fire called conscience.'

Civility defined

These three elements of civility—respect, relations with strangers, and self-regulation—together lead us to a definition of what it is we are talking about. Civility is behaviour in public which

demonstrates respect for others and which entails curtailing one's own immediate self-interest when appropriate.

Defined in this way, civility is clearly a demanding public virtue. To be prepared to sacrifice one's own self-interest out of respect for people one has never met is a 'big ask'.

Question Two: Why does civility matter?

Why does civility matter? Are there not more pressing economic and social problems for us to be worrying about without fretting about the minutiae of whether people should give up their seat on the bus? Our concern with such things as manners and etiquette might be thought rather quaint or archaic in this post-modern age, so why does the issue of civility warrant our attention? There are three reasons.

Civility as a moral virtue

Civility is a good in and of itself: 'It is morally better to be civil than uncivil.'[21] Being civil towards others is part of being a good and moral person. More specifically, it signals to other people our willingness to obey shared rules and to regulate our behaviour so as not to undermine their wellbeing. As Carter reminds us the question of 'how we *should* treat our fellow citizens is independent of the question of how we *feel like* treating them'.[22]

Civility aids social cooperation

Edward Shils notes that civility is a social good because 'there is not enough good nature or temperamental amiability in any society to permit it to dispense with good manners . . . Good manners repress the expression of ill nature.'[23] In other words, we need people to be civil to each other if social life is to function efficiently and with a minimum of unnecessary conflict and disruption.

Another way of expressing this idea is to say that civility has a significant role to play in the lowering of 'transaction costs'. Economist Wolfgang Kasper explains that transaction costs are 'the petty frictions in the humdrum business of daily life, the efforts and risks of learning and coordinating daily pursuits'.[24]

Civility facilitates exchanges between individuals, particularly strangers as we saw before, and thereby reduces the friction and potential conflict of these interactions.

This insight links our interest in civility to earlier CIS work on 'social capital'.[25] The idea of social capital relates to the spirit of mutual trust and norms of reciprocity which enable members of a social group to cooperate spontaneously in order to achieve shared outcomes.[26] A spirit of mutual cooperation and 'give-and-take' enables us to get more done more efficiently than when people have to be monitored, regulated or coerced.

Clearly there are similarities here with the core idea of civility—that of showing respect for others. But they are not the same thing. Civility varies from social capital in two ways. First, it is an attribute of individuals whereas social capital refers to a quality of relationships. *Individuals* are civil or uncivil—this is something they are taught, and they bring this virtue with them when they enter social situations. Social capital, on the other hand, is the quality of *relations* between individuals—trust and reciprocity are based in relationships, not people.

Secondly, individuals bring civility *to interactions* while social capital is *an emergent property of social interaction*. It is because we are civil to each other that interaction is possible; it is only after interacting over an extended period that we can come to trust and cooperate with each other. It is in this sense that civility predates social capital. Indeed, there is a plausible case that civility is a prerequisite of the emergence and sustenance of social capital in a community. Uncivil people will have difficulty building social capital, for incivility breeds distrust and suspicion.

Civility as an alternative to repression

The third reason why classical liberals in particular should take civility seriously is that the self-regulation that it demands of people is all that stands between us and the increasing use of coercion by the state.

John Rawls argues that if 'liberties are left unrestricted they collide with one another'.[27] This is true by definition,

for different individuals will always want and desire different and incompatible things, and their unfettered pursuit of their own objectives will inevitably bring them into conflict.[28] The question, therefore, is how (as well as how far) individual liberties are to be restricted or restrained. In the end, this will either be done by external political agencies of the state, or it will be achieved through enlightened self-regulation. As Edmund Burke recognised back in 1791: 'Men are qualified for civil liberty in exact proportion to their own disposition to put moral chains upon their own appetites.'[29]

In liberal-democratic capitalist societies, individuals legitimately pursue their own self-interest through two spheres of power—the market economy and the political system. Both offer ways of aggregating individual interests into collectively-binding outcomes, but as Friedrich Hayek explained, the market is in principle much more flexible and responsive than even the most democratic and participatory of governments. This is because markets transmit and register millions of people's changing preferences every minute of every day through shifting price signals.[30]

For a market system to work, however, the pursuit of naked self-interest has to be limited in all sorts of ways. All players must respect the rules, and all need to act respectfully towards each other and to recognise the obligations which they incur to one another. As the recent wave of corporate collapses and stockmarket losses following the disclosure of the Enron fraud in the US demonstrate, unrestrained use of market power can lead to levels of fraud and exploitation that can threaten the prosperity and functioning of the whole capitalist system. Francis Fukuyama argues this is why trust is important for the functioning of markets.[31] As traders on the London Stock Exchange used to claim with pride, 'My word is my bond.'

The market system is of course subject to formal controls and regulation, but markets work best when regulation is internalised. Each time some new abuse of power occurs, formal controls are increased and external regulations are tightened. Over time, individual autonomy is eaten away and the scope for

enterprise and innovation gets whittled down as bureaucratic power extends to cover ever-increasing areas of activity.

The same applies in other aspects of life as well. For example, in June 2002 the Victorian Government felt obliged to respond to what the press has begun to call 'Ugly Parent Syndrome'—the increasing use of bad language and even physical aggression displayed by parents watching their children participating in junior sporting events. The state government announced that it was introducing an official code of practice which parents would be required to endorse as a condition of their children taking part in sporting events in the state. On one level, it is admirable that the Victorian Premier is taking action to maintain public standards of civility, but on another it is worrying that government is now encroaching this deeply into yet another area of everyday life.

Classical liberals abhor the trend to ever-increasing government control and regulation and generally seek to reverse it. But the intrusion of legislation and regulation can only be stemmed if individuals are willing to recognise and understand the need to restrain their own behaviour. It may be that things have deteriorated to a point where governments will have to show a lead.

Question Three: How do we measure civility?

Behaviour considered respectful (and therefore civil) at one time or in one culture may be considered disrespectful (hence uncivil) at another. For example, rules surrounding smoking have clearly changed over time. Whereas once it would have been considered civil to let someone smoke in your home, now it is uncivil to smoke in a non-smoker's home and in most public situations. In another example, to previous generations it was considered uncivil to refer to anyone other than close associates by their first name, but now it is regarded as generally acceptable.

It is also possible that individuals within a culture will disagree to some extent on what is and is not civil behaviour. Stephen Carter, for example, finds the practice of calling people by the first name still uncivil despite widespread use. This creates

problems when we come to measure civility over time or across cultures, for civility does not inhere in the content of people's behaviour. Civility is in the eye of the beholder.

The diversity of indicators

Much of the literature on civility skates over the fundamental problems of measurement. Commentators too readily assume that we all know what civil behaviour is, and they move immediately to demonstrating its decline by pointing to the changes that have occurred in their preferred indicators.

Stephen Carter finds evidence for the decline of civility in things like increased vulgarity, bad behaviour by politicians, abusive language in schools, declining charitable donations, and motorists' lack of respect for slow-moving funeral processions.[32] US law professor Robert Moffat similarly constructs his preferred list of indicators to include the growth of litigiousness, rudeness in business, political deceitfulness, negative journalism, increased violence and the ready resort to confrontation revealed in behaviour like road rage.[33] Neither, however, explains why their selected indicators should be accepted as appropriate measures in the first place.

What is apparent about lists like these is how arbitrary and chaotic they seem. It is not just that some unexpected items get included while other things get left out; it is also that the items which do get included often seem to bear little relationship to one another. What, if anything, links the propensity of children to swear at their teachers with people's increased willingness to resort to law to solve disputes? Why should unparliamentary language be thought to measure the same thing as road rage? What is it about these diverse behaviours that requires us to accept that they are all suitable indicators for measuring a single underlying factor called civility?

The multidimensionality of civility

The problem we face is not just that different people may disagree about what is and what is not 'civil', but that the same person may turn out to be highly civil on one of our chosen

indicators yet extremely uncivil on another. In our focus groups, for example, we encountered well-educated young people who readily give up their seat on the bus for older passengers, and who would never dream of spraying a graffiti tag on the side of the vehicle, yet who saw nothing wrong in routinely evading their fare. How is their level of civility to be measured against, say, that of an adult who always pays the fare but who throws the ticket on the floor at the end of the journey? Are we even dealing with comparable things when we pose a question like this?

The various indicators routinely adopted by commentators as measures of civility are often inconsistent with each other. Indeed, recent American research suggests that most indicators of civility or incivility actually correlate very weakly with each other.[34] Trends like an increase in graffiti, a rise in litigation and a higher incidence of swearing on television cannot automatically be bunched together as pointing to a decline in standards of civility, for these behaviours may turn out to be unrelated to each other and may stem from different causes. Different indicators may be measuring different things. This suggests that civility may not be a single phenomenon—it may be a multi-dimensional concept. If this is the case, then the same word is being used to refer to different kinds of behaviours and issues.

Any judgement we make about whether 'overall' levels of civility in society are improving or deteriorating will therefore depend on how we measure and rank different dimensions of civility, and our conclusions will inevitably reflect our choice of indicators and the way we weight them against each other. But we must recognise that some indicators may be moving in one direction at the same time as others are moving in another. The obvious danger is that we end up simply selecting those that fit our thesis while disregarding those that do not.

Question Four: Has civility declined?

Concerns about declining civility have surfaced regularly for many centuries (Erasmus wrote a book called *On Civility in*

Boys back in the 16th century). The debate today, however, focuses mainly on change over the last 40 or 50 years, and many commentators date the decline in contemporary standards of civility to what Fukuyama has called the 'Great Disruption' of the 1960s.

Fukuyama details the major social changes that occurred during the shift from the industrial age to the information age—a timeframe he identifies as approximately the mid 1960s to the early 1990s. The changes include crime and social disorder, a drastic acceleration in the decline of kinship as a social institution, a decline in marriage and birth rates while divorce sharply increased, and a forty year decline in trust and confidence in institutions. Because these changes 'were dramatic', and 'occurred over a wide range of similar countries', 'at roughly the same period in history', Fukuyama has called this the Great Disruption.[35]

So what evidence is there that public behaviour is worse today than it was, say, 50 years ago?

Plus ça change?

As part of our research, we have looked through a sample of Australian newspapers going back to 1950. We find that the same sorts of concerns about standards of public behaviour that attract press comment today were also common then:

> The 20,000 who attended the ABC Symphony Orchestra concert in the Botanic Gardens yesterday left behind a litter of newspapers, ice cream wrap-pings and chocolate cartons. (*Daily Telegraph*, 1 May 1950)

> Posters advertising dances, political meetings and others demanding the release of certain persons from gaol have been pasted on [tramway] poles throughout the city. The epidemic has reached such proportions that the Tramways Board has had to send out a team of men to remove the posters and clean the poles. (Melbourne *Age,* 11 May 1950)

> Sydney University students were today called louts, vandals and hooligans by civic leaders and magistrates . . . Students last night smeared the Archibald memorial fountain in Hyde Park with yellow paint and coloured water in the fountain and Pool of Remembrance with dyes. (Melbourne *Age,* 11 May 1955)

This does not mean that today's commentators are wrong in thinking that something has changed (although their critics think they are blinded by nostalgia),[36] but it does emphasise that we should not simply assume that things have got worse. As Harvard Professor of Law Randall Kennedy points out, 'we should not accept without evidence a claim that civility is in decline, simply because writers . . . proclaim that to be so'.[37]

'The crisis is real'

The belief that we really do have a problem of declining civility is widespread. Carter insists: 'The crisis . . . is real';[38] Fukuyama assures us: 'The perceived breakdown in social order is not a matter of nostalgia';[39] historian Gertrude Himmelfarb sees that 'we are confronting a considerable deterioration' in our condition;[40] sociologist Christie Davies asserts that 'demoralisation has set in';[41] political scientist Charles Murray argues that we are 'witnessing the proletarianization of the dominant minority'.[42]

The public too thinks there is a problem. In the US, a 1996 poll found that 89% of Americans think incivility is a serious problem, and 78% think it has worsened in the last ten years.[43] And in our focus groups, middle aged and elderly participants commonly expressed the view that norms of politeness and good behaviour had frayed during their lifetimes:

> *(Middle aged female 1):* A lot of the kids today I should say, not all of the kids today, don't believe in respect.
> *(Middle aged female 2):* There's not enough discipline . . . they're taught at school don't let your parents do this to you.

(Middle aged male 1): They're not taught the manners whereas years ago, I mean we had to show the manners or it was go to your room and that was it.
(Middle aged male 2): Please and thank you.
(Middle aged female 1): Yep, the basics.
(Elderly female 1): Yes, we're less polite as a society and the norms have changed but I do think we're less polite.
(Elderly female 2): I think for instance [of] people like taxi drivers who always would take your case and put it in the boot or take it out of the boot and perhaps even offer to take up the stairs, that never happens now.

(Elderly female): Yes, well I think where we ourselves were taught manners and so forth and we obeyed the general acceptance of what society expected of us, today society has changed so much . . . I like good manners . . . they like their freedom, they like to do things their way. We're talking [about] the present generation now, this current generation.

Clearly *something* has changed regarding accepted norms of public behaviour—but does the change necessarily signify a decline in civility?

Not worse, just different?

One of the most fundamental changes of the last half-century has occurred in the status of women and the relations between the sexes. There have also been marked changes in the norms governing relations between generations. In both cases, traditional hierarchies of inequality have been undermined and relations of power and deference have been overturned. There is today a presumption of gender equality in most areas of life, and young people too have cast aside many of the inhibitions and formalities that used to surround interaction with older generations.

Social interaction between men and women and between young people and their elders has always been central to social

rules of behaviour. So it is natural that with major changes in the norms governing these relations we are noticing major changes in public behaviour. The question, however, is whether the changes in behaviour signify a decline in respect.

In a report for the Commonwealth Foundation, *Civil Society in the New Millennium*, Martin Stewart-Weeks and Mark Lyons argue that we are 'witnessing . . . civil society in transition, reshaping its traditions and values to make sense in the modern world'.[44] What some commentators have viewed as a civility crisis may in fact be due to this transition. For, even if it is true that men today are less likely to walk on the outside of the pavement when strolling with a woman, or that young people are less likely to give up their seat for an adult, does this necessarily mean that civility has declined, or is it just that the rules have changed and things have become less formal?[45]

Many of our focus group participants recognised that norms governing relations between the sexes and between young and old had changed, but many also saw such changes as quite positive, and they denied that they necessarily signified a decline in civility:

> *(Middle aged female):* Children these days are more forthright and know their rights and speak up for themselves . . . [That's good] as long as they're polite and they keep it in the boundaries of what is respectable.

> *(Middle aged male):* I think it's changing but you've got different generations . . . I don't know that it's changed for the worse, as opposed to developing, evolving and society's evolved.

> *(Young male):* Our parents' generation was brought up with all those sorts of principles and they sort of would have done them in their time but I don't think they would expect them now.
> *(Young female):* Relationships between children and parents have changed. Like if you view how our parents

relate to their parents compared to what we tell our parents, it's become more open . . . there were more stipulated boundaries in our parents' days whereas today I think there is this whole focus on everyone as an individual and sort of autonomy of people now.

Clearly, we need to distinguish change in the content of social rules from change in people's willingness to observe and follow them—only the latter really qualifies as a shift in civility. People's disposition to accept the rules is what matters for an analysis of civility.

Fuzzy norms

Our working hypothesis (largely confirmed so far by our focus groups) is that people's willingness to respect the norms of civility may not have changed all that much over the last 50 years. What has changed, however, is the clarity of the norms and the level of consensus about what they mean. Most of us would be happy to follow the rules if only we knew what they were.

We no longer all agree on what is appropriate behaviour in social situations, and norms that used to be clear have now become fuzzy. There are a number of reasons for this. One, undoubtedly, has been the rapid change in the status of women, for this has given rise to much confusion and disagreement about how the sexes should relate to each other in public. The status of women has changed faster than the social norms. New technology has also created problems, for it has opened up novel situations where there are no generally-recognised rules (consider, for example, the use of mobile phones in public places, or the rules governing interaction on the internet or email).

When our focus groups discussed things like giving up a seat on the bus, the uncertainty surrounding age protocols also became readily apparent (younger people are often worried that they might give offence by offering a seat to an able-bodied older

person, and some older people did not want to be seen as so frail that they needed a seat). Discussion of conundrums like this demonstrated that we still by and large want to be good citizens, but we're not sure any more how to go about it:

> *(Middle aged female 1):* It's difficult. While I always try to be aware of other people and I don't get in their way or whatever, it is difficult to always do that because you don't know what other people's expectations are.
>
> *(Middle aged female 2):* Maybe we're too free now. Once upon a time children were seen and not heard and everybody got up on the bus for the ladies. Now there's a sort of do I or don't I thing.
>
> *(Middle aged female 1):* There are grey areas, there are always going to be grey areas and my grey area today might not be the same as my grey area tomorrow. I might decide, yes, I hate this thing that I'm accepting today.
>
> *(Young male 1):* It's more about compassion for someone else, but now there's no rule . . .
>
> *(Young male 2):* The change may be we're not doing it for the principle we're doing it for a reason nowadays. It's an honesty thing . . . in the old days, they were so bent on principles, you followed that principle just because they were there, but nowadays it's not so—I reckon nowadays it's more honest.
>
> *(Young female 1):* A lot of the time I think people just don't think, like it wouldn't occur to a lot of people [to offer their seat] because it's not a set out rule . . . it's not drilled into us, so we're not thinking like that.
>
> *(Young female 2):* It is more ambiguous and people don't know what to do and a lot of people get upset and people didn't really know where they stood in the first place.

The confusion about social rules that we encountered in our focus groups has also been identified by a number of commentators. Gertrude Himmelfarb, for example, writes of

a 'sense of moral disarray' in mainstream American opinion, and she suggests that 'the bulk of the people are acquiescent and passive . . . they find it difficult to judge what is moral or immoral even for themselves, still more for others'.[46] If this is right, and the key change in recent decades has been the spread of a postmodern relativistic moral confusion rather than a generalised decline in willingness to recognise social rules, then the problem that we face may be less a collapse of civility than a disintegration of clear rules and boundaries.

This may itself be a problem, of course. The speed and change of the rules that have led to this confusion have the potential to erode social order. Fukuyama argues that, 'A society dedicated to the constant upending of norms and rules in the name of expanding individual freedom of choice will find itself increasingly disorganized, atomized, isolated, and incapable of carrying out common goals and tasks.'[47]

Question Five: Is civility always a good thing?

There is a long tradition of work in sociology which explores the paradox that 'deviant behaviour' is not necessarily socially dysfunctional. For example, one of the 'positive functions' that rule-breakers may perform for society lies in the way their behaviour can draw attention to unnecessary or outdated rules that need changing. This sort of insight alerts us to the way in which incivility might sometimes be positively useful.

Excessive civility threatens to squash innovation and fresh-thinking, particularly in politics. One of the complaints about so-called 'political correctness' in intellectual circles, for example, is that it makes it impossible to express opinions or explore evidence which might give offence, even if they might turn out to be true or valid. John Stuart Mill emphasised that an open and dynamic society must allow some friction between individuals to avoid a crushing conformity of opinion. As Mill rightly noted, the tyranny of the majority is 'enslaving of the soul itself' so there must be a 'limit to the legitimate interference of collective opinion with individual independence: and to find that limit and maintain it against encroachment is

. . . indispensable to a good condition of human affairs'.[48] In intellectual life, excessive politeness and concern for the feelings of others is the enemy of truth and progress.

An editorial in *US News and World Report* discusses the emerging view that the crisis of civility has been overstated and that civility itself is being overemphasised. They note that 'people have . . . come to see civility as a synonym for compromise and an excuse to cool passionate arguments'.[49] While political compromise may be necessary at times for the efficacy of the legislative process, this should not be confused with civility and extended into intellectual thought. Civility merely obliges us to engage in dialogue. It does not demand a uniformity of ideas for the sake of a faux civility. This is often overlooked in the discussion of political civility.

Civility became a favoured word of many politicians, particularly in the United States starting in the late 1990s. In 1997 members from both parties in the US Congress held a retreat to regain civility in politics. And George W. Bush for several months at the start of his presidency called for civility after the divide between left and right was exacerbated following the impeachment trial of President Clinton and the 2000 presidential election. One of the problems with these calls for civility was a failure to recognise that partisanship is not in itself uncivil—Republicans and Democrats have major ideological differences that should not be sacrificed in the name of civility. The incivility in US politics stems from the polarisation of the parties which in turn comes from an unwillingness to engage in a dialogue.

In Australian politics similar confusion about political civility has arisen. Much media attention has recently been paid to the conduct of leading politicians in both major parties. While the politicians may argue they are just behaving in the Australian political tradition,[50] one new element of behaviour has appeared that illustrates this distinction between partisanship and incivility. While parliamentary heckling and other antagonistic behaviour may seem immature and counterproductive, public civility allows such expression in the name of political differences. Commentators are wrong in pointing to this as demonstrating a problem in civility. It is expression of partisan hatred[51] that goes beyond parliamentary boorishness and impedes dialogue.

In politics, disagreements between opponents is the sign of a healthy and flourishing democracy. When politicians show too much deference to each other, fundamental ethical questions are likely to get buried and power can go unchecked. Meyer points out that insults are a non-violent way of curbing the excesses of the powerful, and he argues that politics must therefore 'allow for a boorishness typically at odds with polite society'. Similarly, Kennedy argues: 'The civility movement is deeply at odds with what an invigorated liberalism requires: intellectual clarity; an insistence upon grappling with the substance of controversies; and a willingness to fight loudly, openly, militantly, even rudely for policies and values . . . '. [52]

There are similar implications for social civility. Edward Shils reminds us that a completely civil society would be a soul-destroying place in which to live: 'A society in which

> Many more-or-less honest people (as well as a good many more-or-less dishonest ones) are deeply divided on some major issues of policy. That is all the more reason why they should recognise one another as tolerably honest opponents, open to conviction by the truth as they can be made to see it.
>
> We should not renounce this belief in one another's credentials till we are inescapably driven to do so . . . But is it a completely feeble and pompous thing to ask those of us who are proud of being 'committed' in this way or that, if some, at least, of our enemies are not friends in disguise, who could teach us something if we cared to learn it? And to whom we might also teach something if we could resist the temptation to hurt and rebuff them?
>
> Very wishy washy stuff; though certainly not intended to inhibit the interchange of knockdown arguments, as long as they are arguments; or even of abuse, but not knockdown abuse.
>
> Professor Richard Spann cited in Peter Coleman, *Memoirs of a Slow Learner* (Sydney: Angus and Robertson, 1994) 124.

noone thought of anything but the common good might be extremely boring, spiritually impoverished and intellectually infertile. Disagreement, individual self-seeking initiatives, saying things which might give offence, breaking away from the cover of collective self-consciousness, are part of the spice of life.'[53] We should not allow a concern with civility to smother individualism—civility should be the means by which individuals in society can most effectively express their own interests and opinions without the danger of severe conflict resulting. It must not become an excuse for governments to prevent this from happening.

Considerations like these have implications for our evaluation of Mayor Giuliani's 'Quality of Life' initiative in New York City. Giuliani has been attacked by some critics for going too far in repressing individual freedom, and the New York Civil Liberties Union complained: 'The city is becoming increasingly authoritarian.'[54] During Giuliani's administration, the Union filed 34 lawsuits against the city—many of which were in response to 'Quality of Life' initiatives, with many of

the initiatives being deemed unconstitutional by the courts.[55]

Similarly, Kennedy attacks those he calls the 'virtuecrats' who seek to clamp down on diversity by reimposing the manners and etiquette of a bygone era. As *US News* identified, to revert back to the 'golden age of civility—the 1950s—where etiquette reigned, civic organisations were strong, and you didn't hear vulgarities on the radio' is idealistic. It overlooks the fact that this was not a golden age for minorities and women, who 'had to dispense with "please" and "thank you" to advance their causes'.[56]

Civility exists in the name of liberty, not conformity or oppression. If governments seek to enhance civility, it will be important to ensure that the baby of individual freedom is not thrown out with the bathwater of incivility.

Question Six: What should be done?

If we are right that (a) civility is important, and (b) most people want to respect the rules of civility but are increasingly unclear about what the rules are, then we need to think about what, if anything, public policy can and should be doing to protect and promote civil virtues and values in contemporary Australia.

Policy instruments

The instruments through which a 'civic education' could be delivered are fairly obvious. Schools, for example, would have a pivotal role in any policy initiative aimed at strengthening civility, for schooling plays a crucial part in the socialisation of each new generation. Many countries, of course, already use the education system explicitly to transmit the core values, norms and beliefs that are taken to define social membership and the civic obligations that go with it. Although Australia does not currently identify 'civics' as a compulsory element in the school curriculum, the Australian Council for Educational Research has recently developed an Attitudes and Values questionnaire which enables schools to measure the social and moral development of their students. Similarly, in New Zealand the Foundation for Character Education has developed a 'Cornerstone Values'

programme for schools.

Schools are not the only instrument through which a civility policy could be pursued. Edward Shils has identified various traditional carriers of public morality including the churches, the universities and business leaders, but in all cases he finds that they have largely abdicated their civic responsibilities in recent times. He argues that this then results in a trickle-down of incivility into the rest of society: 'It is dangerous for the internal peace and good order of a society if the centers are very incivil internally and in their relations with each other . . . their example encourages uncivil attitudes in other parts of the society. Incivility within the centers and among them breeds incivility in the citizenry.'[57] This being the case, any serious strategy for strengthening civility would clearly have to encompass some sort of 'moral renewal' among elite institutions. And given the importance of television and other visual media, there would presumably also need to be some attempt to influence their output too.

Finally, the police and other official guardians of the law would have a key role in any programme to renew public civility, for as Mayor Giuliani recognised in New York City, official rules need to be clarified and consistently applied if informal norms of behaviour are also to be strengthened. This is why the New York City police were encouraged to clamp down on petty infractions like graffiti and jaywalking, for this reinforced public perceptions that there are clear rules which are deemed important and which command compliance.

Civility and civil liberty

Although the instruments exist through which we could pursue an effective campaign to renew public civility, it is by no means clear that we should use them for this purpose. For classical liberals, there is something rather disturbing about a policy decision that deliberately enlists schools, opinion leaders, the mass media and the police in promoting a core set of values about how people 'should' think and behave. Is this not dangerously authoritarian?

Such cautious instincts should be taken seriously. We do not want a 'Singapore solution' to the civility problem in which we eradicate antisocial behaviour at the expense of individual liberties and cultural pluralism. Better to put up with chewing gum on the pavements than policemen in the newsrooms.

But this is not a black-and-white, either/or dilemma. After all, even radical libertarians will accept that there must be some common agreement on the rules by which we are all constrained to live, and there is little serious disagreement about imposing and enforcing norms of behaviour governing things like robbery and homicide. The question, therefore, is not whether we should use available instruments to promote and defend core values—it is rather one of identifying and defining what these core values are.

Discovering consensus

We have seen that civility is, in Stephen Carter's words, 'pre-political'—that is, civility is a universally-acknowledged virtue across different political philosophies and ethical priorities which means there are certain rules and values of public behaviour on which we should all be able to agree. Evidence from our focus groups reinforces this, for young and old, prosperous and disadvantaged, all could agree on the central importance of virtues of respect and sacrifice. The problem was that they weren't always clear about how to demonstrate such virtues. What is lacking is not the willingness to behave in appropriate ways—it is clear guidance on what this actually involves.

This suggests that a policy for renewing and promoting civility should begin with an open and public debate aimed at defining a simple set of binding principles and core values that can be taken as the necessary criteria of membership in the contemporary Australian community.[58] In short, we need to think about what it is reasonable to expect of any Australian citizen—of what it is to be an Australian, and the obligations that citizenship carries. For if we can define the core norms and values that bind us to each other, there need be no threat to civil

liberties in enlisting the schools, the media, the opinion leaders and the police in an agreed programme aimed at reinforcing civil obligations and duties.

A small example of how public dialogue can help to clarify shared norms of public behaviour, and thereby strengthen civility, is the response by readers of *The Manly Daily* in Sydney to a letter which complained about people failing to offer their seats on the bus to pregnant women. A extensive letter writing campaign ensued. In response, the State Transit Authority placed over 400 posters on the northern beaches buses encouraging people to give up their seat. STA chief executive John Stott commented that 'This is not a big government raising an issue and telling people what to do—this is the passengers themselves saying what they want. This the community evaluating its own standards.'[59]

American political scientist Lucian Pye argues that 'civility cannot be encouraged or produced by state policies; it cannot even be maintained by the coercive powers of the state. Rather, civility depends upon social pressure and the shame that comes with the sense of wrongdoing.'[60] Pye is overstating it when he says that civility cannot be encouraged by government policies, but his key insight lies in the recognition that civility comes from the bottom up, not top down. Individuals must already have an awareness of the general standards and a predisposition to pay them due regard.

> *(Middle aged female):* My response . . . to any sort of minor transgressions in society, like jumping over the barrier, cutting into the queue, minor tax evasion, my response is a personal one . . . I do the right thing and I expect my kids to the right thing and I berate them to do the right thing and I'm sure they know . . . and that's the way I respond to it, because there's not really a lot that I can do about other people . . . so I respond by trying my hardest not to do those sorts of things.

Civility is a personal virtue, but it can be strengthened

(or indeed eroded) by what governments do or do not do. Through initiating dialogues, creating awareness of civility, and promoting civility as a modern day virtue, government can have an important role in nurturing Smith's 'spectator in the breast'.

Endnotes

1   An earlier version of this paper was delivered at the CIS Consilium at Coolum, Queensland, on 3 August 2002. We wish to acknowledge the extremely helpful comments and suggestions of participants at the conference.

2   Quoted in Neil Smith, 'Global Social Cleansing: Postliberal Revanchism and the Export of Zero Tolerance', *Social Justice* 28: 3 (2001), 69.

3   James Q. Wilson and George L. Kelling, 'Broken Windows', *The Atlantic Monthly* 249: 2 (1982), 29-38.

4   Police Department, City of New York. Compstat, *Citywide Calendar Year Historical Comparison 2001 through 1993* (2002), http://www.nyc.gov/html/nypd/pdf/chfdept/cshist.pdf.

5   Michael J. Meyer, 'Liberal Civility and the Civility of Etiquette: Public Ideals and Personal Lives', *Social Theory and Practice* 26: 1 (2000), 71.

6   Cheshire Calhoun, 'The Virtue of Civility', *Philosophy and Public Affairs* 29: 3 (2000), 251-275.

7   John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993), 217.

8   As above.

9   Edward Shils, 'Civility and Civil Society: Good Manners Between Persons and Concern for the Common Good in Public Affairs', in *The Virtue of Civility*, Edward Shils, ed. Steven Grosby (Indianapolis: Liberty Fund, 1997), 76.

10 Norbert Elias, *The Civilizing Process* (Oxford: Basil Blackwell, [1939] 1978).

11 See http://gwpapers.virginia.edu/civility/transcript.html for a list of the rules. A published version (1994) is also available through the 'Little Books of Wisdom' series from Applewood Books.

12 Stephen L. Carter, *Civility: Manners, Morals, and the Etiquette of Democracy* (New York: HarperPerennial, 1998), xii.

13 Cheshire Calhoun, 'The Virtue of Civility', *Philosophy and Public Affairs* 29: 3 (2000), 255.

14 We conducted focus groups with people of different ages and social backgrounds to see how they think people should behave

and whether they think standards of public behaviour have been changing. The authors would like to thank Mission Australia, Mr Jim Dale, Martin and Leonie Stewart-Weeks and the Lindsay family for their help in organising the focus groups.

[15]   Calhoun, 'The Virtue of Civility', 255.

[16]   Michael J. Meyer, 'Liberal Civility and the Civility of Etiquette: Public Ideals and Personal Lives', *Social Theory and Practice* 26: 1 (2000), 71.

[17]   Carter, *Civility*, 58.

[18]   Shils, *The Virtue of Civility*, 72.

[19]   See Adam Smith *The Theory of Moral Sentiments* (Indianapolis: Liberty Classics, [1759] 1976), 203-268.

[20]   Much the same point is made by Charles Murray in *In Pursuit of Happiness and Good Government* (San Francisco: ICS Press, 1994).

[21]   Carter, *Civility*, xii.

[22]   As above, 35.

[23]   Shils, *The Virtue of Civility*, 79.

[24]   Wolfgang Kasper, 'Immigration, Institutions, Harmony and Prosperity' *Quadrant* 46:11 (2001), 6.

[25]   David Popenoe, Andrew Norton and Barry Maley, *Shaping the Social Virtues* (Sydney: The Centre for Independent Studies, 1994); Andrew Norton et al, *Social Capital* (Sydney: The Centre for Independent Studies, 1997); Martin Stewart-Weeks and Charles Richardson, *Social Capital Stories* (Sydney: The Centre for Independent Studies, 1998); Andrew Norton, 'The Market for Social Capital' *Policy* 17:1 (Autumn 2001).

[26]   Ian Winter, *Social Capital and Public Policy in Australia* (Melbourne: Australian Institute of Family Studies, 2000); Wendy Stone and Jody Hughes, 'Social capital: Empirical meaning and measurement validity' *Research paper* 27 (Melbourne: Australian Institute of Family Studies, 2002)

[27]   John Rawls, *A Theory of Justice*, 1st ed. (Oxford: Clarendon Press, 1972), 203.

[28]   This is the essential starting point for Max Weber's sociology—the 'warring gods' of ultimate values must inevitably generate clashes as different individuals try to impose their incompatible wills upon each other. See Weber, *Economy and Society* Part I (New York: Bedminster Press, 1968).

[29]   'A Letter to a Member of the National Assembly', Edmund Burke, *Further Reflections on the Revolution in France,* ed. Daniel B. Ritchie

(Indianapolis: Liberty Fund, [1791] 1992), 69.

[30] Friedrich A. von Hayek, *The Constitution of Liberty*, (London: Routledge and Kegan Paul, 1960).

[31] Francis Fukuyama, *Trust: The Social Virtues and the Creation of Prosperity,* (London: Penguin Books, 1995).

[32] Carter, *Civility*.

[33] Robert Moffat, 'Incivility as a Barometer of Societal Decay', *Florida Philosophical Review* 1: 1 (2001), 63-80.

[34] Ralph Taylor in *Breaking Away from Broken Windows* (Boulder: Westview 2001) looks at the connection between incivility and crime and found that when analysing incivilities that there were 'loose connection among the indicators themselves [which] suggests that incivilities may not reflect an underlying disorder, but rather a constellation of only loosely connected, somewhat separate problems', 22.

[35] Francis Fukuyama, 'The Great Disruption: Human Nature and the Reconstitution of Social Order', *Atlantic Monthly* 283: 5 (1999), 55-56.

[36] Randall Kennedy, 'The Case against "Civility"', *American Prospect* 41 (1998).

[37] Kennedy, 'The Case against "Civility"', 85-86.

[38] Carter, *Civility*, 9.

[39] Fukuyama, 'The Great Disruption', 56.

[40] Gertrude Himmelfarb, *The De-Moralization of Society*, 1st ed. (New York: Alfred A Knopf, 1995), 222.

[41] Christie Davies, 'Moralization and Demoralization: A Moral Explanation for Changes in Crime, Disorder, and Social Problems', in *The Loss of Virtue*, ed. Digby Anderson (London: The Social Affairs Unit, 1992), 3

[42] Charles Murray 'Prole Models: America's Elites Take Their Cues from the Underclass' *AEI On the Issues* March 2001, www.aei. org/oti/oti12658.htm.

[43] Cited in John Marks, 'The American uncivil wars' *US News and World Report* 120:16, (22 April 1996), 66-72.

[44] Martin Stewart-Weeks and Mark Lyons, 'Civil Society in the New Millennium: On the Edge: Civil Society in Transition, a Report Prepared for the Commonwealth Foundation', (Sydney: Centre for Australian Community Organisations and Management, University of Technology, 1999), 3.

[45] When Norbert Elias comments that moving from uncivilised to civilised is part of social process of development he notes that

the process is still continuing. While Elias' work pre-dates the 'Great Disruption', it provides an interesting context with which to judge the changes of social order over that period. The change from observing previous norms does not necessarily have to be interpreted as a reversion to the uncivilised. It is possible that these changes are just a continuation of the process.

46 Gertrude Himmelfarb, 'Democratic Remedies for Democratic Disorders' *The Public Interest,* 131 (1998),14 and 16.

47 Fukuyama, 'The Great Disruption', 60.

48 John Stuart Mill, *On Liberty and Other Essays*, ed. John Gray (Oxford: Oxford University Press, [1859] 1991), 9.

49 The Editors, 'The Matter of Manners', *US News and World Report*, (26 February 2001), 16.

50 For example, Alex Sanchez, 'Spit for Spat Is Politic', *The Australian*, 2 September 2002.

51 For example, Mark Latham in an interview in *The Bulletin* said about the Liberals 'the more I see of them the more I hate them'. Maxine McKew, 'Lunch with Maxine McKew: Mark Latham', *The Bulletin*, 2 July 2002, 38.

52 Meyer, 'Liberal Civility and the Civility of Etiquette', 79; Kennedy, 'The Case against "Civility"', 85.

53 Shils, *The Virtue of Civility*, 97.

54 Quoted in Liz Trotta, 'A kinder, gentler New York?' *Insight (*April 27 1998), 40.

55 Donna Lieberman 'NYCLU Assesses Giuliani Administration' (abridged) *Letters to the Editor, New York Times* [New York Civil Liberties Union website] (1 January 2002 [cited 4 September 2002]); available from www.nyclu.org/giuliani2002.html.

56 Editors, 'The Matter of Manners', 16.

57 Shils, *The Virtue of Civility,* 86.

58 The Brotherhood of St Lawrence recently ran a preliminary investigation to discover if any common values exist amongst Australians based on interviews and focus groups. See, *Values and Civic Behaviour in Australia* (2002) at http://www.bsl.org.au/pdfs/values1report.pdf. Further widespread research of this kind may be the starting point for such debate.

59 John Morcombe, 'Time to stand up and be counted' *The Manly Daily* 10 July 2002.

60 Lucian W. Pye, 'Civility, Social Capital, and Civil Society: Three Powerful Concepts for Explaining Asia', *Journal of Interdisciplinary History* 29: 4 (1999), 769.

The Centre for Independent Studies

THE CENTRE FOR INDEPENDENT STUDIES is a non-profit, public policy research institute. Its major concern is with the principles and conditions underlying a free and open society. The Centre's activities cover a wide variety of areas dealing broadly with social and economic policy. It emphasises the role of markets and other voluntary processes in providing many of the goods and services normally supplied by the compulsory methods of government.

The Centre meets the need for informed debate on issues of importance to a free and democratic society in which individuals and business flourish, unhindered by government intervention. In encouraging competition in ideas, The Centre for Independent Studies carries out an activities programme which includes:

- research
- holding lectures, seminars and policy forums
- publishing books and papers
- issuing a quarterly journal, ***Policy***

THE CENTRE FOR
INDEPENDENT
S T U D I E S

For more information about CIS or to become a member, please contact us:

PO Box 92, St Leonards, NSW 1590 Australia
Ph: +61 2 9438 4377
Fax: +61 2 9439 7310
Email: cis@cis.org.au

PO Box 5529, Lambton Quay, 3785, New Zealand
Ph: +64 4 499 5861
Fax: +64 4 499 5940

www.cis.org.au