

Review

Civics Beyond Critics: Character Education in a Liberal Democracy

Ian MacMullen. Oxford: Oxford University Press, 2015. 275pp.

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It is quite common to make the argument that a stable liberal democracy requires high levels of compliance with the law. Scholars disagree, however, how such reliable and widespread compliance can be achieved. Roughly, liberals have traditionally emphasized the importance of arriving at compliance by way of autonomous and critical reasoning, whereas others (communitarians and republicans chiefly) argue that autonomous motives are notoriously weak and can, therefore, not by themselves bring about a high enough rate of compliance. The exclusionary importance accorded to autonomy by (many) liberals bars the state from cultivating the habits, sentiments and civic virtue upon which a polity's stability depends. By contrast, many republicans follow Rousseau when he states that it is necessary for the law to reach the citizens' *hearts*: "So long as the legislative force does not reach that deep, the laws will invariably be evaded" (Rousseau 1997: 179). We ought to, in other words, acknowledge the importance of *nonautonomous* motives for compliance stemming from character, sentiments, habits, beliefs and identities.

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In *Civics Beyond Critics*, MacMullen appears to side with what I have here called the republican camp, though he does not self-identify as such and he attempts to create his own theoretical position. On page one he immediately announces his main question: “would an ideal liberal democratic civic education shape its recipients’ values, beliefs, preferences, habits, identities, and sentiments? In other words, is character formation a proper part of civic education in a liberal democracy” (1)? His main argument is that what he calls the “orthodox view” among political and educational theorists is mistaken. The part of this view that MacMullen will take issue with in the remainder of the book states that the “content of civic education should be strictly limited to avoid compromising its recipient’s ability to think and act as critically autonomous citizens” (3). MacMullen argues that the orthodox view wrongly prioritizes autonomy over other (not necessarily liberal) virtues that have traditionally been cultivated by civic education, chief among which law-abidingness. If we are to achieve the required rate of compliance for our liberal democratic polities to be stable and flourish, we will, firstly, have to use education to cultivate nonautonomous motives for compliance (as autonomous reasoning cannot by itself ensure sufficient compliance).¹ Secondly, in order to encourage citizens to contribute voluntarily to the flourishing of their polity, civic education will need to instill a sense of civic identity. Thirdly, achieving widespread belief in the merits of the fundamental political institutions of a state calls for a qualified defense of status quo biased civic education. These three claims correspond to the three parts the book is made up of.

In part I, MacMullen discusses the first of these three claims. Education for compliance will need to involve cultivating nonautonomous motives. The orthodox view’s resistance to such cultivation, MacMullen argues, reflects either a grave underestimation of the value of widespread compliance with laws or it is indicative of a “wildly unrealistic faith in the capacity of individuals’ autonomous reasoning to generate the very high rate of compliance that is morally required in a reasonably just democratic state” (49). He discusses various strategies that involve molding children’s understanding of the reasons that ought to guide their behavior in order to ensure widespread compliance with laws. Of course, the critique is that a society may indeed educate its citizens successfully to nonautonomously comply with its laws, but that such compliance has no legitimating force. The orthodoxy would argue that compliance can only be genuinely legitimating when it is the end result of a process of critical autonomous

evaluation of the moral demands made of citizens by the law. Shaping citizens' beliefs, preferences and habits renders such autonomous deliberation impossible.

MacMullen's response is, firstly, that the orthodox view "expects people to be both geniuses and saints" (81). Given its very minimalist approach to civic education, the orthodox view has to have unrealistically high expectations of both people's reasoning abilities and their virtue. But if we wish to attain widespread reliable compliance, civic education will need to involve more than merely teaching children the basic values underlying liberal democracy, as the orthodox view proposes. Civic education ought to involve the fostering of nonautonomous compliance. However, and this is the second part of MacMullen's reply to the critique, we ought to be aware of the costs of such civic education. Authors like William Galston, he says, have lost sight of such costs and go too far: there is too much character formation and too little consideration for the value of autonomy. MacMullen, instead, wants to find the "virtuous mean between excessive and insufficient shaping of character at the expense of autonomy" (33). It is thus by no means his intention to disregard the value of developing children's ability to reason critically and autonomously. He merely rejects the orthodoxy's claim that autonomy always trumps all other values. In deciding how to shape our children's civic education, the development of autonomous reasoning will have to be weighed against other goods, such as widespread compliance with laws. If at times promoting compliance through civic education involves significant costs, we should naturally be sensitive to those costs, but we should not automatically assume that they are not a price worth paying. On the contrary, often the costs of moderate and limited deviations from autonomy-maximizing education are well worth the benefit of drawing closer to the high levels of compliance required in a liberal democracy. Contrary to the often somewhat polemic rhetoric, MacMullen thus arrives at what is ultimately a rather modest and very convincing claim.

Ensuring sufficient levels of compliance with laws is only one of a liberal democracy's challenges. A healthy political community also requires active civic engagement (e.g., voting and the performance of other civic duties). There are clear moral reasons for such civic participation. In particular, MacMullen argues, the knowledge that democratic polities offer us the best instruments we have for the realization of a number of particularly valuable goals—such as justice, security, social coordination and the legitimation of state coercion—should convince us of the moral necessity to do our part in upholding our democracies' fundamental institutions.

Unfortunately, one look at the voter turnout percentages in Western democracies will show us that we have to do with what MacMullen calls a “civic motivation problem:” “People’s motives to contribute to the democratic polities of which they are citizens (and/or residents) are often weaker than the moral reasons for them to do so” (140). MacMullen suggests that even if we supplement the moral reasons for civic engagement with reasons of self-interest as well as with certain habits and tastes, most people will still not be sufficiently and reliably motivated to do their part. Despite the fact that MacMullen does not provide any argument or empirical proof for this claim, we will accept it now for the sake of argument, as his solution to the problem—namely, civic identification—has its own difficulties.

The traditional solution to the remaining civic motivation problem is to rely on patriotic love. The idea is that if one has affection for one’s polity, one will care about its wellbeing and so be motivated to contribute to its preservation and flourishing. MacMullen maintains, however, that cultivating such patriotic love through civic education is problematic, as such love, firstly, makes one blind to and uncritical of the faults of one’s polity. Secondly, the manner in which such love is cultivated through education is problematic as it relies on painting too rosy a picture of the polity and its history. MacMullen, therefore, proposes an alternative that does not impair civic judgment as severely as patriotic love does, namely civic identification. There are two problems with MacMullen’s argument here: firstly, he presents an overly negative view of patriotic love and, secondly, he offers an overly optimistic understanding of civic identification. Is it true, to start with the first point, that patriotic love entirely impairs our critical judgment and amounts to our favoring the status quo in all circumstances (165)? That simply seems empirically false. Traditionally, civil disobedients as well as whistleblowers have viewed themselves as true patriots, disobeying for love of country. Thus Thoreau argued that true patriots for the most part resist the state (Thoreau 1962: 87); Dr. King speaks of breaking the law *lovingly* (King 1964: 86); Rawls speaks of demonstrating fidelity to law in civil disobedience (Rawls 1999: 322). It therefore seems that, typically, civil disobedience is an expression of patriotic love, or at the very least that it can be.

Furthermore, instilling patriotic love need not necessarily be problematic if we teach children that true patriots demonstrate their love of country by informing themselves, by being critical, and by letting their dissenting voices be heard when

necessary, as a democracy can only thrive if its citizens are willing to act in such a fashion. Patriotic love need thus by no means be as problematic as MacMullen makes it out to be.

Regarding the second point, I will merely point out that MacMullen's positive appreciation of civic identification relies on the tenuous psychological claim (that he laboriously develops in chapter 4 but which remains somewhat unconvincing) that civic identification "has no positive valence to it" (165), that, in other words, *identification with* a polity and *affection for* a polity can be entirely separated. Given that his elaborate argument for this claim in chapter 4 is unconvincing (and remains entirely theoretical, not engaging with any empirical studies to support the psychological possibility of such a separation), and given that a certain qualification of patriotic love can do the work he wants civic identification to do, he would have been well advised to strike the argument for civic identification. These objections to the argument for civic identification are particularly worrying because so much hinges on it: civic identification is presented as the key to solving the civic motivation problem.

In the third and final part of his book, MacMullen argues for status quo biased civic education as an "important means by which well-functioning liberal democracies reproduce themselves" (250). The orthodox view, naturally, argues for bias minimization in education, as biases would endanger the cultivation of autonomous, critical thought in our children. Throughout the book, MacMullen has attempted to refute this default prioritization of autonomy whenever it conflicts with other important values. It is often perfectly acceptable, MacMullen holds, to sacrifice a measure of autonomy when such conflicts occur in order to preserve and improve liberal democracy. Nonetheless, MacMullen argues for only a *limited* form of status quo educational bias. He rejects a *general* status quo educational bias, as it would lead to a favoring of *all* political institutions in a particular country. Such an approach would overshoot the mark and nearly foreclose dissent, even in cases in which it would be fully warranted and desirable. He prefers *particular* biases as they allow us to pick and choose which institutions are to be favored. An example of particular status quo biased education would be to teach American children to believe jury trials are fairer than inquisitorial ones.

One might object that such status quo bias in civic education will block political progress. How are we to learn from and amend our mistakes if each generation is taught to believe in the status quo? MacMullen replies that there must be strong content-

dependent reasons for status quo bias, i.e., “reasons that invoke widespread beliefs about the substantive merits of existing institutions” (211). He, furthermore, challenges the assumption that unbiased education is less likely to lead to false beliefs. What guarantees are there that the recipients of unbiased education will arrive at sound moral and political beliefs? Finally, MacMullen partially concedes the point that status quo biased education may be a (partial) barrier to political progress, but he immediately adds that it is also a “bulwark against regression” (225). It is in such passages that the decidedly conservative strain of MacMullen’s project becomes apparent. Political experimentation contains a risk of losing the valuable institutions that have been built and improved upon over the course of generations. MacMullen, therefore, approvingly refers to Burke’s appeal to trust the judgment of our ancestors. A limited form of such “Burkean trust” in the collective wisdom of previous generations will check the hubris of relying solely upon one’s own independent judgment. Interestingly enough, this conservatism appears to sit somewhat uneasily with MacMullen himself, as he feels the need to distance himself from exceedingly traditional approaches to civic education. What distinguishes his view from such approaches, he maintains, is his insistence “that civic educational status quo bias can and should be narrowly targeted in accordance with the criteria” (257) that he developed earlier on in chapter 7. Still, it is an interesting question, which would have merited some further elaboration: How conservative is this approach and to what extent does it clash with the main tenets of liberalism?

At the end of part III, MacMullen returns to the dominant theme of his book: the rejection of the orthodoxy’s assessment of autonomy as *the* master value of liberal democracy. In response to the objection that status quo biased education prevents citizens from autonomously endorsing their political institutions, MacMullen argues that autonomy is indeed an extremely important value but that it should not always be preferred to other important values when these conflict. In conclusion he sums up this recurring theme of his book as follows:

When the path to maximizing citizens’ autonomy diverges from the educational measures that are best suited to reproduce and improve liberal democracy, it is often perfectly appropriate to sacrifice autonomy to some degree, and there is nothing illiberal or paradoxical about acknowledging this. (253–54)

In conclusion, MacMullen has offered a very well worked out and convincing argument in favor of using civic education in a liberal democracy to shape children's values, beliefs, habits and identities. The main thrust of his argument concerns the rejection of viewing autonomy as the "be-all and end-all" of our normative deliberations. Autonomy need not always be favored over the competing values of law-abidingness, civic identification and support for the fundamental political institutions of one's society. He convincingly demonstrates that certain educational strategies that may, perhaps dismissively, be characterized as "conservative" are in fact not only perfectly compatible with a liberal democracy but are also of indispensable value to its preservation and flourishing.

Nonetheless, some general critical remarks are in order. Perhaps the main defect of this work is the absence of any engagement with certain themes that are generally regarded as central to any discussion of civic education. Questions of republicanism versus liberalism, or of liberal neutrality versus perfectionism are not dealt with at all in this work. Perhaps the reason for this is that MacMullen does not want the state to be the only (or the main? This, too, is unclear) agent involved in educating our children. Nonetheless, the mentioned discussions seem very pertinent to MacMullen's topic and his work would have benefited from an engagement with them. It, furthermore, would have placed his work in a larger context of scholarly work on the subject, and would have made clear that many of his positions are, ultimately, not as original as is often suggested in the book.

Moreover, despite the fact that this work is emphatically a work of *philosophy*, it would nevertheless have benefited from *some* discussion of and engagement with empirical work on the subject of civic education. Quite often an empirical claim is made without the empirical data to substantiate it. The reader would like to know, for example, if pro status quo biased civic education actually results in a, however limited, diminishment of critical autonomous reasoning. Should this not be the case, the entire exercise of part III seems moot.

Despite these critical notes, however, MacMullen has succeeded in producing a work that is not only consistently of the highest academic quality, but that also speaks to and offers solutions for the extremely relevant problems of free-riding and civic passivity, so regrettably prevalent in our western democracies today.

NOTES

1. It must be mentioned here at the outset that MacMullen has a wide understanding of the word “education.” Civic education does not only involve schools, but also parents, media, pop culture and so forth. So his argument for employing civic education to shape citizens’ characters, preferences and identities does not involve the further claim that the state ought to be the sole (or even the chief) actor in this.

REFERENCES

- King Jr, Martin Luther. (1964). Letter from Birmingham Jail, in Martin Luther King Jr *Why We Can't Wait* (New York: Harper and Row), 77–100.
- Rawls, John. (1999). *A Theory of Justice*, rev. ed. (Cambridge, MA: Belknap Press of Harvard University Press).
- Rousseau, Jean-Jacques. (1997). Considerations on the Government of Poland and on its Projected Reformation, in Victor Gourevitch (ed), Victor Gourevitch (trans) *The Social Contract and Other Later Political Writings* (Cambridge: Cambridge University Press), 177–260.
- Thoreau, Henry David. (1962). Civil Disobedience, in Joseph Wood Krutch (ed) *Walden and Other Writings* (New York: Bantam Books), 85–104.