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# Incivility: Progressivism's Unacknowledged Cost

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*ABSTRACT*: High and rising levels of anger, hatred, aggression, violence, coercive legislation, and litigation are recurring themes in commentaries regarding contemporary America's uncivil social and political cultures. Conventional analyses typically describe these disruptive phenomena without proposing either a coherent theory to explain them, or coherent policies for curtailing their rising incidence and reversing their adverse consequences. This essay argues that the principal, yet generally unacknowledged cause of today's uncivil, adversarial culture is the prevalence of identity politics and political factions acting within a conflicted environment of redistributive progressive politics and counterprogressive postmodern ideology. Progressive policies tacitly trade—often without regard for either inherent human nature or the "common good"—civility for hoped-for reductions in social and economic inequality in the name of "social justice." Returning society to a less contentious and more productive equilibrium would require a return to the tenets of classical liberalism, which eschew progressivism's destructive utopian and moralistic ideals.

> "So that in the nature of man, we find three principall causes of quarrell. First, Competition; Secondly, Diffidence; Thirdly, Glory. The first, maketh men invade for Gain; the second, for Safety; and the third, for Reputation. The first use Violence, to make themselves Masters of other men's persons, wives, children, and cattell; the second, to defend them; the third, for trifles, as a word, a smile, a different opinion, and any other signe of undervalue, either direct in their Persons, or by reflexion in their Kindred, their Friends, their Nation, their Profession, or their Name."
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> – Thomas Hobbes ([1651] 2009, 84)

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> "Sensitivity to insult is secondary: [the purpose of glory via combat] is to preserve the individual's reputation for being willing and able to carry out violence if needed."
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> – Robert Nisbet and Dov Cohen (1966, 89)

> "A clear connection exists between 20th-century plans for utopias and use of terror to bring them about. [Terror was, and remains, necessary] because plans for perfection encountered either passive or active resistance…. Because of their promises of ultimate meaning and a perfect future, many ideologies constituted political religions, commanding fanaticism, commitment, and sacrifice."
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> – Vegas Gabriel Liulevicius (2003, 4)

> "Men, almost certainly, are capable of more than they have ever so far achieved. But what they achieve … will be a consequence of their remaining anxious, passionate, discontented human beings. To attempt, in the quest for perfection, to raise men above that level is to court disaster; there is no level above it, there is only a level below it.
>
> – John Passmore ([2000] 2009, 258)

"America has always been an angry nation," wrote journalist Charles Duhigg under twin headlines in *The Atlantic*: "Why Are We So Angry?" and "The Real Roots of American Rage" (Duhigg 2019).

> Recently, however, the tenor of our anger has shifted. It has become less episodic and more persistent, a constant drumbeat in our lives. It is directed less often at people we know and more often at distant groups that are easy to demonize…. Without the release of catharsis, our anger has built within us, exerting an unwanted pressure that can have a dark consequence: the desire not merely to be heard, but to hurt those we believe have wronged us.

Behavioral research indicates that a little anger can be a useful thing: "expressing anger result[s] in all parties becoming more willing to listen, more inclined to speak honestly, more accommodating of each other's complaints…. [It] does an excellent job of forcing us to listen to and confront problems we might otherwise avoid." But anger also can be destructive:

> Ordinary anger can deepen, under the right circumstances, into moral indignation—a more combustible form of the emotion, though one that can still be a powerful force for good. If moral indignation persists, however—and if the indignant lose faith that their anger is being heard—it can produce a third type of anger: a desire for revenge against our enemies that privileges inflicting punishment over reaching accord.

The first two introductory epigraphs above, quoting philosopher Thomas Hobbes and sociologists Robert Nisbet and Dov Cohen, speak to the sort of anger, hatred, aggression, and violence addressed by Duhigg, although not to these behaviors' current prevalence as strategic political instruments. Aggressive behavior, both active and passive, is an innate component of humanity's inherently purposeful nature—a complementary *yang* to the *yin* of our otherwise genteel and cooperative social behavior. These opposing passions are a consequence of Darwinian natural selection having wrought humans to cope rationally, creatively, and above all productively with the intrinsic economic problem of resource scarcity; in a utopian world of superabundance, incivility would be a trivial concern at most. Sociobiology and evolutionary psychology follow Hobbes by teaching that the human animal "invades for gain," and responds aggressively—that is, raises the cost of aggression and deception by others—whenever the individual's own survival, fitness, and natural rights (i.e., productive liberties related to association, expression, choice, exchange, and property rights in things and in themselves) are invaded. Conversely, individuals act cooperatively when self-interest requires it: the prominent neuroscientist Michael Gazzaniga explains that "we humans have evolved to cooperate on a massive scale with unrelated others" (Gazzaniga 2011, 214). As philosopher John Passmore ([2000] 2009, 258) concludes, "To attempt, in the quest for perfection, to raise men above that level is to court disaster; there is no level above it, there is only a level below it."

An uncivil culture of anger, hatred, aggression, violence, coercive legislation, and litigation has arisen over recent decades. Social cooperation has diminished as the balance between opposing individual passions and grand social visions has fallen out of joint. This cultural shift occurred despite—or, as shall be argued, because of—expanding efforts by elite, but otherwise all too human, politicians and intellectuals to "perfect" other individuals and their social order along idealized, progressive lines of moral and political philosophy. It has occurred despite rising economic prosperity and increased possibilities for human flourishing. It has occurred, as the epigraph by historian Vegas Liulevicius concludes, because progressive policies for creating heaven on earth by reengineering human nature, coupled with staunch resistance to those policies, necessitates incivility (see also Hayek 1976, 134; Popper [1963] 2002b, 481–84).

Twenty-five years ago, on March 8, 1997, *The Economist* newspaper editorialized that

> [i]n its determination to be fair, America has introduced law into every corner of life: the lone consumer can get even with the biggest corporation, the lone citizen can humiliate the mighty government in court. And yet, time and again, America is nagged by a sense that the law has made life less fair, not more so: the rich know the loopholes that protect their riches, the powerful work the rules so as to amass more power. And this nagging pessimism gives rise to a lament that has gained currency recently. Perhaps America should rely less on legal codes, and more on common sense morality. Perhaps the whole attempt to make America fair and decent by amassing written rules of conduct needs to be rethought.

Nagging pessimism has blossomed beyond a general sense of unfairness. A culture of neo-Hobbesian warfare now pits the rump of society against rent-seeking factions pursuing windfall business profits through political means and entitlement-seeking factions similarly pursuing windfall social benefits. The upshot, according to historian Wilfred McClay, is that

> we live in a querulous "age of fracture," in which all narratives are contested, in which the various disciplines no longer take a broad view of the human condition, rarely speak to one another, and have abandoned the search for common ground in favor of focusing on the concerns and perspectives of ever more minute subdisciplines, ever smaller groups, ever more finely tuned and exclusive categories of experience. This is not just a feature of academic life, but seems to be an emerging feature of American life more broadly. (McClay 2015, 3, quoting historian Daniel Rogers in part)

Social disharmony is an ironic consequence of well-intentioned schemes to perfect individuals and society via procrustean ideals of justice and fairness, and generalized visions of equality. Despite this effort's considerable and increasing social and economic costs, these schemes have failed to achieve the idyllic vision of "a great building whose noble architecture will at last be disclosed, where men can live as a single community, co-operative as in a perfected, coordinated beehive" (Woodrow Wilson, quoted in Will 2019, 12).

Progressive theologians often justify such schemes on New Testament grounds: "You, therefore, must be perfect, as your heavenly Father is perfect" (Matt. 5:48). Secular authorities, like the progressive legal scholar Cass Sunstein, argue instead that "[m]any philosophers embrace 'perfectionism,' which argues for approaches to government that try to increase the likelihood

that people will have objectively good lives…. But there are many reasons to reject perfectionism in both theory and practice" (Sunstein 2016, 50–51). Perhaps the best reason, and one overlooked by Sunstein, is that perfectioneering attempts to shape the human species against its inherently egoistic, nonbeelike nature.

Sociobiology, neuroscience, economics, and history teach that Wilson's vision of achieving apian perfection via progressive social policies is nonsense: "Wonderful theory. Wrong species" (Pinker 2002, 29). Sexual dimorphism apart, human beings, unlike bees, are not biologically specialized organisms. A book by the prominent academic psychologist and avowed Enlightenment humanist Stephen Pinker (2002) aggressively faults the modern intellectual tendency toward "the denial of human nature" as a fatuous attempt to perfect humanity against its grain. Human nature is inherently more opportunistic than altruistic outside of the family: "To hope that the human empathy gradient can be flattened so much that strangers would mean as much to us as family and friends is utopian in the worst 20th-century sense, requiring an unattainable and dubiously desirable quashing of human nature" (Pinker 2011, 591). This is not to argue that all naturally occurring social norms necessarily are "perfect" from every conceivable point of view. The legal scholar Eric Posner (2000, 7, chap. 10) not only "criticizes the view that [naturally occurring, or 'endogenous'] social norms are [categorically] efficient, and argues that social norms are often dysfunctional," but also attacks "the increasingly influential argument that the government should self-consciously try to change social norms, arguing that powerful social norms constrain government actors and that efforts to change social norms can produce unpredictable norm cascades."

Progressive politicians who observe society as it is and then proceed to govern by the premise that "this is not the kind of country we are" (in the words of President Joseph Biden)—as if "the country" were a malleable child—condemn citizens to lives beset by incivility. The progressive senator Robert Kennedy campaigned successfully during the 1960s on a slogan pinched from the playwright G. B. Shaw: "You see things; and you say 'Why?' But I dream things that never were; and I say 'Why not?'" (Shaw [1921] 1963, 7). These hypnotic words ironically were spoken by the socialist playwright's serpent in the Garden of Eden. President Biden, like Kennedy before him, evidently is committed

to governing according to this fallacy of Shaw's serpent, ignoring Passmore's warning that attempting to raise individuals above their inherent nature is "to court disaster."

Commentators across the political, philosophical, legal, and economic spectrum echo Duhigg's concern for incivility's presumably inexplicable rise. A recent book by Ben Sasse, Nebraska's self-described conservative Republican senator, wonders, "Why are we so angry?" (Sasse 2018, 9). Sasse broaches this question, not as a politician, but instead as a concerned individual and pedigreed historian. His book's apocalyptic narrative belies its otherwise folksy tone: "We are in crisis" (4); "Something is really wrong here" (6); "We're killing ourselves…. We're literally dying of despair" (4); "We are doubling down on division" (246); "We really don't like each other, do we?" (8); "our contempt unites us with other Americans who think like we do" (9). The editor of the *Claremont Review of Books*, Charles Kessler, characterizes today's anger, hatreds, and social divisions as being tantamount to a "cold civil war" (Kessler 2018)—here it shall be argued instead that a heated state of neo-Hobbesian economic warfare (i.e., civil war by other means) is a more accurate characterization. Former US intelligence chief Michael Hayden quotes the head of Russia's general staff regarding the potential for mischievous nations to tip socially and politically fractious but otherwise healthy competitor nations into hot Kesslerian civil war by using social media to pick at the scabrous blemishes caused by disruptive domestic politics (Hayden 2018, 193). Hayden's commentary implies that foreign agitprop can be sufficient for inciting domestic disorder, although recent experiences have shown that outside interference is not a necessary condition. His point, in any case, is that domestic incivility now threatens America's national security.

The prominent social scientist Charles Murray argues a compelling case that "America is coming apart at the seams—not seams of race or ethnicity, but of class" (Murray 2012, 12). The precursor of this unraveling, Murray argues, is an accumulation of perverse, albeit well-meaning social policies that have disincentivized civility and social cooperation, and which foster anger and hatred in their wake (Murray 1994). The political theorist and pundit George Will attributes these policies to progressivism's "forthright rejection of the Founders' philosophy" (Will 2019, xxxvi). Progressive policies, Will argues, have failed to produce

sustainable peace, harmony, prosperity, and flourishing because human nature resists perfectioneering by elite social, political, and intellectual aesthetes. Progressive policies fail for other inherently human reasons as well, including political vanity, corruption, criminality, moral hazard, opportunism, and policy arbitrage.

The hubris of progressive perfectioneering is exemplified by Sunstein and his coauthor, the economist and Nobelist Richard Thaler: "The false assumption is that almost all people, regardless of the time, make choices that are in their best interest or at the very least are better than the choices that would be made by someone else. We claim that this assumption is false—indeed, obviously false. In fact, we do not think that anyone believes it on reflection" (Thaler and Sunstein 2008, 9). Their claim ostensibly justifies the unbridled imposition of elite ethical norms. A comparably unsettling claim is made by the legal philosopher Ronald Dworkin: "A more equal society is a better society even if its citizens prefer inequality" (Dworkin 1980, 260). Dworkin argued further for "an activist court" to perfect society by introducing a "fusion of constitutional law and moral theory" based upon "fresh moral insights" (149, 137). These assertions manifest Shaw's serpentine progressive fallacy writ large.

The political theorist Francis Fukuyama reduces the present crisis of incivility to a pair of fundamental causes, both of which are related to the rise of political factions. First, he argues that the grounds "on which liberal democracy is founded ha[ve] increasingly been challenged by restrictive forms of recognition and resentment based on nation, religion, sect, race, ethnicity, and gender" (Fukuyama 2018, jacket). Second, he characterizes America as being in an advanced state of social and political decay due to the accretion of successful entitlement demands made by these identity groups (Fukuyama 2014). The latter point is well developed within political economy.

A host of other social and political theorists have offered descriptive theories to explain rising incivility, yet few have proposed practical remedies. Sasse's search for solutions among the usual suspects comes to naught: "Most policymakers don't seem to understand the problem—and they certainly don't have any grand answers…. I'm not indifferent on policy. I'm an opponent of political progressivism because I don't think it works. One-size-fits-all policy planning models are ill-suited to

the profound challenges of our disrupted moment" (Sasse 2018, 11, 249). Having presupposed that "more politics can't fix this" (1–15), Sasse's analysis culminates in cliché: "America would be a healthier and happier place if we all agreed to set aside superficial differences more of the time, and instead struggled together" (241).The venerable sociologist Robert Putnam is more explicit along this line: "We must undertake a reevaluation of our shared values—asking ourselves what personal privileges and rights we might be willing to lay aside in service of the common good, and what role we will play in the shared project of shaping the nation's future" (Putnam 2020, 329).

Regrettably, "[a]s the sorry state of contemporary debate demonstrates, calling for 'more civility' simply as the key to peaceful and productive disagreement is not enough" (Bejan 2017, 10).The political theorist Teresa Bejan argues that achieving and maintaining civility is "an eminently worthy aspiration" (166), but also cautions that "robust conceptions of civility often end up exacerbating the problems they purport to solve by imposing partial judgments as to what counts as 'uncivil' on others" (174).

This essay, in contrast to many contemporary writings, characterizes rising incivility, and the loss of civil decorum generally, as the cost of perverse incentives wrought by progressive policies that reward dark, albeit privately rational desires for coercive political action. Pace Sasse, the only possible "fix" at this juncture is to reverse legislatively—i.e., through "more politics"—policies that reward disruptive social behavior.

The first section below explores the concept of civility and incivility. The following section relates incivility to human nature. The next section highlights the collision between progressive politics and counterprogressive, postmodern ideology. That section is followed by an examination of disruptive social factions, which are an ineluctable consequence of progressive politics. The penultimate section identifies the unacknowledged political tradeoff between incivility and progressivism's quest to perfect individuals beyond their inherent social nature. The essay concludes in the final section, emphasizing that incivility resulting from progressive policies, and also from postmodern reactions against them, has created an unintended dystopian culture that is mired in combative strategies and tactics used by, and against, neo-Hobbesian entitlement-seeking factions. Contemporary commentaries lament the

presumed lack of means by which to alleviate uncivil discord yet fail to acknowledge progressive politics as incivility's root cause.

## CIVILITY AND INCIVILITY

Scholarly interest in "civility," and its lexical opposite "incivility," rose and fell throughout the twentieth century. The wave of interest that began near that century's end continues to the present. This wave has produced a litany of contemporary historical and philosophical writings addressing civility's importance for social cohesion and cooperation. These works are distinguished from earlier writings that stressed instead the private value of courtly manners and "bodily propriety"—behaviors that aspiring men-on-the-make once studied and affected as a means for advancement in a world where pluck alone was not always enough.

The timing of interest in civility and incivility relates these concepts to modern progressivism: "Recent work using survey data and content analysis of news reports has demonstrated that the *perception* of a crisis of 'rude' and 'nasty' politics in the United States has been on the rise since the 1980" (Bejan 2017, 2). Other commentaries locate the rise earlier: "it all began to go bad around 1965…. That was the year that America, quite suddenly, became postmodern" (Carter 1998, 38). Sociological research by the progressive Putnam, the conservative Murray, and intermediate others has documented the decline of America's *social capital* (i.e., personal connections among individuals) that "began in the 1960s, with 1964 being the modal year" (Murray 2012, 243). Putnam recently has shown that "[t]he 1960s represented an extraordinarily important hinge point in the history of the twentieth century—a moment of inflection that changed the course of the nation" (Putnam 2020, 17). The failure of progressive and communitarian policies to produce lasting results, as documented by Putnam's devastating empirical effort, followed upon President John Kennedy's inaugural commitment to govern *as if* Americans should "[a]sk not what your country can do for you; ask instead what you can do for your country" (quoted in Putnam 2020, 11).

Putnam's analysis connects Kennedy's mature progressive vision with faltering political outcomes. The economist and Nobelist Milton Friedman alluded to this connection at the time:

> The paternalistic "what your country can do for you" implies that government is a patron, the citizen the ward, a view that is at odds with the free man's belief in his own responsibility for his own destiny. The organismic, "what you can do for your country" implies that government is the master or the deity, the citizen, the servant or the votary…. The free man will ask neither what his country can do for him, nor what he can do for his country. (Friedman 1962, 1)

Contemporary analyses of civility and incivility fail to consider today's social and political conflict by this light. They fail as well to address obvious questions about the high and rising level of incivility. For example, why, after five decades, hasn't the current wave of scholarly interest ebbed, as previous waves have done? Why has uncivil behavior become commonplace? And why has "incivility" *per se* emerged as a separately identifiable—and as yet unexplained—social phenomenon?

Progressivism's failure to create heaven on earth became evident following World War II (see Shils 1997, 4–5). Grudging acceptance of this failureultimately compelled the American Humanist Association—which was founded in the 1930s by philosopher John Dewey and others expressly to promote progressive ends and means—to issue a manifesto in 1973 apologizing for having gotten its founding principles so wrong:

> It is forty years since Humanist Manifesto I [1933] appeared. Events since then make that earlier statement seem far too optimistic. Nazism has shown the depths of brutality of which humanity is capable. Other totalitarian regimes have suppressed human rights without ending poverty. Science has sometimes brought evil as well as good. Recent decades have shown that inhumane wars can be made in the name of peace. The beginnings of police states, even in democratic societies, widespread government espionage, and other abuses of power by military, political, and industrial elites, and the continuance of unyielding racism, all present a different and difficult social outlook. In various societies, the demands of women and minority groups for equal rights effectively challenge our generation. (American Humanist Association 1973).

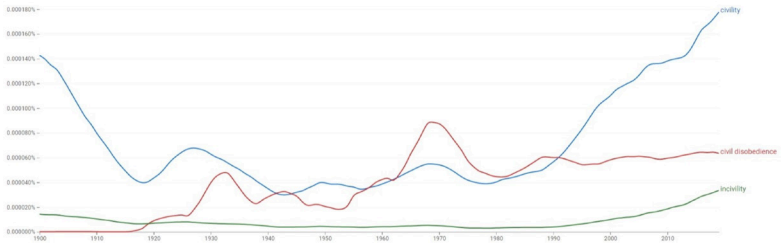
This statement eviscerated its predecessor's radical approach for perfecting society, although retaining a "commitment to the positive belief [candidly grounded partly upon the certitude of 'faith'] in the possibilities of human progress and to the values central to it." It rejected doctrines that "sacrifice individuals on the altar of Utopian promises," without acknowledging that the revised litany of "shoulds" and "oughts" could not be achieved without sacrificing individuals for the collective perfection of mankind.

The sociologist Edward Shils concurred coincidently with both the letter and spirit of the association's revised manifesto: "There is no question that [classical] liberalism—both autonomist and collectivist—has succeeded, that communism has failed, and that democratic socialism has not in itself been responsible for the success it enjoys" (Shils 1997, 175). A revised manifesto promulgated in 2003 further shrunk the humanist movement's "conceptual boundaries [to] … not what we must believe but a consensus of what we do believe" (see Montanye 2020).

The rise of scholarly interest in "civility"and "incivility" coincided with overt recognition of progressivism's failure. One gauge of rising interest is the frequency with which these words appear over time in the text of published books, as revealed by the English language corpus of Google Books Ngram Viewer (online at http://books.google.com/ngrams). Ngrams—the quantification of word frequencies occurring in published works—have become a standard tool for studying social shifts "based upon the premise that books are a tangible and public representation of culture" (Putnam 2020, 169).

Google ngrams for the terms *civility*, *civil disobedience*, and *incivility* are visualized in the chart below.

Figure 1: Use frequencies for the terms *civility*, *civil disobedience*, and *incivility*, 1900–2019




Source: Google Ngram Viewer (terms *civility*, *civil disobedience*, and *incivility*, accessed Jan. 6, 2021), https://books.google.com/ngrams.

These traces reveal that

- published interest in "civility"—commonly defined as courtesy, politeness, manners, etiquette, etc.—fluctuated during the twentieth century, declining during two world wars, rising during periods of domestic turbulence, and beginning a steep

ascent around the year 1980. Not shown here is that interest had declined steadily throughout the nineteenth century;

- interest in "civil disobedience" (see Henry David Thoreau's 1849 essay by that title) peaked twice during the twentieth century, first during the 1930s and 1940s, and then again during the civil rights movement that began in the 1950s;
- interest in "incivility" began its rise in 1990 after having remained essentially flat throughout most of the twentieth century. Interest arose when interest in "civil disobedience" flattened.

These traces provide no direct indication of the three terms' contemporaneous meanings. However, the trends do indicate qualitatively distinct phenomena arising within civil society as members pursue individual self-interest in the face of resource scarcity and changing political incentives. The relationships among "civility," "civil disobedience," and "incivility" evidently are more than merely lexical opposites. Rather, they are lagging indicators of changing social and political cultures. Their trend lines complement Putnam's data showing the reversal of progressive outcomes that began during the 1960s, as gauged by measures of "economics, politics, society [especially with respect to race and gender], and culture" (Putnam 2020, 10).

Putnam's "inverted U" curves depict progressivism's twentieth-century life cycle as being "a long upswing toward increasing solidarity, followed by a steep downturn into increasing individualism. From 'I' to 'we,' and back again to 'I'" (Putnam 2020, 18; see also 9–13; 286–89). Social solidarity, by Putnam's reckoning, equates to civility; individualism, by contrast, epitomizes incivility. This interpretation differs from most traditional conceptions of civility and incivility as ethical constructs arising from abstract social, political, and "moral" considerations. The argument of this essay, by contrast, defines "civility" as a *consequence* of proper political order and defines "incivility" as purposefully aggressive behavior whose object is to gain social and economic advantage through political entitlements.

## Conventional Commentary

Three books, each written from a different academic perspective, stand out as guides to current thinking about civility and incivility. One is by the late sociologist Edward Shils (1997); another by

political theorist Teresa Bejan (2017); and the third by the legal scholar Stephen Carter (1998). Shils approaches civility through the prism of social, political, and historical philosophy. Bejan examines the history of civility (née *civilité*) as it evolved from early sixteenth-century writings by the Dutch humanist philosopher Desiderius Erasmus, who regarded civility as a necessary secular replacement for fading religious beliefs, values, and discipline. Carter offers a discursive account of civility as a moral construct that is grounded partly upon traditional religious ideals. Carter evidently practices the transcendental ideals that he preaches, although candidly noting that his teachings as a law professor often conflict with these ideals.

None of these authors considers "civil disobedience" as an aspect of incivility. Neither do they attribute civility's decline to the rise of a progressive entitlement culture or otherwise acknowledge incivility as a strategic, neo-Hobbesian weapon for gaining social and economic advantage.

The notion of "morality" runs through these and other contemporaneous writings on civility; to wit, "[a] society that believes in civility necessarily believes in morality" (Carter 1998, 277, 221). Morality in this context requires clarification. First, the individual's *moral sense* typically is understood to mean "an intuitive or directly felt belief about how one ought to act when one is free to act voluntarily (that is, not under duress)" (Wilson 1993, xii; see also Smith [1759] 2009). Incivility arises, by implication, when values and standards of "ought" differ between and among individuals. Second, *moral systems* are defined operationally as "interlocking sets of values, virtues, norms, practices, identities, institutions, technologies, and evolved psychological mechanisms that work together to suppress or regulate selfishness and make social life possible" (Gazzaniga 2011, 166). Morality by these standards is neither a priori nor transcendental, nor otherwise categorical, nor can it be understood uncritically as representing the highest good. At its best, "moral" behavior manifests the human capacity for spontaneous cooperation. At worst, as Pinker notes, "[t]he human moral sense can excuse any atrocity in the minds of those who commit it, and it furnishes them with motives for acts of violence that bring them no tangible benefit" (Pinker 2011, 622). The economist and Nobelist F. A. Hayek similarly observed that "the greatest crimes of our time have been committed by governments

that had the enthusiastic support of millions of people who were guided by moral impulses…. It is indeed the [moral] concept of 'social justice' which has been the Trojan Horse through which totalitarianism has entered" (Hayek 1976, 134, 136; see also Liulevicius 2003; Goldberg 2007).

## Edward Shils

Shils viewed civility as being the defining virtue of civil society. Briefly,

> [c]ivility is an attitude and a mode of action which attempts to strike a balance between conflicting demands and conflicting interests. Liberal democracy is especially in need of the virtue of civility because liberal democracy is more prone to bring latent conflicts into actuality, simply because it permits open pursuit…. The existence of civility made the pluralistic societies of the liberal democratic age practicable. It prevented them from degenerating into a "war of all against all."… Civility in manners holds anger and resentment in check; it has a calming, pacifying effect on the sentiments. It might make for less excitability. Civil manners are aesthetically pleasing and morally right. Civil manners redound to the benefit of political activity (Shils 1997, 76, 14, 339)

Shils notes that both civility and liberalism have been "especially prone to a belief in the perfectibility of human experience" (162). However, "[n]o human being can be completely possessed by his civility. That would entail the suspension of his individual self-consciousness, his biological nature and his disposition to parochial attachments. Similarly, a completely civil society would cease to be a pluralistic society; it would probably not be a society of individual and collective freedom" (350).

Incivility, by contrast and by implication, is any attitude or mode of action that detracts from the ideal of civil society. Forms of incivility range from the "isms" that sprout like tumors upon the organs of civil society to regression toward a primordial society that operates without beneficial rules. Shils notes that "[i]n a variety of ways, many of the tendencies which have become prominent since 1945 are injurious to civility. The main tendencies of belief and action about society of this period in Western countries are collectivistic liberalism, emancipation, anti-patriotism, egalitarianism, populism, scientism and ecclesiastical abdication [also 'unreasoned and rancorous hostility towards authority,' modern 'interest groups,' and 'pressure politics']. Taken together they form a complex which I call progressivism" (Shils 1997, 4–5; bracketed quotes on 12). Shils

also notes that "incivility" once described the attitudes and actions of individuals who opposed progressive collectivization (337); the term's meaning—like that of "liberalism"—having changed with shifting political tides.

Shils noted, in an essay published in 1992, that "[o]nly recently have political theorists tried to work out a general theory of interest politics. Not surprisingly, they have found the economic theory of the market the most appropriate mode of analysis" (Shils 1997, 68). His own analysis nevertheless proceeds along lines of social, political, and historical philosophy, without regard either to the foundations of Chicago economics and Virginia public choice, or to related contributions from sociobiology and evolutionary psychology—these being the disciplines that underlie the present essay's perspective and arguments. Shils's recognition of the developing relationship between incivility and progressivism nevertheless foreshadowed current social conditions, a successful prediction that enhances classical liberalism's intellectual respectability.

## Teresa Bejan

Bejan's book begins with a familiar observation:

> Today, politicians and public intellectuals across the political spectrum warn that we face a crisis of civility, a veritable war of words that distorts our public discourse, threatens our democracy, and penetrates the deepest reaches of our private lives…. Incivility infects the body politic as a source of creeping social discord and decay. When wars of words rage unchecked, it suggests, can wars of swords be far behind? … Whereas a decade ago, talk of a "civility crisis" focused on the decline of solidarity and social capital, this twenty-first-century crisis focuses instead on how individuals speak to each other and, more particularly, how they *disagree*. (Bejan 2017,1)

Bejan explores the conception of civility espoused by three early philosophers whose central ideas she studied—the colonial religious leader Roger Williams (*mere civility*), Thomas Hobbes (*civil silence*), and John Locke (*civil charity*). She concludes that these authors' conceptions "were not superficial calls for politeness, but sophisticated efforts to think through what coexistence under condition of fundamental disagreement requires" (Bejan 2017, 11). Her book presents these writers' arguments "in such a way as to illuminate [the] complex relationship between civility, disagreement, and the limits of toleration—and in doing so, to shed some much-needed light on the twenty-first century crisis of civility

confronting us today" (10). She ultimately settles upon Williams's practical approach to civility, which entailed (i) tolerance of others' beliefs and opinions (à la Locke), (ii) self-restraint without sacrificing the enlightened ideal of lively debate, (iii) disagreeing about conflicting "rights" and ideologies without being disagreeable, and (iv) developing all around thicker skins and less tender consciences.

Bejan rejects Hobbes's ([1642] 1949) "civil silence" argument for social control over "disruptive" speech. Such control is the antithesis of established First Amendment theory and doctrine, but also a growing component of the contemporary "free speech" debate. Bejan finds that "modern proponents [of legislated civility] are usually much clearer when it comes to what they think civility rules out—whether threats of coercion, insults or other forms of 'verbal violence,' narrow-mindedness, or 'dogmatic' appeals to authority or ideology" (Bejan 2017, 145, 167–74). Prospects for boosting civility by positive means remain aspirational (166, 174).

## Stephen Carter

Carter argues that "civility is a moral issue, not just a matter of habit or convention: it is morally better to be civil than to be uncivil…. Our crisis of civility, then, is part of a larger crisis of morality" (Carter 1998, xii, 11). Carter presently perceives that the crisis has worsened over the decades, with incivility cresting during the 2016–2020 election cycle and continuing unabated in its aftermath. His moral vision regarding civility inclines toward philosopher John Rawls's argument for "mutual respect … owed to human beings as moral persons" (Rawls 1971, 14)—a philosophical notion that can justify virtually anything (as Pinker noted) and so justifies nothing categorically. Carter's approach is less closely related to Rawls's later argument relating civility to the process of "public reason" (Rawls 1996, 485; see also Quong 2018; Shils 1997).

Civility, by Carter's lights, is synecdoche for "the sum of many sacrifices we are called to make for the sake of living together … as a signal of respect for our fellow citizens, marking them as full equals, both before the law and before God" (Carter 1998, 11). Religiously oriented writers often side with Carter's view that "[o]nly religion possesses that majesty, the power, and the sacred language to teach all of us, the religious and the secular, the genuine appreciation for each other upon which a successful civility must rest" (18; see also, e.g., Eberle and Cuneo 2017).

Carter identifies several sacrifices owed to civility. His list includes sacrifices that "may sometimes be of our sense of self, of *moral* self" (Carter 1998,157). Civility also requires "sacrificing the good opinion of others—or sacrificing wealth, or sexual freedom, or other things that our culture holds dear" (274). It further entails the cost of "generosity and trust—[which] should apply as fully in the market and in politics as in every other human activity"(173). Carter emphasizes that "merely functional rules of civility lack moral importance" (197), and so "will fall away as technology and other changes make them less useful" (189). Finally, bearing voluntarily the burden of "inefficiency is often one of the virtues of civility, for the sacrifices we make for others are what define the depth of our commitment to the principle" (192). Whereas civility entails voluntary sacrifices, incivility, by tacit implication, imposes involuntary sacrifices upon others.

Carter summarizes his argument for civility in fifteen rules derived from the scriptural imperative to "love thy neighbor" (Carter 1998, 277–86). These rules overlap somewhat with principles of classical liberal thinking; for example, "[c]ivility discourages the use of legislation … to settle disputes … [because] law is violence." Otherwise, however, his litany cannot be confused with either legal scholar Richard Epstein's *Simple Rules for a Complex World* (1995), or economist Murray N. Rothbard's *The Ethics of Liberty* (1998). By Carter's lights, these authors' classical liberalism "merely protects our ability to fulfill wants. This is an important task—freedom matters!—but it is not an adequate public philosophy for a society that wishes to be civilized" (Carter 1998, 175). History nevertheless teaches that alternative civilizing philosophies tend inevitably toward producing more incivility rather than less (see Hayek 1976; Goldberg 2007; Liulevicius 2003; Montanye 2020).

## Paradox

Political philosophers often side with Rawls's alternate claim that civility is a duty owed to the process of public reason (see also Shils 1997). By this light, however, civility itself can be "uncivil" to the extent that it tolerates incivility. The philosopher Nicholas Wolterstorff argues that "to follow the duty of civility is perforce to perpetrate injustice" (Wolterstorff 2012, 121). Injustice occurs where civility advantages the status quo by privileging powerful political elites against challengers whose grievances—whether

legitimate or merely opportunistic—are easily ignored when expressed in civil tones. Carter complements Wolterstorff's argument by noting that "the teaching of social science is that incivility is generally used by those in power to preserve their power" (Carter 1998, 33). However, as Napoleon famously remarked, uncivil ridicule often is more effective than civil criticism for changing behavior. By this light, incivility potentially benefits all sides of the status quo. Civil disobedience, by comparison, is a tactic designed specifically for challenging the status quo, as occurred during India's struggle for independence from Great Britain and during America's civil rights movement.

Whether incivility in defense of civility is regarded as being paradoxical, virtuous, or hypocritical ultimately turns on private interests rather than elegant philosophical arguments.

## Conjectural Explanations for Declining Civility and Incivility

Writers have identified many plausible causes of declining civility. Some attribute it to the anonymity conferred by social media, whose often rude and crude behaviors (e.g., "flaming" and the gratuitous introduction of computer viruses) are thought to bleed into face-to-face interactions. Blame is laid on less obvious forms of technology as well, ranging from telephones and birth control pills to microwave ovens. Some writers ascribe blame to realistic and gratuitously violent video games; others ascribe it to the mass media's glamorization of racism, misogyny, criminality, feral behavior, egoistic whining, and righteous indignation. A few writers portray incivility as a clean and tidy blood sport whose goal is the destruction of careers and lives for reasons unrelated to wreaking personal vengeance (see, e.g., Sasse 2018, 205–06).

Other writers blame declining civility on the coarsening effects of today's highly rationalized commercial culture, especially globalization and the stagnation of middle-class incomes and living standards—rationalizations of the sort that the British statesman Edmund Burke once associated pejoratively with "sophisters, œconomists, and calculators" (Burke [1790] 1960, 387). Much of this blame presently relates to social "inequality," correctly noting that the most virulent forms of incivility within wealthy nations surround political attempts to reduce income and wealth disparities (a condition sociologists once labeled as "relative deprivation"). Easy access to firearms receives blame, of course,

as does viral evidence of overly aggressive police methods and tactics. America's nearly perpetual state of war since 1942 perhaps has numbed citizens to the point of discounting today's ambient level of aggression and violence. Blame also is laid upon the frustrating tangle of abstract laws, regulations, and entitlements that now govern many aspects of private life and civil society. These factors fuel uncivil conspiracy theories regarding the social and political forces that are assumed to control America. Progressives in turn blame incivility on efforts by classical liberals to "drain the swamp" and to "starve the beast."

This essay instead follows Burke by attributing incivility to the projection of political power into the social order.

## Missing Elements

Conventional historical, philosophical, and many other frames of analysis view civility and its lexical opposites too obliquely. Like most aspects of human behavior, civility (e.g., cooperation) and incivility (e.g., aggression) represent purposeful responses to economic scarcity within a prevailing social and political environment of incentives and disincentives. Accordingly, civility and incivility cannot meaningfully be discussed simply as "what a tolerant society—or a civil one—should look like…. [one] in which truly civil disagreement can take place only between good faith partners committed to a just social order—that is, those who subscribe to the relevant moral principals *already*" (Bejan 2017, 14, 148). A deeper insight recognizes that "[i]n theorizing civility it thus behooves us to pay attention to the worst in human nature, while remaining suspicious of the best" (166).

Contemporary writings nevertheless fail routinely to recognize—or at least to acknowledge—that incivility arises from incentives-wrought by innately disruptive social policies. Bejan, for example, asserts that "[i]ncivility infects the body politic" (Bejan 2017, 1), a view that arguably confuses cause with effect. Incivility *emerges* within societies that are infected politically. It arises as a political tool for shaping (and opposing) policies that are privately beneficial, albeit publically detrimental. As Shakespeare wrote of Hamlet's delicate condition, "Though this be madness, yet there is method in't." Civility, by comparison, is a *consequence* of proper political order rather than being—as popular commentaries often assert—an input to it. Civility founders where politics and policies reward incivility.

Tolerance for uncivil expressions of social grievances and nonnegotiable entitlement demands has increased in recent decades. It now exceeds the First Amendment's protected "right of the people peaceably to assemble, and to petition Government for a redress of grievances." Tolerance aids and abets incivility among individuals and groups who "believe that the function of government is to give us the goodies we desire" (Carter 1998, 18). Carter argues that "living in a democracy requires hard work that we seem less and less willing to do" (17). Much of today's "hard work"actually entails perverse efforts to "perfect" society via involuntary "moral" sacrifices of income, wealth, and opportunities. The remaining work entails resistance to these efforts.

## INCIVILITY AND HUMAN NATURE

George Will aptly characterizes progressivism's disregard for human nature:

> As America approaches the quarter-millennium mark it is neither cheerful nor content. Its discontents arise, in part, from the fact that for a century progressivism has been ascendent in the nation's political thought and practices. Many of the nation's disappointments and difficulties stem from the resulting repudiation of the principles of the nation's Founding. Many thoughtful progressives have articulated what they consider the necessity of this repudiation, which they say is grounded in improving understanding of modern social conditions and in fresh understanding of the human condition. The progressive's premise is that whatever is fixed in nature is and ought to be less determinative in the construction of social arrangements than the possibility that social forces can shape new forms of human material. This is so, they think, because the most important characteristic of the human material is plasticity. This progressive premise means that Americans, whether they know it or not, and regardless of whether they want it or not, are engaged in a new episode of an old debate. (Will 2019, xxxv)

The "old debate" here is the persistent belief in "The perfectibility of Man" (Passmore [2000] 2009), which philosophers and theologians have harbored since antiquity, and which progressives—such as Sunstein and Dworkin, as quoted earlier—argue for today. Biologists, evolutionists, and political economists, by contrast, tend instead to view humanity's normative "imperfections" as evolved behavioral responses to the underlying scarcity of economic resources coupled with prevailing incentives and disincentives. The upshot is the "conflict of visions" that the economist and influential public intellectual Thomas Sowell (2007) has examined in depth.

The biologist Richard Alexander notes that "[w]e gain by thinking we're right, and by convincing our allies and our enemies, because of the motivation it gives us. People often seem to *like* this aspect of self-deception: it provides an excuse or a rationale for sinking deeper into otherwise self-deception about motives and for justifying acts that could not otherwise be justified…. no other species has accomplished this peculiar evolutionary feat, which has led to an unprecedented level of group-against-group *within-species* competition. It is this competition that draws us toward strange and ominous consequences" (Alexander 1987, 123, 228). Economist Paul Rubin applies these insights to political economy: "One relevant implication for political analysis of this self-deception is that humans (acting as individuals or as members of interest groups) wanting special favors from the government can easily convince themselves that these favors are actually in the public interest. They convince themselves that the benefits are not just for the private benefit of the interest group" (Rubin 2002, 171). The protoeconomist Adam Smith foreshadowed these claims when describing how self-interested individuals can persuade another individual "to give up both his own interest and that of the public, from a very simple but honest conviction that their interest, and not his, was the interest of the public" (Smith [1776] 1976, 1:278). Accordingly, today's progressive entitlement demands are best analyzed as pragmatic self-deceptions—a blend of Jamesian "truth" (James 1907) and pseudovirtuous Frankfurtian "bullshit" (Frankfurt 2005). To characterize these demands, and social capitulations to them, as being "moral" is to misunderstand their essential nature (see Montanye 2010).

The "moral" forbearance and sacrifices espoused by Carter reduce to a claim that some unspecified amount of private value *ought* to be left on the table for the sake of civility. This notion traces at least to the Old Testament's books of Leviticus (23:22) and Deuteronomy (24:19), which command that a portion of crops be left in the field to benefit the poor, the sojourner, the fatherless, and the widow. Altruistic sacrifices of this sort must be commanded because they are contrary to evolved human nature. The prominent biologist Richard Dawkins (2017, 276–77) explains that "[h]uman superniceness is a perversion of Darwinism, because, in a wild population, it would be removed by natural selection…. Let's put it even more bluntly. From a rational choice point of view, or from a Darwinian point of view, human superniceness is just plain

dumb." Confected social policies that are "dumb" are innately unstable because they are vulnerable to opportunism, and so must be maintained via coercion. Dawkins, an avowed socialist and progressive thinker, nevertheless endorses such behavior as being "the kind of dumb that should be encouraged" (277). Attempts by progressive biologists to model altruism expressly as a Darwinian imperative have failed so far to gain widespread scientific acceptance (see Montanye 2018).

Evolution has wired the human species to respond purposefully to environmental incentives and constraints, including those wrought politically. Changing the political and legal environment is the only sustainable means—draconian levels of coercion aside—for altering disruptive behavior that is both privately rational and socially deleterious. Political environments can be changed, whereas human nature cannot, Locke's "tabula rasa" presumption of infinite malleability notwithstanding. The economist and Nobelist James Buchanan correctly explained that the "[l]aw can modify the conditions under which human beings choose among alternatives; it cannot directly affect the behavior in choosing…. Corrective measures take the form of specific modifications in the choice conditions that are confronted by individual participants…. If, in fact, no laws are to be changed, Pareto optimality [i.e., economic efficiency] is automatically attained by each individual acting within the constraints imposed upon him" (Buchanan 1979, 130, 60, 134). Sasse errs by this light when asserting that "more politics can't fix this [i.e., the growing problem of incivility]" when in fact only more—and more circumspect—politics can fix it.

In sum, a more civil, healthier, happier, kinder, gentler, and generally more productive society can be achieved only by altering the perverse social and political incentives that cause individuals and factions to pursue nonproductive entitlements via strategic incivility.

## PROGRESSIVISM, POSTMODERNISM, AND INCIVILITY

Idealized conceptions of civility characterize it *philosophically*, as something we *ought* to do for the sake of civil society (e.g., Rawls 1971, 1996; Shils 1997) or *transcendentally* as a duty owed to or derived from God's will (e.g., Carter 1998), or else *practically* as being the least objectionable path forward through an imperfect world (Bejan 2017). A few writers (e.g., Wolterstorff 2012) argue that civility can reflect a kind of hypocrisy when political philosophies and political

policies collide. Collisions of this sort occur between progressive, classical liberal, and social philosophies; between philosophical visions and individual interests; and between progressive politics and policies, and postmodern reactions against them.

## Progressivism and Classical Liberalism

Classical liberal scholars share a concern regarding progressive politics having "discarded the Founders' conception of individual freedom and natural rights in favor of a new conception of freedom synonymous with the fullest possible development or 'perfection' of human nature" (Miller 2012, 227; see also Sowell 2007). The prominent philosopher and pioneering American progressive John Dewey disparaged the Founders' Enlightenment vision, asserting instead that "[n]atural rights and natural liberties [exist] only in the kingdom of mythological social zoology" (Paul, Frankel, and Paul 2012, vii). Incivility is an ineluctable consequence of such blinkered beliefs.

Pinker notes that "holding many factors constant, we find that living in a civilization reduces one's chances of being a victim of violence fivefold" (Pinker 2011, 51). Flawed politics and policies lessen those odds by fostering forms of incivility that disrupt and weaken civilized social processes and discipline. Carter writes in turn as a consequentialist rather than as a moralist when noting—as if nodding to the spontaneous foundations of natural law and rights—that "we can readily see how rules of civility are generated, and why most people would decide over time that following the rules was in their self interest" (Carter 1998, 185). He backtracks, however, by asserting in the same breath that "wealth … changes this calculation…. It may be, then, that it is incivility, not civility, that is among our higher-order needs; that only wealthy people, protected by its [*sic*] science and technology, can afford the mutual disrespect that the loss of civility breeds" (185). Perhaps so (at least in part), but then the wealthy always have been accused of treating others brusquely when not treating them indifferently, doing both more out of self-indulgence than from reasoned self-interest. Brusqueness waxed (and indifference waned) during the 1960s, as Carter (184) and others have noted.

Incivility became a cudgel during the 1960s. It enabled social factions of all sorts, including the less wealthy, to compete for a larger share of the economic pie within a political framework

that rewarded incivility. Hobbes's hypothetical sovereign, whose defined function was to curtail the war of *all* against all, became instead a progressive figure that facilitates neo-Hobbesian wars of *factions* against all.

Progressivism, like most "isms," encompasses a multitude of sins. Writes Putnam:

> As the historian James Kloppenberg has observed, "Although historians have discovered too many varieties of progressivism to make possible a simple characterization of a coherent, movement, it is clear that a diverse array of new political ideas and reform proposals appeared in the first two decades of [the twentieth] century. Progressives differed among themselves in many ways, but they shared a critique of hyper-individualism. They argued that individualism betrayed American values and had caused economic and social crises roiling the country."… Although their initial goals were not always clear or coherent, Progressives had two things in common—a compelling desire to repudiate the downward drift of our nation, and a galvanizing belief in the power of ordinary citizens to do it…. the Progressive movement was, first and foremost, a moral awakening. (Putnam 2020, 167, 319, 327; compare Shils 1997, 4–5, quoted earlier)

Progressivism at bottom represents a continuation of utopian humanist thinking regarding human perfectibility. Renaissance humanism and subsequent "positive polity" ideals planted the idea that human individuals could be lifted, by their better angels, above the coarser aspects of their inherent nature. This vision implied that aspects of perfection, which defined what human nature *ought to be*, could be assumed uncritically as being what that nature actually *is* for purposes of confecting social policy. That assumption reversed the is-ought relationship known today as the "naturalistic fallacy," which assumes without argument that what *is* defines what *ought to be*.

Sowell compares and contrasts contending interests with conflicting visions. Visions "may be moral, political, economic, religious, or social…. Ultimately there are as many visions as there are human beings, if not more, and more than one vision may be consistent with a given fact" (Sowell 2007, xiii, 6). Sowell's analysis "is not intended to reconcile visions or determine their validity, but to understand what they are about, and what role they play in political, economic, and social struggles" (253). To this end he dichotomizes visions into two broadly conflicting categories—"constrained" and "unconstrained"—and also examines two outlying "hybrid" cases—Marxism and utilitarianism.

> rest on some sense of the nature of man—not simply his existing practices but his ultimate potential and ultimate limitations. Those who see the potentialities of human nature as extending far beyond what is currently manifested have a social vision quite different from those who see human beings as tragically limited creatures whose selfish and dangerous impulses can be contained only by social contrivances which themselves produce unhappy side effects…. The crucial difference between the constrained and the unconstrained visions of man is *not* their perceptions of people *as they are*. What fundamentally distinguishes the two vision is their respective perceptions of human potential. The average person as he exists today is not seen in optimistic terms by those with the unconstrained vision. (Sowell 2007, 30, 153)

The "unconstrained vision speaks directly in terms of desired results, the constrained vision in terms of process characteristics considered conducive to desired results, but not directly or without many unhappy side effects, which are accepted as part of a trade-off" (32).

Sowell notes that conflicting visions differ from "contending interests": "Where visions conflict irreconcilably, whole societies may be torn apart. Conflicts of interest [which are 'a potpourri of special interests, mass emotions, personality clashes, corruption, and numerous other factors'], dominate in the short run, but conflicts of visions dominate history" (Sowell 2007, xvi; bracketed quote from 6). Note, however, that history's long run comprises a continuum of short runs—a point of microeconomic theory that was emphasized by the socialist economist Joan Robinson. By this light, social visions and private interests coexist in dynamic tension such that visions evaporate when they become counterproductive to human interests.

Sowell's analysis casts light upon progressivism's emergence from Enlightenment humanism. Enlightenment philosophy advanced beyond Renaissance humanism by imagining that the ideals of freedom, equality, knowledge, understanding, reason, and science could and would flourish naturally in the absence of despotic kings, princes, and priests, and without reliance upon transcendental (i.e., God-given) notions of morality and rights and other forms of magical thinking. Historian David Israel, the author of four comprehensive tomes and numerous articles documenting the Enlightenment's evolution, meaning, and lasting significance, explains how early Enlightenment thinking spawned two presently

relevant streams of social and political philosophy, each of which constituted a unifying secular religion. One stream was "radical," what Sowell terms "unconstrained"; that is, classically democratic (entailing majority rule by the people), antireligious, essentially French, and synonymous with "the age of reason." The other stream was "moderate," or "constrained," in Sowell's terminology; that is, republican (entailing rule by able, elected representatives), religiously tolerant, favoring experience over abuses of reason, logic, and science, and essentially English. Both streams "sought to curb despotism, reduce religious policing, enhance individual freedom, expand freedom of the press and expression, and generally ameliorate society by spreading 'enlightened' ideas and expanding education" (Israel 2019, 5). Both streams promoted "the equal right of every citizen to an equal personal autonomy, freedom of speech, thought, and to criticize; that is, to enjoy the freedoms and benefits of the state, closely tied to rejection at every level of the hereditary principle and *abolishing differentiated group rights*" (924, italics added). Enlightenment thinkers, including America's founders,understood that "differentiated group rights" weakened civil society, a point that progressive politicians fail to acknowledge.

The radical stream of "democratic Enlightenment" ultimately failed throughout most of Europe during the years following the French Revolution, morphing instead into forms of (hybrid) Marxism and (unconstrained) radical socialism that were broadly skeptical of Enlightenment reason and scientific method. The moderate (constrained) stream of "republican Enlightenment," by contrast, grounded the political philosophy that guided the early American experience and influenced America's written constitution. In postrevolutionary America, notes Israel, "for all its universalism, and stress in promoting the welfare of society as a whole, Radical Enlightenment as an ideology could only appeal to highly-educated fringes" (Israel 2019, 686).

Neither stream of Enlightenment thinking conflated natural rights equality with economic equality. The notion of economic equality remained a separate desideratum that awaited discovery of an acceptable means for narrowing income and wealth disparities without collaterally infringing upon the natural rights of consumers and producers (Israel 2019, 301, 354–89). Reducing inequality by pulling down prosperous individuals was alien to Enlightenment thinking, which instead considered means for

curtailing private wealth accumulation while existing stocks were spent down. Socialism and Marxism subsequently shifted the intellectual focus of democratic Enlightenment ideals to the "proletarian capture of the economic system" (916). As the political theorist James Q. Wilson (1993, 76) noted, "The only way to attack [economic] inequality fundamentally is to attack private property directly." Accordingly, Marxism was grounded upon the abolition of private property. This shift in enlightened political philosophy was characterized contemporaneously as being an "intellectually confused" endeavor, promoted by "perfidious intriguers and deceivers, promising an utterly false, impossible, and mystical new evangelism of economic happiness to the poor [i.e., an early secular form of modern liberation theology], [and] a highly damaging doctrinal deviancy liable to ruin the fight for democracy, freedom, and enlightenment," as ultimately it did (Israel 2019, 919).

Progressivism emerged as a syncretic political form among America's intellectual elites following the Civil War. Its aim consistently has been to remake the American republic into a less buffered democracy in which ordinary individuals can presume to vote themselves rich. Progressivism cleaves to aspects of radical French Enlightenment philosophy, to counter-Enlightenment German romanticism, and to Marxist ends and means. Jonah Goldberg attributes progressivism's emergence to the "uniquely American desire" to find a moral, unifying, and harmonious "Third Way"—a golden mean between laissez-faire capitalism and Marxism (Goldberg 2007, 119). It attempts to fuse the Enlightenment's goal of perfecting equality in the exercise of natural rights with the radical goal of reducing economic inequality.

The Founders' moderate form of republican liberalism, by contrast, remained an intrinsically civil, coherent, and comprehensive philosophy that embraced the natural patterns of law and rights which emerge spontaneously from voluntary cooperation, reciprocity, and exchange. In other words, republicanism embraced a "nomocratic" order of a naturally spontaneous society rather than a "teleocratic" order of a centrally planned society (Hayek 1976, 15). Progressives, who mischaracterize classical liberals as right-wing fascists, choose to ignore that their own brand of fascism—based on centrally confected group rights rather than dispersed individual rights (see Jones 2008)—historically has imposed uncivil social orders that are better judged in hindsight

by their utopian promises than by their dystopian outcomes (see Goldberg 2017; Hayek 1976; Liulevicius 2003; American Humanist Association 1973). Putnam's (2020) empirical work demonstrates that as much also can be said for America's progressive and communitarian movements.

The life cycles of all progressive movements have been similar: lofty rhetoric leading to roaring starts, followed by disillusionment, frustration, stagnation, economic decline, social decay, occasional rebellion, and eventual collapse. The cycle of American progressivism's stagnation and decay in the 1960s, as revealed by Putnam (2020), paralleled the contemporaneous end of Britain's experiment with socialism and foreshadowed by roughly two decades the precipitous collapse of Soviet communism; progressive life cycles in Germany and Italy were truncated by world war, and China's program has undergone substantial revision. Substantially shorter cycles were experienced by the numerous utopian sects that arose in America during the eighteenth and nineteenth centuries. These sects typically withered and died within a few years as their followers rejoined the surrounding free society after growing disillusioned with and frustrated by feckless utopian pursuits (see Montanye 2020, 64). Karl Marx duly noted that freedom of mobility and exit in America had prevented his brand of utopian socialism from taking firm root there. The essential difference between then and now is that twentieth-century legislation and regulation latched nationwide progressive policies in place, thereby foreclosing opportunities for avoidance via fruitful mobility and low-cost exit (see Hirschman 1970). Present proposals to establish minimum tax rates for international corporations would reduce exit opportunities globally, and so further latch progressive polities in place.

Putnam's analysis of the twentieth century's social and political trends depicts progressivism's path as being "one of a long upward swing toward increasing solidarity, followed by a steep downturn into increasing individualism…. If ever there were a historical moment whose lessons we as a nation need to learn, then, it is the moment when the first American Gilded Age turned into the Progressive Era, a moment which set in motion a sea change that helped us reclaim our nation's promise, and whose efforts rippled into almost every corner of American life" (Putnam 2020, 18–19). Putnam's data depict America's progressive "moment" as peaking

and briefly plateauing in the 1960s before beginning its long and steady decay to the present. During the downswing interval, Putnam notes, "we replaced cooperation with political polarization. We allowed our community and family ties to unravel to a marked extent. And our culture became far more focused on individualism and less interested in the common good" (11). The twentieth century's nominally virtuous progressive cycle—"a moral awakening" by Putnam's lights (227)—had regressed to a social milieu that Putnam characterizes pejoratively as "a second Gilded Age." Putnam's work provides a clinical autopsy of American progressivism's life cycle, although without attributing its proximate cause of death to political misadventure.

Putnam focuses upon the ostensibly rosy, pre-1960s "upswing" portion of his inverted U-shaped "I-we-I" curves. However, the subsequent "downswing" portion of these curves arguably is the twentieth century's more significant "historical moment," marking the end of progressivism's noble, but ultimately unsuccessful political experiment. Putnam laments the downswing, and like Carter (examined earlier) eagerly imagines progressivism's "moral" reawakening. The progressive spirit lives on among believers despite the body having expired once Americans reasserted classically liberal and counterprogressive virtues and values, a change that truly enabled "us to reclaim our nation's promise" (Putnam 2020, 19).

Putnam observes that "mass polarization has tended to lag elite polarization by a decade or two" and that "national political leadership came *after* sustained, widespread citizen engagement, not before" (Putnam 2020, 100, 334). That pattern, which arguably characterized Putnam's "upswing," changed form in the 1960s. Polarized intellectual and political elites, along with entitlement-seeking individuals and factions, continued advocating progressive policies, while the polarized—albeit essentially unorganized—masses began opposing them in the course of their daily lives. Survey results published in 2016 by the Pew Research Center reflected Americans' growing sense that "the people running the country don't really care what happens to you" (82 percent agreement) and that government principally serves "a few big interests" (76 percent agreement)—the "big interests" being successful rent- and entitlement-seeking factions (cited in Putnam 2020, 104–05). America's confused and conflicted political elites have not yet responded to this social shift.

Putnam acknowledges that "at this stage the available evidence offers virtually no indication of an uncaused first cause [i.e., an 'exogenous variable'] for the I-we-I syndrome" (287). The most likely cause appears to be that progressive government's arrogation of social decision-making and control has restricted peaceful detachment from socialistic policies by foreclosing easy opportunities for mobility and exit to escape neo-Hobbesian warfare. The downswing portion of Putnam's "I-we-I" curves therefore encompasses rising incivility, which is inflamed in part by the stressful transition to nihilistic postmodern ideology.

Given progressivism's acknowledged failures among the masses, why have its trappings persisted? Shils suggests an answer: "Collectivistic liberals are to be found mainly among the highly educated; 'middle America' might accept the subsidies offered by collectivistic liberalism in power but it does not like its outlook"(Shils 1997, 171). Progressive trappings by this light reflect mainstream politics' failure to catch up with the rest of civil society. Consequently, "[c]ollectivistic liberalism [even the most radical sort] in the United States has triumphed. Much of its program has been realized; even administrations which purport to be conservative have accepted its accomplishments or have been unable to undo them" (172). Unrepentant rearguard action continues because "intellectuals in large measure still regard … the 'social ownership [or at least the pervasive regulation] of the instruments of production' as the *sine qua non* of a good society" (353). The penchant for centralized social control, from Plato to the present, stems from intellectual visions of classical liberal societies as being imperfectly aimless, disorderly, and weak.

## Postmodernism

Progressivism's inability to perfect human nature, despite having shunted classical liberalism to the sidelines, fostered today's socially destructive, counter-Enlightenment, counterprogressive, and countercultural "postmodernist" movement. This movement has no discernibly coherent political philosophy or agenda of its own, instead aligning itself ad hoc with any faction that shares its contempt for centralized authority and social conventions. Post-modernism predates World War I as an intellectual, aesthetic, and cultural movement. Nowadays, however, it is associated closely with the French social philosopher Michel Foucault (see Hocutt

2006). Contemporary postmodernism (also called "post-postmodernism") represents a contemptuous and antiauthoritarian response to progressivism's political failure, arbitrary power structures, and coerced personal sacrifices. It pushes back hard against progressive policies that seek to perfect individuals by compelling them paradoxically (à la Jean-Jacques Rousseau) to be "free."

Postmodernism's current form has been characterized as "the 'America Sucks Sweepstakes'. Participants in this event compete to find better, bitterer ways of describing the United States [and Western civilization in general]. They see our country as embodying everything that is wrong with the rich post-Enlightenment West. They see ours as what Foucault called a 'disciplinary society', dominated by an odious ethos of 'liberal individualism', an ethos which produces racism, sexism, consumerism and Republican Presidents" (Rorty 1999, 4). Following Foucault, as well as the literary theorists Jacques Derrida and Paul de Man, postmodernism views contemporary civilization as being fascistic and incoherent, arguing that it has failed to mitigate oppression through reason—reason, like civility, being viewed merely as a means for exercising power and maintaining the status quo. Postmodernism argues as well that the social sciences have become tools for predicting and controlling social behavior rather than for liberating it.

The conservative intellectual Allan Bloom (1987) characterized postmodernism as a Nietzscheanized left political philosophy that substitutes for rosy progressive optimism cynically pessimistic power structures and a nihilistic relativism by which every belief and action is as valid as every other. As such, it encourages the irresponsible pursuit of individual identities and behaviors that are unnaturally disconnected from social realities and consequences. Sociologist Daniel Bell ([1976] 1996, 297) observed in 1976 that "[p]ostmodernism, in the past two decades, has become a sweeping attack on the grounds of all knowledge—epistemology, literature, and the arts." The social philosopher Charles Reich characterized postmodernism as "Consciousness III," which "embraced the individual self [as being] the only true reality…. [rejecting] society, the public interest and institutions as the primary reality" (Putnam 2020, 305). The historian Daniel Mahoney connects postmodern behavior with "identity liberalism" and incivility:

> Western liberal democracy has become attenuated by a culture of unlimited self expression. Personal "autonomy" has eroded the moral

> foundations of the free society. Few people still identify self-government with governance of the self, with self-restraint and self-command. Democracy is now understood as unlimited freedom, the unconstrained human will. We are living with all the consequences of what Roger Scruton has called the "culture of repudiation." And ordinary citizens, "mad as hell" at increasingly unaccountable elites are drawn to a more volatile populism. (Mahoney 2016, 49)

Postmodernism's extreme individualism, along with its active and passive aggressive nature, denies, as does progressivism, humanity's inherent propensity for assimilative and cooperative behavior, through which "[t]he social group constrains individual behavior, and individual behavior [spontaneously] shapes the type of social group that evolves" (Gazzaniga 2011, 157). Carter (1998, 220) notes that "[w]e as a nation are so enamored of the idea that all of us should feel good about ourselves that we tend to forget that we sometimes need to feel the moral anger of others." Postmodernists, by contrast, reject as rhetorical nonsense all claims about civility being a duty owed both to public reason and to other individuals as "moral" beings.

The influential progressive philosopher Richard Rorty dismissed "postmodernism" as a catchall label, but nevertheless championed the rejection of Enlightenment ideals regarding reason, science, rationality, objectivity, and truth. Rorty (1989, 53) idealized the whole of social science as being continuous with literature: "We need a redescription of liberalism in the hope that culture as a whole can be 'poeticized' rather than as the Enlightenment hope that it can be 'rationalized' or 'scientized.' That is, we need to substitute the hope that chances for fulfillment of idiosyncratic fantasies will be equalized for the hope that everyone will replace 'passion' or 'fantasy' with 'reason.'" This sentiment echoed the counter-Enlightenment German romantic philosopher J. G. Herder, among others: "I am not here to think [i.e., to reason], but to be, feel, live" (Berlin 1997, 258).

Israel (2019, 942) describes postmodernism as being an abstract social philosophy that trumpets "'ambiguity' and 'signification slippage' allied to a failed [progressive] multiculturalism of supposedly equally valid autonomous identities." He concludes that "[a]nyone believing truth is universal, and that human rights imply a common code that is the duty of everyone to defend, cannot avoid taking up cudgels not just against Foucault and Postmodernist philosophy but also against exponents of historical theories and approaches focusing attention

on sociability, ambiguities, and 'spaces' rather than basic ideas interacting with real social context, by which I mean socio-economic tensions and political clashes" (Israel 2012, 23–24).

## SUMMARY

Progressivism unleashed postmodernism upon America, and so bears responsibility for having created the current climate of incivility.

A remark by the ancient Roman historian Tacitus remains relevant today: "Formerly we suffered from crimes; now we suffer from laws" (Pinker 2011, 57). Suffering remains a constant factor when law legitimizes essentially criminal behavior and begets injustice (see Olson 1993). Incivility arises when a society suffers under legislation that follows a track that the jurist and legal scholar Richard Posner terms the "supersession thesis":

> This thesis is that what we understand as the law is merely a transitional phase in the evolution of social control. [Justice Oliver Wendell] Holmes hinted at this in his essay "The Path of the Law" [1897]. He implied that law as he knew it, as we largely know it still, is merely a stage in human history. It followed revenge historically and will someday be succeeded by forms of social control that perform the essential functions of law but are not law in a recognizable sense, although they are latent in law, just as law was latent in revenge. (R. Posner 1999, 207)

Progressive legislation is not "law" in Posner's "recognizable sense." Neither do the entitlements created by such legislation equate to "rights" in a recognizable sense. Rather, progressive law and rights must be understood as coercive political instruments that purport to perfect individuals' civil society against their inherent nature. This is akin to "legal positivism," which Hayek described as

> an ideology born out of the desire to achieve complete control over the social order, and the belief that it is in our power to determine deliberately in any manner we like, every aspect of this social order…. The primary question then becomes whether there exists a moral duty to submit to power which can co-ordinate the efforts of the members of society with the aim of achieving a particular pattern of distribution regarded as just…. To demand justice from such a process is clearly absurd, and to single out some people in such a society as entitled to a particular share evidently unjust. (Hayek 1976, 53, 64–65)

Putnam (2020) describes instances of progressive desiderata having emerged spontaneously long before Congress and the Executive imposed positive law during the 1960s, after which time

social progress faltered before retreating. The French philosopher Simone de Beauvoir ([1949] 2010, 439) observed a similar pattern occurring under Soviet communism: "For a few years in the U.S.S.R., marriage was a contract between individuals based on complete freedom of the spouses; today it seems to be a duty the state imposes on them both." Putnam (2020, 245–82) identifies well-intentioned policies that similarly worked against the interests of American women and families.

Progressive policies have replaced bourgeois, classical liberal civility with cynical postmodern incivility; Carter (1998, 130) aptly characterizes such cynicism as "civility's foe." In antiquity, the label "cynic" was applied to protopostmodernists (Diogenes was a famous one) who lived (as the term implies) like dogs. Nemesis, as always, has followed hubris. The frustrations and perverse opportunities created by progressive policies, by postmodern reactions against them, and by postmodernism's rejection of facts and reason as essential components of civil disagreement, have fostered a social environment in which purposeful incivility has become a weapon for the dogs of neo-Hobbesian war.

## FACTION AND INCIVILITY

Factions are a natural consequence of humanity's evolved propensity for social cooperation. They represent collective efforts for advancing "the purposive efforts of men aiming at certain ends and motivated by the urge to improve their state of satisfaction" (Mises [1949] 1996, 249). "The latent causes of faction," wrote James Madison in *The Federalist* No. 10, "are … sown in the nature of man" (Hamilton, Madison, and Jay 2009, [1787–89], 89). The French social observer Alexis de Tocqueville observed the tendency of colonial "Americans of all ages, of all conditions, of all minds, constantly to unite" (Tocqueville [1835, 1840] 2010, 3:896). Less cheerfully, he conjectured that "[a]s the circle of public society expands, it must be expected that the sphere of private relations will narrow; instead of imagining that the citizens of new societies are going to end up living in common [e.g., as Woodrow Wilson's bees], I am afraid indeed that they will finally end up by forming nothing more than very small cliques" (4:1069); that is, by forming into factions. This conjecture was prescient.

"Faction" denotes the dark side of Tocqueville's "sphere of private relations." Madison defined "faction" as being "a number

of citizens, whether amounting to a majority or minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community" (Hamilton, Jay, and Madison [1787–89] 2009, 88). He understood that "the most common and durable source of factions, has been the various and unequal distribution of property," which he attributed to "[t]he diversity in the faculties of men … [the preservation of which is] the first object of government" (89).

Madison's understanding of faction flowed from influential writings by philosophers Thomas Hobbes, Adam Smith, David Hume, and Jean-Jacques Rousseau, among others. Hobbes ([1642] 1949, 149–50) characterized factions as representing "a city within a city … an enemy within the walls." Smith ([1776] 1976, 4:494) derided in passing "the clamorous importunity of partial interests" to transform state power into a means for private gain. Hume ([1777] 2009, 51) elaborated the overarching social concern:

> As much as legislators and founders of states ought to be honoured and respected among men, as much ought the founders of sects and factions to be detested and hated; because the influence of faction is directly contrary to that of laws. Factions subvert government, render laws impotent, and beget the fiercest animosities among men of the same nation, who ought to give mutual assistance and protection to each other. And what should render the founders of parties more odious is, the difficulty of extirpating these weeds, when once they have taken root in any state.

Rousseau ([1762] 1954, 164) complemented Hume:

> Let us suppose now a state in which the social bond has begun to wear thin. It has, we assume, entered upon its decline; particular interests have begun to make themselves felt in it, and narrower associations to affect decisions of the wider group. The common interest, in such a state, is clouded over, and encounters opposition; votes cease to be unanimous; the general will is no longer the will of everybody.

Rousseau's characterization perfectly describes the state of America today.

## The Political Economy of Faction

Fukuyama (2014) describes America presently as being in an advanced state of social and political decay due to decades of successful demands for political favors advanced by rent- and

entitlement-seeking factions. Social death by factional accretion is a recurring theme within the political economy literature as well. Mancur Olson, who analyzed factions' effects upon national well-being, concluded that

> The common interests that all or most of the people in a nation or other jurisdiction share can draw them together, as they are drawn together when they perceive a common interest in repelling aggression. In distributional struggles, by contrast, none can gain without others losing as much or (normally) more, and this can generate resentment. Thus when special-interest groups become more important and distributional issues accordingly more significant, political life tends to be more divisive…. The divisiveness of distributional issues, and the fact that they make relatively lasting or stable political choices less likely, can even make societies ungovernable. (Olson 1982, 47)

Progressive politics ineluctably give rise to factions that make strategic use of self-justified "moral" certitudes, righteous indignation, aggression, intimidation, anger, hatred, violence, coercive legislation, and litigation to advance private interests. Uncivil public disruption results from the pursuit of redistributive policies and conversely from resentment and opposition to those policies. Contemporary political rhetoric often dismisses these adverse effects by asserting that "we are all in this together." Indeed this is true, but only in a nominal sense; divergent incentives ensure that individuals and groups are not all pulling on the same end of the social rope.

Enlightenment thinking coupled with constitutional "equal protection" provisions presumptively foreclosed the possibility of "differentiated group rights." These efforts nevertheless underestimated the power of factions to manipulate a redistribution-friendly political environment. Even Madison's belief that religious factions posed no appreciable threat to the new republic now stands refuted (see, e.g., Mearsheimer and Walt 2007). Former president Barack Obama was correct on two counts when informing the graduating class of 2020 that they were entering a world of "uncertainty" where everything is "up for grabs" (*New York Times* 2020). Graduates who had earned school credit for participating in protest demonstrations and lobbying activities already had internalized these truths.

## The Emergence of Progressive Factions

Olson ([1961] 1975) identified logical limits to the voluntary, self-help "collective action" associations described by Tocqueville.

The economist and Nobelist Gary Becker ([1957] 1972, 1976) advanced a theory of social discrimination that justified political intervention in situations where voluntary association alone might not fully overcome certain embedded, asymmetrical social "imperfections." Murray documented the resulting political sea change that occurred as "the last half of the 1960s saw remarkably broad agreement on the directions in which a just and effective [i.e., progressive] social policy must move, and this agreement—this 'elite wisdom'—represented an abrupt shift with the past" (Murray 1994, 43). The political scientist Theodore Lowi (1979) dubbed this shift "interest group liberalism"—a political program based upon good intentions and wrought through legislated social privileges. Economics textbooks in the 1960s (including, e.g., several editions of Paul Samuelson's popular *Economics*) taught that these and other progressive measures were necessary for the West to compete successfully with outside command-and-control socialist systems. Yet, Putnam's recent analysis demonstrates that progressive outcomes already had stalled and begun regressing by this time.

The economist Albert Hirschman analyzed the political strategies and tactics introduced during the 1950s and 1960s for improving, if not necessarily "perfecting," the social and economic welfare of particular individuals and groups. Hirschman (1970, 111–12) observed that political action arose

> at intermediate stages, and there is a special need for it when social cleavages have been protracted and when economic disparities are reinforced by religious, ethnic, or color barriers. In the United States, in fact, reality has often been different from ideology: as is well recognized, ethnic minorities have risen in influence and status not only through the cumulative effect of individual success stories, but also because they formed interest groups, turned into outright majorities in some political subdivisions, and became pivotal in national politics.

The political movement described by Hirschman culminated in the Civil Rights Act of 1964 and the Voting Rights Act of 1965. Putnam's (2020) data and narrative show that many of these legislative goals already had arisen spontaneously, and more or less civilly, during the years prior to congressional action. By contrast, the Civil Rights Act's passage was followed immediately by years of urban rioting, escalating crime against persons and property, and by an evolving culture of insults, taunts, threats, violence, and crime. Rising tolerance for—even the glamorization of—incivility lessened the likelihood of apprehension, conviction,

and punishment for such behaviors. Glamorization lessened the social stigma that attached to incivility. Incivility burgeoned accordingly: social conditions "got worse very suddenly, over a very concentrated period of time" (Murray 1994, 118; see also 30, 113–23, 167–72).

The Civil Rights Act sought to achieve Enlightenment "rights" equality across the board by proscribing social discrimination based on race, color, religion, sex, and national origin. Subsequent extensions further proscribed discrimination related to age, physical and mental limitations, sexual orientation, gender identity, relative merit, marginal productivity, risk and demand characteristics, and (à la Rorty) all manner of postmodern passive-aggressive and antiassimilative "idiosyncratic fantasies." The "affirmative action" program introduced in 1965 by presidential executive order reified Lyndon Johnson's progressive commitment to promote social and economic egalitarianism by delivering "not just equality as a right and a theory [or an unfolding social process] but equality as a fact and equality as a result" (Johnson [1965] 2019). These broad actions benefitted particular individuals and groups by diminishing perforce other individuals' natural social and economic rights in property, cooperation, and voluntary exchange. Contemporaneous postmodern exercises for developing individual self-esteem further lessened social cooperation and promoted incivility.

The promise of confected equality spurred a rush by ad hoc "identity groups" of hyphenated Americans to demand absolute and nonnegotiable entitlements based upon grievances related to past "victimization." Demands often were justified by "critical theory" academic programs that focused upon race, gender, law, and other areas of social grievance. The regrettable upshot has been the growth of entitlements that constitute "rights" without reciprocal social obligations. Murray (1994, 43–44) notes that

> [b]efore 1964, blacks were unique. They constituted the only group suffering discrimination so pervasive and so persistent that laws *for that group* were broadly accepted as necessary. By 1967, blacks were just one of many minorities, each seeking equal protection as a group. Each assumed that express legislation and regulation spelling out its rights was—of course—the only way to secure fair treatment of the individual member of the group.

Bejan (2017, 2) notes, in the context of increasing incivility, that "[s]ince the 1970s, ideology and partisan identity have outstripped race

as the lines along which Americans divide themselves, both socially and geographically." Increases occurred because "[a]s publically financed benefits grow, so do the populations who find that they need them" (Murray 2012, 296). Bell ([1976] 1996, 23, 233) characterized this development as a "cultural contradiction of capitalism":

> institutional expectations of economic growth and a rising standard of living … have been converted, in the current change of values, into a sense of *entitlements*. What we have, today, is a revolution of rising entitlements…. The particular demands will vary with time and place. They are, however, not just the claims of minorities, the poor, the disadvantaged; they are the claims of *all* group in the society, claims for protections and rights—in short, for *entitlements*.

Rising entitlement demands fostered not only a culture of incivility, but also one characterized by personal irresponsibility and dependency, permanent underclasses, self-amplifying conditions for discrimination, political illegitimacy, social inefficiency, and ever more entitlement demands (Murray 1994, passim; see also Putnam 2020).

## Progressive Identity Liberalism

By the 1980s, observes political philosopher Mark Lilla, progressive goals

> had given way to a [postmodern] pseudo-politics of self-regard and increasingly narrow and exclusionary self-definition that is now cultivated in our colleges and universities…. The paradox of identity liberalism is that it paralyzes the capacity to think and act in a way that would actually accomplish the things it professes to want…. As soon as you cast an issue exclusively in terms of identity you invite your adversary to do the same. (Lilla 2017, 9, 14, 129–30)

Whereas "[t]he clash of economic interests is about relative trade-offs…. [e]thnic [and other forms of identity] politics is a game of absolutes" (Luce 2017, 97). The personal became the political among identity groups, causing individuals to be judged by their affiliations rather than by the content of their character.

Fukuyama (2018, jacket, 165) observes that America's progressive democracy presently is being challenged by "restrictive forms of recognition and resentment based on nation, religion, sect, race, ethnicity, and gender … demands for recognition on the part of [identity] groups who were previously invisible to the mainstream society." By contrast, novelist Ralph Ellison observed that "despite

the bland assertions of sociologists, 'high visibility' actually rendered [individuals] *un*-visible" as individuals per se (Ellison [1952] 1980, xv). To George Will's discerning eye:

> If identity politics is valid, then the idea that education should make the educated a member of a larger intellectual culture is invalid. If the premise of identity politics is true, then the idea on which America rests is false. If the premise of identity politics is true, then there is in no meaningful sense a universal human nature, and there are no general standards of intellectual discourse, and no ethic of ennobling disputation, no process of civil persuasion toward friendly consent, no source of legitimacy other than power, and we all live immersed in our tribes, warily watching tribes across the chasms of our "differences." (Will 2019, 179)

In sum, progressive identity politics and entitlement policies are antithetical to both Enlightenment and early progressive visions of human and civil perfection. They constitute the proximate cause—the "exogenous variable" that eluded Putnam—that stalled early progressive trends, collaterally unleashed postmodernism, and fostered the present culture of strategic incivility.

## Incivility as Neo-Hobbesian Warfare

The Soviet writer and theorist Maxim Gorky emphasized that books are important and powerful weapons for cultural and political warfare. Books by this light are more than the "tangible and public representation of culture," as Putnam (2020, 169) claims. Israel's (2012, 773–807) analysis of the Enlightenment movement confirms Gorky's insight by documenting the strategic importance of publications (and, by extension, all social media) to other philosophically and ideologically grounded social revolutions, including progressivism and postmodernism.

Attack words have replaced ideas as the bullets fired by these social weapons. Ngram data reveal the dramatic rise, beginning in the mid-1960s, of such factional attack words as "racism," "Holocaust," and "rape"; older attack words, such as "atheist" and "heretic," have little cash value in secular societies (see Montanye 2016, 75–81). This rise grew in step with nominally redistributable wealth and income (see DeLong 2014), and with the corresponding growth of entitlement demands described by Murray and Bell.

Incivility creates strategic value for neo-Hobbesian entitlement seeking. First, it hardens resolve within factions. Second, incivility softens hearts and minds by injecting into public debate a

paralyzing fear of verbal and physical attack, thereby lessening open resistance to social entitlements. Civil replies to factional certitudes presently are vilified as "hate speech." Sasse and others express concern regarding social and political assaults against moderate speech that identity groups glibly characterize as being insensitive, offensive, hurtful, hateful, threatening, patriarchal, evil, immoral, and microaggressive. Sasse (2018, 94, 151–55) cites a 2016 report by the US Commission on Civil Rights that advocated curtailing—à la Hobbes's "civil silence," but in the name of social justice—First Amendment doctrines that presently shield, among other things, "code words for discrimination."

The private benefit from selectively suppressing nonprogressive speech and debate through intimidation and legislation is fundamentally economic—airing unfettered objections to progressive entitlement policies reduces the likelihood of their adoption. This economic implication of speech restrictions goes largely overlooked, both in the thick First Amendment literature regarding fighting words, incitement to violence, and the stirring of group prejudices and hatred (see Haiman 1981; Montanye 1999) and also in the growing literature condemning campus and other speech codes. It is overlooked as well in evaluations of political attacks against high-tech social media platforms.

## INCIVILITY'S UNACKNOWLEDGED COST

The beginning of wisdom in welfare economics is the TANSTAAFL principle: "There Ain't No Such Thing as a Free Lunch" (Friedman 1975). Scarcity's economic nature is such that something of value always must be surrendered in order to achieve a state of greater subjective satisfaction. The philosopher Isaiah Berlin (1991, 201–02) broadened this point beyond pecuniary cost considerations:

> We must choose, and in choosing one thing lose another, irretrievably perhaps. If we choose individual liberty, this may entail a sacrifice of some form of organization which might have led to greater efficiency. If we choose justice, we may be forced to sacrifice mercy. If we choose knowledge, we may sacrifice innocence and happiness. If we choose democracy, we may sacrifice a strength that comes from militarization or from obedient hierarchies. If we chose equality, we may sacrifice some degree of individual freedom. If we choose to fight for our lives, we may sacrifice many civilized values, much of which we have labored greatly to create.

The overarching lesson is that costs ignored or misrepresented are not tantamount to costs being avoided. Arguments to the contrary falsely presume that all good outcomes are intrinsically knowable and compatible (Berlin 1991, 209), a fallacy that is fundamental to religious, totalitarian, and progressive ways of thinking.

Social "solutions" per se logically cannot exist. Only political exchanges, called "tradeoffs," are feasible (see Sowell 2007). Optimal tradeoffs ordinarily are arrived at through iterated trials and error rather than by a priori reasoning, with errors being eliminated as they are detected. This process follows philosopher Georg Wilhelm Friedrich Hegel's (and later Marx's) dialectical philosophy of "thesis, antithesis, synthesis," by which "[w]herever there is movement, wherever there is life, wherever anything is carried into effect in the actual world, there Dialectic is at work" (Hegel, quoted in Popper [1963] 2002a, 441). Political tradeoffs are the secular equivalent of Leibnizian *theodicy* (literally "God's judgment") in the sense of being choices that collaterally cause bad things to happen to good people whose interests are sacrificed to achieve some vision of the greater good. Carping about costs and benefits once a tradeoff has been made serves no practical purpose absent the political will to strike a different balance.

Modern progressives and welfare economists routinely favor tradeoffs that appear likely to increase social and economic equality. Arthur Okun, writing as a welfare economist in thrall to Rawls's *Theory of Justice* (1971), described modernity's "big tradeoff" as he saw it:

> If both equality and efficiency are valued, and neither takes absolute priority over the other, then, in places where they conflict, compromises must be struck. In such cases, some equality will be sacrificed for the sake of efficiency, and some efficiency for the sake of equality. But any sacrifice of either has to be justified as a necessary means for obtaining more of the other (or possibly of some other valued social end)…. While various aspects of the tradeoff are amenable to economic analysis and even to empirical quantification, the optimal compromise must be sought through political decision making. And [progressive] society has clearly stated its choice for that mechanism—democracy untainted by economic inequality. (Okun [1975] 2015, 86, 119)

Welfare economics deals poorly with intangible social costs—e.g., incivility, frustration, anger, and aggression—that are not readily quantifiable in dollar terms and so cannot properly be evaluated

economically (see, e.g., Bohm 1973). Buchanan (1979, 141, 106) argued that

> the economist has no business at playing the social engineer. He can hope that his light will ultimately be used to generate some heat, but he should live with this hope and refuse to become an activist…. By general agreement, the economist has little or no business teaching morals or ethics, and no justification for building his theories on romantic notions of man that will not stand empirical test.

Circumspect economists accordingly shirk responsibility for defining optimal social tradeoffs. They defer instead to the spontaneously cooperative social behaviors that constitute the foundation of natural law and rights, and only secondarily (and often reluctantly) to political judgments in situations where social choice has displaced individual choice.

Less circumspect economists, by comparison, "proceed as if theirs was a science of choice" (Buchanan 1979,63). They often forget as well that tradeoffs represent second-best solutions to the economic and social conflicts that dominate an imperfect world of scarcity. Selectively pursuing the best results in this context is likely to produce outcomes that are welfare reducing on balance, even after all other tradeoffs have been reoptimized so as to produce the best achievable overall outcome (see Lipsey and Lancaster, 1956). Progressives of all stripes regrettably dismiss Hayek's (1976, 75) insight that

> though the conception of a "value to society" is sometimes carelessly used even by economists, there is strictly no such thing and the expression implies the same sort of anthropomorphism or personification of society as the term "social justice." Services can have value only to particular people (or an organization), and any particular service will have very different values for different members of the same society.

Differing valuations necessarily provoke uncivil social frictions.

Political compromises and sacrifices masquerading as welfare tradeoffs often are proffered as panaceas for all manner of social and economic conflicts. Compromises typically fail and incivility ensues where policies are detached from the "common good." Those resulting from naked exercises of political power, influence, ignorance, corruption, and criminality—that is, political choices that reward or appease (if only temporarily) factions and identity groups—ought not be confused with ideal social tradeoffs. Nevertheless, as Lowi (1979, 70) observed, bargaining and compromise

long ago replaced progressive planning, with unavoidably adverse consequences for civil society.

A recent program of bargaining and naked compromise fostered the Great Recession, which erupted in 2008. Economists and Nobelists George Akerlof and Robert Shiller (2009, 155) explain how the seeds of that crisis were sewn during the Clinton administration:

> Andrew Cuomo, Secretary of the Department of Housing and Urban development [who was especially sensitive to allegations of unfairness in housing opportunities] responded by aggressively increasing the mandated lending by Fannie and Freddie to underserved communities. He wanted results…. And so Cuomo forced Fannie Mae and Freddie Mac to make loans, even if that meant lowering credit standards and relaxing the requirements for documentation from borrowers. There was never any serious examination of the premise that this policy was in the best interest of minorities.

The George W. Bush administration nevertheless continued the policy until consequential ripples nearly collapsed the macroeconomy. The subsequent (and often uncivil) TEA Party movement ("Taxed Enough Already") grew both from the pain of economic recession and from outrage over tentative plans for bailing out, at taxpayer expense, individuals who were induced by federal policies to purchase properties they could not possibly afford. Former secretary Cuomo subsequently was elected progressive governor of New York State.

The progressive political process by which arbitrary, redistributive compromises are made has enlarged plenary government power to redistribute income, wealth, property rights, and opportunities to an extent that far exceeds enumerated constitutional powers and limits. This expansion arguably has not advanced the "common good" on balance yet continues despite having lost serious intellectual respectability. That loss is attributable both to a thick record of policy failures (see, e.g., Putnam 2020), and also to the "public choice" program in economics, whose focus upon the self-interest of public decision-makers grounds a testable "'theory of government failure' that is on all fours with the 'theory of market failure' embodied in theoretical welfare economics" (Buchanan 1979, 271). Government failure occurs where policy choices favor private interests over the "common good."

Okun offered scant support for his assertion (quoted earlier) that "society has clearly stated its choice" for trading off between

economic equality and efficiency. His claim instead echoes the early progressive Herbert Croly, whose influential social theory enlarged upon sixteenth-century "utopian" visions and nineteenth-century "positive polity" thinking (see Montanye 2020). By Croly's hypnotic lights, a new "sovereign popular will"—a Rousseauian conception not to be confused with the "common good"—emerged following America's civil war: "For better or worse the American people have proclaimed themselves [via the abolition of slavery] to be a democracy, and they have proclaimed that democracy means popular economic, social, and moral emancipation" (Croly 1911, 270). For Croly, "[t]he antithesis [i.e., the 'big tradeoff'] is not between nationalism and individualism, but between an individualism which is indiscriminate, and an individualism which is selective [i.e., progressive]" (409). Where Croly saw "indiscriminate" Sowell sees "constrained." Conversely, where Croly saw "selective," Sowell sees "unconstrained." Conflicts of vision often rise and fall on such language games.

Classical liberal thinkers, by contrast, have followed Tocqueville when debating a different pair of antithetical ideals—i.e., increased "equality" for some versus full natural rights for all: "The taste that men have for liberty and the one that they feel for equality are, in fact, two distinct things, and I am not afraid to add that, among democratic peoples, they are two unequal things" (Tocqueville [1835, 1840] 2010, 3:875). Okun ([1975] 2015, 144) perfunctorily dismissed this tradeoff's practical significance.

By this essay's lights, the "big tradeoff" presently is not between social and economic equality, on one hand, and either economic efficiency or individual liberty on the other hand. Neither is it between the antithetical pairs identified by Berlin (1991, 201–02, quoted above), nor is it between other familiar pairings, including nationalism and individualism, capitalism and socialism, market failure and political failure, diversity and efficiency, freedom and dignity, dignity and value, natural rights and altruism, inflation and unemployment, or public health and economic prosperity. Important though these pairings often are, *the pressing social tradeoff at this juncture is between progressive egalitarianism and civility*. The institutionalized pursuit of utopian social and economic ideals through progressive policies erodes civility by fostering and legitimizing weaponized incivility.

## CONCLUSION

Incivility resulting from progressive policies, and also from postmodern reactions against them, have created an unintended dystopian culture that is mired in combative strategies and tactics for conducting, and defending against, perpetual and growing neo-Hobbesian warfare that pits identity groups and other factions against everyone else. Contemporary social commentaries lament the presumed lack of means by which to alleviate uncivil discord yet fail to acknowledge progressive politics as incivility's root cause. Sasse (2018, 1–15, quoted earlier) asserts axiomatically that more politics can't fix the situation, in large part because policymakers do not understand the problem. Sasse (2018, 130) instead follows Croly, Carter, and Putnam when asserting that "[s]ustaining a republic—and the freedom it promises to every individual—has always required self-restraint, self-sacrifice, and love for our neighbors." Accordingly, Sasse's "book is not about legislative failures in Washington, D.C." (13).

Sasse's confession of collective political ignorance regrettably is accurate, although only coincidently so. Economics and philosophy teach that political "solutions" are impossible. Only costly and politically painful social tradeoffs, of the sort that Sasse's analysis fails to acknowledge, can affect the prevailing level of incivility. Sasse errs when imagining that "more politics can't fix this," because only politics can fix it. Today's incivility reflects a century's worth of legislative and administrative compromises that only corrective legislation can undo. The "big tradeoff" requiring political action at this juncture is that between progressivism's synthetic goals and policies for "perfecting" social and economic equality, on one hand, and correlative levels of incivility on the other hand.

Significant political changes regrettably are more easily conjectured than reified. Lowi concluded decades ago that "only a radical, organized constitutional revolt [with the objective of restoring the Founders' classically liberal, rule-utilitarian form of constitutional government] will succeed now where once a sustained intellectual attack might have been sufficient" (Lowi 1979, 91). The legal doctrine of stare decisis largely shields progressive constitutional precedents against attempts to "drain the swamp." Appointing "conservative" justices and judges to bench seats formerly occupied by progressive, act-utilitarian jurists might curb temporarily the swamp's continued expansion, but ultimately would fail if the Supreme Court were

to be overstuffed by adding dedicated progressive seats, as is being contemplated. The upshot of that action would be a freely floating, "living" Constitution, whose once categorical principles of government would be interpreted ad hoc "in the context of an ever changing world" (Obama 2006, 90; see also Dworkin 1980). A legislated change of this sort would be detrimental not only to civility, but also to individual freedom at a juncture where digitalization has made the centralization of social control increasingly easy, efficient, subliminal, and therefore tempting (see Gupta et al. 2017). Digitalization is to modern progressivism as electrification was to Lenin's vision for communism.

Philosophically, the road back from perdition is straightforward, although littered with normative moral claims. Politically, it is blockaded, although not fundamentally impassible. Progressive intellectuals and entitlement-seeking factions have persuaded themselves and others that entitlement reform is tantamount to physical assault. Reform efforts therefore trigger reflexive waves of incivility wrought by individuals and groups that "see the world as a battle between victims and oppressors" (Sasse 2018, 162). The same reforms would be welcomed by classical liberals, who see "the world as a battle between freedom and coercion…. between civilization and barbarism" (163). If social and political changes are to come about, then it will be because Americans, whether consciously enlightened or else merely frustrated and disillusioned by failed progressive policies, have chosen to live as members of a more civil society, in which all individuals are free to exercise their natural rights within a system of natural law. Otherwise, structural incivility will persist until ever-deepening social divisions threaten the nation's existence.

Immediately following the US Capitol's sacking in 2021, Democrat president-elect Biden opined that the event could make his term in office easier because Republicans henceforth would be more willing to compromise with respect to progressive legislation. Historically it was progressives who were obliged to compromise (Putnam 2020, 336). Classical liberals, however, must continue honoring the Constitution's commitment to "domestic tranquility" by opposing policies and compromises that are contrary to "the general welfare."

Sisyphus, a character from Greek mythology, was condemned by the gods to balance a boulder atop a mountain, only to have

it tumble down repeatedly (and predictably) from the summit. Similarly, progressives such as Putnam and Biden clamor for moral reawakenings and yet express disappointment at past failures. Progressive visionaries presently imagine America as pushing a grander political boulder up an even more challenging social mountain. This second mountain is imagined to approach human and social perfection more closely than ever before and is presumed to have a stable summit. A reawakening of this sort is unlikely, if not impossible, within a pluralistically divided nation. Putnam tacitly acknowledges as much when noting that "[f]or solutions to be long-lasting and to hold widespread appeal, they must respect the full range of American ideals" (Putnam 2020, 337); that is, policies must serve only the "common good." Yet his own analysis nevertheless undermines optimism in the progressive reawakening he touts. Putnam's work wonderfully exemplifies Adam Smith's "invisible hand" metaphor regarding the individual who is led "to promote an end which was no part of his intention…. By pursuing his own [professional] interest he [has promoted] that of society more effectively than when he really intends to promote it" (Smith [1776] 1976, 1:477–78).

By this light, a "reawakened" society based upon the founding principles of classical liberalism conceivably could better lead America back to the future.

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