

Li and the Political Value of Civility

Contemporary liberal political philosophers have long appreciated the need for a political culture in which civility is both a recognized virtue and widely present in citizens. As a political virtue, civility clusters with others such as tolerance and reasonableness whose importance are tied to the demands of living peacefully and productively in a political community marked by ethical and religious pluralism. This pluralism makes it difficult to live only amongst those who share our religious or moral convictions, and so getting on and working with those with whom we disagree deeply on matters of great importance is essential. Current calls for greater civility are a sign, I take it, of concerns that we are increasingly unable to do this—as Joni Mitchell might have predicted, appreciation of the value of civility seems directly proportional to its perceived decline.

While liberal thinkers such as John Rawls have, I think, insightful things to say about why virtues such as tolerance and reasonableness are required for the stability and success of liberal democracy, our present difficulties perhaps point to a deeper lacuna. While Rawls and others have not ignored the question of what creates the conditions under which political virtues can be reliably inculcated in citizens, it is becoming increasingly clear that the typical liberal answer—public education that includes schooling in basic civics—is inadequate. The problems with this answer are many, beginning with the irony that civic education itself can be undermined if the liberal political virtues are themselves in short supply in the wider political culture. Turning to public education to create a virtuous citizenry will not work if we are unable to discuss productively what a good education—including what a good civic

education—even looks like or how it is effected. We need to go deeper and consider more radical shapers of culture, and for this I propose we can learn much from the Confucian concept of *li* (禮), or ritual propriety. I will first say a bit more about what I take civility to be.

Civility

In a widely discussed essay, Cheshire Calhoun argues that civility is an important moral virtue tied to our recognition of one another as beings possessed of dignity and worthy of respect.¹ On her account we treat one another civilly in order to express this recognition—its function is primarily communicative. Her broadly liberal defense of this willingness to show respect is straightforward. In a society marked by moral and religious pluralism commitment to equality must be more than formal—the perception that state power or public institutions work to the advantage of some at the expense of others will threaten their legitimacy. While hardly a sufficient condition of maintaining that legitimacy, civility in public discourse is a vital way of maintaining the perception of real equality. It does this by demonstrating our mutual commitment to liberal virtues like tolerance and reasonableness and our willingness to defend our positions on terms all can accept. As Calhoun puts it:

The civil citizen exercises tolerance in the face of deep disagreement about the good. She respects the rights of others, refrains from violence, intimidation, harassment and coercion, does not show contempt for others' life plans, and has a healthy respect for others' privacy.

¹ Cheshire Calhoun, “The Virtue of Civility”, *Philosophy & Public Affairs* 29, 2000, pp. 251-275.

My willingness to remain within the bounds of civil discourse with a political opponent signals that I accept her as an equal and that I am unwillingness to resort to mechanisms that show no regard for her legitimate interests. A political culture lacking such signals of mutual respect and tolerance will not be one in which people with diverse religious and moral commitments can cooperate and thrive.

Calhoun argues, however, that civility is more than a political virtue—she is making the case that it is a more broadly moral virtue, and it is not hard to see how the above argument can generalize. In all contexts where we interact with others there can be competing interests and differences in perception, ambitions, or feelings. Navigating any social occasion successfully requires a balancing of interests and will be served by mutual recognitions of respect. As Calhoun puts it:

Polite civility also requires considerably respecting others' life plans by, for instance, waiting one's turn in line, keeping appointments, not treating others' time as though it were less important than one's own, not hogging the road, replying to invitations, not overstaying visits, and graciously accepting gifts rather than asking if they might be exchanged. In little ways, all of these actions acknowledge the value of others' lives. (258)

In this way a generally polite and civil society reinforces the values and commitments of a liberal and tolerant one.

As Calhoun is quick to note, there is an element of pretense involved in expressions of civility. How civility is expressed is a matter of convention and varies by culture and, we can add, across time within a culture. Standards of propriety at meals, greetings, dates, meetings, meetings of a legislature, and so on are notoriously varied

and unstable across time, and yet it is in deference to current conventional standards that we learn to express gratitude to our hosts, introduce ourselves to strangers, hammer out budgets, debate legislation, and so on. As lapses in propriety are quick to reveal, those who expect to be treated in a certain way in a given context are likely to be offended when they are not regardless of whether any offense was intended. What matters with civility is performance and meeting expectations.

The performative and communicative nature of civility of course opens the possibility of a gap between what is felt and what is expressed. I can use established signs meant to demonstrate to communicate gratitude I do not feel, deference to someone whose authority I do find legitimate, or courtesy to someone I consider a political enemy. While this might tempt us to find calls for civility to be calls to hypocrisy or self-censorship, Calhoun is I think quite right to argue this is a misunderstanding. When I treat a political opponent with civility I am thereby expressing my belief that however much we disagree I continue to recognize her a person worthy of respect, and in this I am being sincere. This is so even if I express that respect so by way of words that taken literally express beliefs I do not hold, and it is precisely my willingness to include my political opponents within the circle of those I judge worthy of respect that matters politically. More on this later.

An additional gap is that which opens between expressing respect for someone by way of established norms of civility and actually treating a person with respect. Because on her account civility is a communicative act, Calhoun allows there will be many ways of treating someone either with respect or disrespect which do not communicate either. Calhoun's examples include the disrespectful but not uncivil

treatment robbers inflicts upon their victims, and the respectful but not civil treatment by philanthropists of those they aid anonymously. This points to a possible gap between the established norms for treating someone civilly and what it is to *actually* treat someone with respect. There will be cases in which the means by which one shows respect reflect values and beliefs that are in fact disrespectful. Calhoun illustrates this with the example of men holding doors for women, an act which is traditionally that of a gentleman but which arguably reflects dubious and disrespectful attitudes about women's status and abilities.

This last point is particularly important as it opens the space for a moral appraisal of the norms of civility themselves. While the intent of civility as Calhoun understands it has an intrinsically moral thrust, it is possible for it to reflect and reinforce customs and traditions that in fact work against the same liberal norms it allows us to express. As Calhoun duly notes we can feel a tension at times between the demands of civility—my sense that as a man I ought to hold the door for women—and the demands of morality proper—my sense that I ought not to conform to and perpetuate sexist practices. There may be times where deference to what we take to be moral obligations may license behavior that conventionally signals, paradoxically enough, disrespect.

Civility and Li

Calhoun's account of civility will I think resonate with anyone familiar with the Confucian concept of *li*, or ritual propriety. An extensive treatment of Calhoun's account of civility from a Confucian perspective has been offered by Stephen Angle,

while a number of authors have compare *li* and civility more generally.² According to Angle *li* is “all the multifarious social norms that govern how we interact with one another; in the contemporary world, we see [*li*] in situations as diverse as family meals, greetings between strangers, and committee meetings. (91)” As others as emphasized, *li* includes norms that in Western thought come under the categories of etiquette as well as custom, mores, and traditions—its range includes all the ways in which we present ourselves in public and interact with others, and is seen by Confucianism as a critical component of a well functioning community.

As Angle argues, it is quite plausible to read the demands of *li* as expressive in the same way Calhoun does and suggests an updated and more contemporary Confucianism ought to amenable to the suggestion that what is expressed when we defer to the norms of civility is something like the liberal values of tolerance and reasonableness. There is however a dimension to *li* which is lacking in Calhoun’s account of civility. This is its fundamental role in moral education. On the Confucian account, learning how and to defer to the kinds of shared expectations of behavior that make up *li* is essential to our development into morally accomplished persons. Moreover, our ability to learn the *li*, and so our ability to be inducted into the ways of a culture, is a marker of our humanity and what separates humans from other animals. While Calhoun is able to suggests that abiding by the norms of civility is a requirement of being a civil citizen or a well mannered person, Confucian studies of *li* go

² See Stephen Angle, *Contemporary Confucian Political Philosophy* (Cambridge: Polity Press) 2012, Chapter 6. Other relevant discussions include those in Joseph Chan, *Confucian Perfectionism* (Princeton: Princeton University Press), 2013.

dramatically further in suggesting it is a requirement for being a functioning human being in the first place, a thought well captured by Xunzi:

What is that by which humans are human? I say: it is because they have distinctions...The birds and beasts have fathers and sons but not the intimate relationship of father and son...and so for humans ways, none is without distinctions, none are greater than social divisions, and of social divisions none are greater than *li*.³

Xunzi's point here is that is *li* that guides us, cognitively, affectively, and behaviorally into the relationships that are constitutive of human life. More, according to Xunzi *li* orders human desires so that we can avoid contention while more effectively managing resources, and it transforms those desires we share with other animals into uniquely human endeavors. As Amy Olberding puts it, for Xunzi "[*li*] beautifies human behavior. It ornaments brute desire and emotion."⁴

These more profound functions account for the inadequacy of translating *li* as "etiquette" and for its broader compass and greater moral importance. What counts as learning *li* begins, it seems, with the most basic elements of a child's socialization while still allowing that we might achieve greater and greater degrees of sophistication throughout our lives.⁵ This suggests a significant difference between *li* and civility understood as either a prerequisite for entry to polite society but especially as a

³ *Xunzi: The Complete Text*, Eric L. Sutton trans. (Princeton: Princeton University Press) 2014, pg. 35.

⁴ Amy Olberding, "Etiquette: A Confucian Contribution to Moral Philosophy", *Ethics* 126, 2016, pg. 434.

⁵ Cf. 2.14 of the *Analects* where Confucius suggests his moral development lasted into his old age.

political virtue. With this in mind I want to return to a point made above about the inadequacy of formal education as the basis of political civility while pointing to the potential of *li* to help us think through one of the more difficult problems that the decline of civility presents.

Li and Political Civility: the Limits of Civic Education

I mentioned above that the typical liberal answer to the question of how a liberal democracy can ensure that the political virtues are widely distributed is formal schooling that includes a reasonably robust civic education. While not denying the importance of some type of formal civic education, the insights behind Confucian teachings about *li* suggest this may not go nearly far enough. One problem is that formal education itself cannot happen without a robust set of shared expectations and widespread willingness to defer to such expectations on all parties involved. In short, even small children must learn how to be students, and teachers teachers, in a cultural and communal context that reflects some shared values and behavioral expectations. In a culture marked by deep and growing disagreement and mistrust, doubts about adult authority, educational practices that increasingly reduce the enterprise to some manner of job or career preparation, distributions of education resources that reflect growing economic inequalities, and ideological divides echoing the rhetoric of the so called culture wars, the patterns of behaviors and expectations that might define tolerance and civic mindedness will be too thin and alien to be transmitted in a formal setting. Civic education stressing tolerance and reasonableness comes to resemble teaching cricket to children with no immediate or meaningful familiarity with the sport.

If this admittedly speculative and impressionistic (and pessimistic) argument has any merit, waiting on formal education to instill or recover the essential political virtues is unlikely to provide much of a remedy for our current deficit of civility. By the same token it points to the problem with thinking we might split off the political and more basically moral virtues from one another in the first place.⁶ If I am right, an education in civility must begin early and it must reflect not simply a broader cultural commitment to civility in the abstract or thin virtues like tolerance. Like any component of *li*, education must reflect a particular culture's very practical and tangible incorporation of the values of civility and the appropriate sensibilities into actual daily practice. Rather as a child must learn to eat with a fork before she learns which of the three forks set before her to use first at fancy meal, the basic elements of civil behavior need to be instilled from the start.

Li and Civility: When Do We Refuse to Show Respect

I will conclude by considering one element of a more basic education in civility which, I think, is easily overlooked and which might seem a bit paradoxical. Any viable system of expressing respect of others, as Calhoun argues conventions of civility do, must include recognition of those time when the bounds of civility properly end. There are two ways in which this might happen. Calhoun recognizes one of these ways, which is when continuing to defer to the conventions of civility comes with too high of a price in disrespectful treatment of others. The civil disobedience that marked the civil right movement pointed to a calculated refusal on the part of protesters to conform to

⁶ This point has been made by Sungmoon Kim in arguing that *li* is not as amendable to political liberal political models as some philosophers have imagined.

established expectations defining proper relations between black and white Americans—the moral (and political) cost of deferring to racist norms simply became too high. Calhoun rightly argues that humility should temper our enthusiasm for thinking we are in the right in violating social norms the moment we find them burdensome, but she also rightly concedes that in the end moral rightness trumps mere manners.

What Calhoun seems not to recognize is the possibility that a time may come when a person's behavior, or indeed way of life, puts them beyond the pale, so that it would cheapen or empty the value of respect to extend it so far. I want to suggest that Confucianism *did* recognize such a possibility and makes the ability to know when to refuse to show respect for someone an important component of *li* itself. I want to stress this not so much to encourage a willingness to judge those with whom we disagree as being beyond the pale. Quite the contrary. My argument is that only when we have a better sense of when someone is beyond the pale will we be able to recognize those with whom we should remain civil. The increasingly widespread inability to draw this distinction successfully is itself a sign of this virtue's decline.

In Analects 4.3, Confucius says that only someone is *ren*, a *junzi*, “has the wherewithal to properly discriminate the good person from the bad.”⁷ As is typical, the master does not elaborate, but we might get some hints about what it is to “discriminate the good person from the bad” by juxtaposing this passage to another from the Analects, as well as a particularly apposite passage in the Mencius. In

⁷ *The Analects of Confucius: A Philosophical Translation*, Roger T. Ames and Henry Rosemont Jr., trans. (New York: Ballantine Books) 1998.

Analects 14.3 Confucius is notably rude—one might say harsh—to a contemporary who he accuses of having made nothing of himself over his life:

In one's youth to be neither modest nor respectful to one's elders, to grow up without having accomplished anything at all to pass on, and on growing old, not to have the courtesy to die—such a person is a thief.

Confucius then punctuates his disapproval with a sharp jab with his walking stick. Having judged this man as not worthy of respect, Confucius has no qualms about showing him none. What 4.3 maybe suggests, however, is that this treatment reflects a considered judgment. Confucius is not reacting on a whim or out of a passing annoyance or personal dislike, but from a position of having fairly considered the person in front of him. Given the difficulty in becoming *ren*—and lengthy time Confucius spent working on his moral development—this is not a judgment that we should assume just anyone would be in a position to make. Recognizing the role of *li* in this moral development allows us to say that the ability to know when it is acceptable to withhold the expression of respect is something we learn by way of the same processes that we learn when and how to show respect.

This point is amplified by Mencius' account of the process he uses to decide whether or not to continue in a contentious debate. The passage (4.28) reads:

Here is a person who is harsh to me. A gentleman in this situation will invariably examine himself, saying, 'I must not be benevolent. I must be lacking in propriety. How else could this situation have come upon me?' If he examines himself and is benevolent, and if he examines himself and has propriety, yet the other person is still harsh, a gentleman will invariably examine himself, saying, 'I

must not be devoted.’ If he examines himself and is devoted, yet the other person is still harsh, a gentleman says, ‘This person is simply lost. What difference is there between a person like this and an animal? What point is there in rebuking an animal?’⁸

Here too I think it is clear that the ability to perform this exercise in self-examination and so arrive at its unhappy conclusion would require the same virtues, and knowledge of the same standards of behavior, that allow one to succeed at resolving differences short of concluding others are “no different from an animal.”

My suggestion is that these passages point to an important part of learning and living by *li*, or as the case may be, civility. While the general expectation will rightfully be that we should extend civility to everyone, Confucianism recognize exceptions, or time when it would be inappropriate or self-defeating to do so. Part of what one learns in learning the *li*, then, is when such limits have been reached. If so, failing to properly learn *li* will present two dangers. One, which perhaps comes to mind most readily, is that we will continue to be civil to those with whom we should not. That only a *junzi* is able to recognize such moments, however, should warn us from thinking this is the largest danger. Rather those of us who are in doubt as to whether we count as *junzi*—or perhaps more realistically, those living in a time of a decline of civility—will be more likely to be too quick to judge others as unworthy of respect, or no better than an animal.

⁸ Mencius, Robert Van Norden trans.,

If, as many seem to think, we are living in a time of declining civility, one of the most notable signs is, as we might put it, a decline in our ability to disagree well. Apparent evidence of this is readily available, and it is striking that often the most egregious lapses in civility come from those who have in fact decided that those holding to certain views are, for that reason alone, beyond the pale. In suggesting this can contribute to habits of thoughts that are anything but conducive to productive dialogue—political dialogue in particular—I do not mean to suggest that we are never right in putting certain views beyond the pale. In fact, being entirely unwilling to do so would evince I think a different kind of misunderstanding of what civility demands of us. I think Confucians are right to think that we might be entitled to disassociate entirely with some because a willingness to do so is necessary to allows many types of discourse to proceed. However, most of us would do well to heed Mencius' advice and look within for the cause of our difficulties first.