

RE-THINKING PUBLIC REASON

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Jack Robert Isherwood

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PO Box 968

North Sydney, NSW 2059, Australia.

DECLARATION OF AUTHORSHIP AND SOURCES:

This thesis contains no material published elsewhere or extracted in whole or in part from a thesis by which I have qualified for or been awarded another degree or diploma. No parts of this thesis have been submitted towards the award of any other degree or diploma in any other tertiary institution. No other person's work has been used without due acknowledgment in the main text of the thesis. All research procedures reported in the thesis received the approval of the relevant Ethics/Safety Committees (where required).

I can confirm that this thesis was researched, written and edited without any collaboration or assistance of another person or persons. Professor Nikolas Kompridis and Professor Allison Weir, my supervisors, provided oral and written feedback with respect to the preparation of my final text.

Candidate's Signature: *Isherwood*

Date: 18/07/2016

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THESIS ABSTRACT:

This thesis critically examines the concepts of civil discourse and civil disobedience expounded by John Rawls, Jürgen Habermas and Charles Taylor. I claim that their accounts fail to consider the impacts of epistemic injustices, which lead to the unfair dismissal of the political claims made by marginalized communities in the political realm, and the impacts of social practices of ignorance which render the contestation of social and political injustices extremely difficult.

Consequently, I develop an account of civil discourse and civil disobedience inspired by feminist epistemological theory. I claim that this framework is more attuned to inequalities of epistemic status, leading to my argument that civil discourse should be re-thought as a relationship of trust which requires interlocutors to fulfil particular epistemic responsibilities towards each other.

I further argue that this re-conceptualization of civil discourse allows us to transcend a dominant dichotomous interpretation of the concept in the current academic literature. This discourse either claims that civility is an essential political practice in the face of deep political and moral disagreement or that civil discourse is simply a means to stifle contentious political struggles and to solidify the political dominance of privileged social individuals, groups and communities.

Furthermore, I also claim that civil disobedience should be re-conceived as a political practice which challenges patterns of vested social ignorance regarding oppressive social, economic and political arrangements while also contesting epistemic injustices. I develop this argument by critically appraising the theories of civil disobedience proffered by John Rawls and Jürgen Habermas. Like their theories of public reason, I maintain that they fail to consider the operation of oppressive epistemic norms, thereby severely limiting the insights of their accounts.

Consequently, I develop a different set of normative criteria for analysing acts of civil disobedience which adequately considers the impact of oppressive epistemic norms while also proffering an explanation of how civil discourse is reconcilable with coercive political disobedience.

Ultimately, therefore, I hope to illustrate that extending feminist epistemological insights into discussions of civil disobedience and civil discourse offers a fruitful way of exploring the broader connection between persuasion and coercion in contemporary liberal democracies.

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Literature Review and Introduction to Thesis:

It is clear that one of the most profound challenges faced by contemporary liberal-democratic societies is how to negotiate ethically the relationship between public claim-making and religious, cultural, ethnic and moral pluralism. Of course, this is not to suggest that political communities from different historical eras did not have to negotiate the realities of pluralism as well.

Nevertheless, with deepening globalization these challenges seem more pronounced and problematic to address, especially given the intensification, compression and acceleration of 'flows' of people, social relations and networks of governance.

The first reality that renders the connection between pluralism and public claim-making more morally urgent are the ongoing struggles of oppressed social groups and communities against various political, social and economic injustices. These efforts have aimed to re-assert or reclaim cultural distinctiveness, to challenge pejorative stereotypes and prejudices, to demand autonomous political institutions or to advocate for fundamental changes in patterns of economic distribution. (Fraser, 2000; Taylor, 1994)

For instance, indigenous peoples have fought for political self-governance, special funding to protect their languages and cultural heritage, financial compensation for colonial invasion and dispossession or have advocated for separate educational institutions. Importantly, it is also worth noting that these struggles were simultaneously accompanied by academic critiques of dominant ontological interpretations of personhood within the liberal political tradition.

Indeed, a wide range of critics have noted its exclusion and neglect of marginalised social groups and communities, its limited focus on negative interpretations of liberty and its rigid distinction between "the public" and "the private". Not to mention its ratio-centric tendencies, an extremely gendered dismissal of emotion and affect, its historic silence about gendered and racialized forms of domination and its ontological privileging of the individual

over communal relations. (Losurdo, 2014; MacIntyre, 2007, Pateman & Mills, 2013; Sandel, 1998; Taylor, 1994)

Unsurprisingly, in response, a significant body of inter-disciplinary literature emerged under the umbrella terms 'identity politics', 'the politics of recognition' and the 'politics of difference'. This body of research has profoundly challenged prevailing liberal theories and institutional practices of justice, claiming that liberalism has failed provide an inclusive structure for the accommodation of plural identities.

Another significant aspect of the challenges associated with public-claim making in diverse liberal democracies is the reality of persistent and intractable disagreement over contested moral issues. Indeed, it is now rather unremarkable to note the frequency of highly charged and polarised disputes over a broad range of moral controversies in contemporary liberal-democracies.

Certain commentators have suggested that these conflicts are further exacerbated by the reality that many contemporary moral disagreements are animated by partially incommensurable cultural, moral or religious vocabularies that render the achievement of compromise or consensus extremely difficult. (Hinkley, 2005; Hsieh, 2007; Schutte, 1998, 2000)

This difficulty stems from the reality that participants might find it difficult to reach a shared understanding of their conflict situation given their incommensurable standards of moral evaluation and interpretation. (Docherty, 2001)

For instance, it often seems profoundly difficult to reconcile indigenous conceptions of the environment which might accord it sentience with dominant neo-liberal political vocabularies that merely treat the natural world as a passive object suitable for material exploitation.

More alarmingly, the work of Alastair MacIntyre provocatively argues there has been a broader, nightmarish fragmentation of collective standards of moral evaluation in contemporary Western societies. This fragmentation has resulted in a collective moral Babel, defined by intractable- and irresolvable- disputes between incommensurable moral and epistemological traditions. (MacIntyre, 2007)

Meanwhile, other theorists stress that while it is possible to defend “objective” standards of morality and truth, individuals and political institutions are frequently obliged to make costly compromises between conflicting moral principles and values. This situation invariably entails a tragic pursuit of diverse yet incommensurable moral goods. (Berlin, 1969; Galston, 2002; Lassman, 2011)

Given that the terms of these trade-offs frequently stoke the flames of moral conflict, in response contemporary political theory has responded in a diversity of fashions. Some defend a “state decisionism”, while others advocate a “modus vivendi politics” or even advocate a “strategy of avoidance” that removes contentious disputes from the public agenda altogether. (Ackerman, 1989; Galston, 2002; Gray, 2001; Horton, 2003; Lassman, 2011; Schmitt, 2006)

Unsurprisingly, given these tendencies, a number of contemporary political theorists have opined that in the face of intractable moral and political polarisation, the opportunities for public decision-making bodies to reasonably compromise on contested issues seems increasingly bleak. (Aikin & Talisse, 2014; Davis, 2010; Loomis, 2000; Uslaner, 2000)

Nevertheless, it is worth reflecting that this concern is long-standing within liberal and republican political philosophy. For instance, James Madison famously decried the perils of “factionalism” where groups of citizens, animated by their vested material interests or passions, conspire to compromise the rights of other citizens or the common good of their society. (Madison, 1787)

More recently, critics have suggested that intractable moral conflicts can endanger the social fabric via the encouragement of destructive forms of political discourse. They note that even the conceptual metaphors typically used to describe our actions in conversational encounters are profoundly redolent of violent, destructive conflict.

For instance, Lakoff & Johnson (2003) and Cohen (2013) illustrate multiple instances of this tendency, noting that people often castigate their opponent’s claims as being “indefensible”. They also note how people frequently describe the use of “killer”, “knock-down” or “shot-down” rebuttals or celebrate the “demolishing” of their argumentative opponent’s claims. Alternatively, people

lament how their opponents have “attacked” their claims or “wiped them out” altogether. (Cohen, 2013; Lakoff & Johnson, 2003)

Meanwhile, other theorists have explored how political conflicts become exacerbated by discourses that portray one's opponents in deeply dehumanised fashions. (Bandura, 2002; Haslam, 2006; Opatow, 1990) From this point of view, uncivil kinds of discourse compromise the relational bonds of diverse polities or even encourage discrimination and mistreatment. (Herbst, 2010; Tannen, 1998)

Ultimately, therefore, it is feared that moral polarisation threatens to destabilise the functionality of political institutions while fostering public dissatisfaction with the political process. (Mutz & Reeves, 2005) At its worst, the concern lingers that moral polarization can even culminate in violent outbreaks of antagonism, as the case of so-called “deeply divided” societies tragically demonstrates.

This situation is complicated further by profound disagreement in many liberal democracies over the legitimacy of the State, especially in post-colonial societies. There is also significant political controversy over what kinds of arguments, claims and appeals can legitimate coercive public policy. (Habermas, 2006; Ivison, 2002; Rawls, 2005)

Alternatively, other commentators have noted how political debates in contemporary democracies seem to degrade rapidly into ad hominem attacks or involve the imputation of intellectual stupidity or moral vice to one's opponents. (Aikin & Talisse, 2014)

This concern stems from a fear that “uncivil” kinds of political communication are becoming increasingly normalized in public discourse with destructive impacts. Although the notion of “destructive” political discourse is widely interpreted in the academic literature, Johnson and Johnson (2000) provide a concise summation of its negative political ramifications:

“Destructive political persuasion exists when misleading, superficial, or irrelevant information is presented in ways that decreases citizens' understanding of the issue, results in an absence of thoughtful consideration of the issue, and decreases citizen participation in the political process. Discourse may be replaced by other means of persuasion, such as using deceit through

misinformation, de-emphasising and ignoring important issues, positioning, pandering to voters, and focusing on the candidates (not the issues) through commercials (imagery and slogans) or argumentum ad hominem.” (Johnson & Johnson, 2000, pg 6)

More recently, Toni Massaro and Robin Stryker (2012) have developed a comprehensive taxonomy of different kinds of uncivil political discourse:

- “1. Speech that is excessively ad hominem, demonizes political opponents, and relies on globalizing attacks on their character rather than their ideas and conduct.
2. Speech that is recklessly false and negative about a political opponent, or that is intentionally misleading regarding opponents' views, character, or conduct.
3. Speech that is excessively vulgar or disrespectful, or relies on excessive profanity aimed at a person (versus an idea or institution) to advance an argument.
4. Speech that pejoratively, hyperbolically, and falsely paints political opponents as “traitors,” “deadbeats,” “Nazis,” “lunatics,” “rednecks,” “satanic,” or “unpatriotic” rather than as fellow citizens within a pluralistic political order, with whom one vigorously, even passionately, disagrees on specific issues for specific reasons.
5. Speech that is intentionally threatening to political opponents' physical well-being or that encourages others to cause physical harm to them
6. Speech that deploys racial, sexual, religious, or other epithets against a political opponent that a reasonable person would consider extremely demeaning.
7. Speech intentionally aimed at closing down “spaces of reason” and ceasing discourse, rather than maintaining speech zones for future consideration of issues and policies.
8. Speech that intentionally denies the right of political opponents to participate equally in applicable procedural or political processes or debates, or that denies

the legitimacy of their participation, where they have a lawful right to do so.”
(Stryker & Massaro, 2012, cited in Stryker & Danielson, 2013, pg 8)

Accordingly, given this deeper background anxiety regarding political paralysis and dysfunction I have been describing, numerous political theorists have argued that it is vital to develop common principles and norms of “civil” discourse to negotiate moral and political conflict. (Calhoun, 2000; Grayling, 2000; Jamieson, 1999; Kamber, 2003; Laverty, 2009; Makau & Marty, 2013, Mutz & Reeves, 2005; Pearce & Littlejohn, 1997; Sinclair, 2000; Uslaner, 2000)

From this point of view, civility is essential if participants in public discourses are to treat each other with appropriate respect by fairly considering and responding to each other's claims. (Arnett & Arneson, 1999) It is typically argued that liberal-democratic regimes need to sustain a political and civic culture defined by the willingness to compromise on contested issues and the consideration of the common good if they are to avoid degenerating into destructive conflict. (Eicher-Catt, 2013; Ivie, 2008)

Advocates of civility, therefore, argue that it can instil a vital democratic ethos or reflect the practice of fundamental civic virtues necessary to the vitality of a diverse democracy. Of course, this whole discussion thus far begs the question: what is "civil discourse" or "civility". The concept of “civility”, from an etymological point of view, has a rich and complex historical genesis as it is profoundly connected with related discourses of “civilisation”, “citizenship” and “the city”. (Davetian, 2013; Vollp, 2014; Weeks, 2014)

In addition, civility is also profoundly associated with diverse yet historically and culturally contingent norms of social behaviour, including notions of “decorum”, “politeness”, “etiquette” and “propriety”. Alternatively, it has been connected to the intonation of one’s voice, especially in terms of how the use of tone can be expressed to express derision, contempt and hostility towards other people and their viewpoints. (Aikin & Talisse, 2014)

However, in spite of these common motifs, as Cornell notes, conceptions of civil discourse are “neither fixed or universal”. (Clayton, 2010) Unsurprisingly, therefore, there is no general academic consensus regarding the definition of

the concept of civility- or for that matter- the notion of incivility. (Clayton, 2010; Santana, 2014).

This point is underscored by disputes as to whether the concept should be interpreted in “thick” terms, connected to other essential liberal virtues such as autonomy and tolerance, or whether it should be explained in “thin” terms, related to formalistic conventions or protocols of propriety. (See for instance Guttman & Thompson, 1996; Habermas, 2003; Kingwell, 1995; Rawls, 2005; Waldron, 2014)

Nevertheless, it might be suggested that two broad trends have emerged from the academic literature. Firstly, the notion of civil discourse has been connected to discursive restrictions on the kinds of justifications or reasons that individuals in a diverse liberal polity can use when staking their claims publicly. This understanding of civility is commonly framed via the theoretical vocabulary of “public reason”.

Public reason accounts of civility insist that individuals should exclusively stake their political claims with reference to generally acceptable justifications or reasons, thereby requiring them to exercise significant discursive self-restraint.

This is to say that citizens and public officials should strive to justify their collective political arrangements without exclusively appealing to partial, controversial, sectarian or “comprehensive” conceptions of the good. Without these normative and epistemic guidelines, it is feared that coercive public policy could be implemented illegitimately by appeals to justifications that are simply unacceptable to all persons affected by a given public policy. (Newman, 2015; Rawls, 2005; Sperling, 2012; Quong, 2013)

This strand of thought sometimes assumes that certain kinds of moral justifications can effectively act as a “conversation stopper” given that their normative premises and conclusions are unacceptable to citizens with different worldviews. (Rorty, 1994)

Crucially though, this strand of thought overwhelmingly argues that civility has an epistemic filtering function, allowing participants in public disputes to distinguish between which political claims should be deemed worthy or unworthy for deliberation. From this perspective, civil discourse constitutes an

essential means via which individuals who hold irreconcilable yet reasonable differences in moral values and beliefs can co-exist in relations of peace and mutual respect. (Rawls, 2005)

Importantly, it is also important to note that public reason accounts of civility have placed particular attention to the idea of 'reasonableness'.

Reasonableness reflects the willingness of citizens and public officials to accept that coercive political power can only be legitimated by referencing generally acceptable reasons. It also indicates a willingness to accept all members of our political community as equal and free persons.

Given that public reason accounts of civility place substantive constraints on permissible political discourse, justifications that are incompatible with the moral principles of reciprocity and reasonableness deserve exclusion from public consideration.

Nevertheless, this interpretation of civility has been fiercely rejected by critics who argue that the requirements of public reason are profoundly exclusionary. (Greenawalt, 1994; Vallier, 2011; Wolterstorff, 1997) These critics typically argue that restricting the expression of views animated by comprehensive doctrines is an extremely problematic strategy for democratic inclusion.

Instead, it is claimed that staking of comprehensive doctrines in public debate is vital for a number of reasons. Firstly, any process of public discourse must recognize the existential import of citizens' claims- that is, it must recognize the deeper normative, epistemological and ontological background understandings which shape the articulation of political claims and demands. (Taylor, 2007b)

Secondly, it is claimed that the public discussion of different comprehensive world views will engender relations of deeper trust, respect and solidarity. It can encourage robust social criticism while deepening mutual understanding of difference. (Eberle, 2002; Stout, 2004; Wolterstorff, 2013)

Civility, according to this picture, is less connected to the political justification of coercive power but more to engendering a particular kind of relationality between citizens and public officials. The advocates of this conceptualisation of civil discourse emphasise how it constitutes a self-reflexive mode of receptiveness or responsiveness to other people's moral and political claims.

Rather than defining civility as a kind of discursive self-restraint, civility is a form of social solidarity that encourages citizens to stake their claims in a manner that sustains social connection and co-operation across thick lines of difference.

It orientates participants towards conceptions of the “common” or “public” good. It signifies that other people's viewpoints are epistemically worthy for further discussion because it validates and supports their public expression. (Carter, 1998; Forni, 2002) It demands that people should treat their interlocutors with respect by considering their claims fairly and by being willing to change one's own position as a result.

Consequently, civil discourse encourages conflicting parties to reach a common understanding of a given contested issue while motivating them to consider each other's perspectives fairly. It helps them to work co-operatively in a spirit of mutual compromise and sacrifice. (Arnett & Arneson, 1999; Sampson, 1999; Shils, 1997)

Civil discourse is, therefore, a panacea to the vulnerabilities of human beings towards dogmatism and other epistemic vices. It reflects an egalitarian impulse not to treat others with contempt, even if one passionately disagrees with their commitments and viewpoints.

The discussion thus far has been rather academic and abstract. Consequently, it is important to stress that that notions of civility occupy a conspicuous place in contemporary public political discourse and institutional practice. For instance, in the United States, the concept has informed the conduct of electoral campaigns in the form of “civility pledges” between political opponents.

Moreover, public surveys in the United States have consistently identified dissatisfaction with the quality of public political discourse. (Piacenza, 2014; Rasmussen, 2009) Indeed, as Kenski et al (2012) note, one survey by the Public Religion Research Institute in 2010 indicated that 80% of survey participants labelled uncivil discourse in American political life to be a “somewhat serious” or “very serious issue”. (Kenski et al, 2012)

Even more prominently, the satirists Stephen Colbert and Jon Stewart organised a “Rally to Restore Sanity” in 2010 partly out of frustration at the highly polarised discourse characteristic of the American media system. During

the same year, a group of concerned citizens even established the “Chamomile Tea Party” which publicly campaigns for greater civility in political discourse through a broad range of visual media.

In addition, President Barack Obama has repeatedly criticised the manner in which political opponents are frequently caricatured and demonized in American political debates. Obama's emphasis on civility was demonstrated clearly following the 2011 Tucson shooting tragedy when he beseeched Americans to talk to each other “in a way that heals, not a way that wounds”. (Obama, 2011) Indeed, as he argued in an earlier address to the University of Michigan's 2010 commencement:

“The problem is that this kind of vilification and over-the-top rhetoric closes the door to the possibility of compromise. It undermines democratic deliberation. It prevents learning—since, after all, why should we listen to a “fascist” or a “socialist” or a “right wing nut” or a “left wing nut”? It makes it nearly impossible for people who have legitimate but bridgeable differences to sit down at the same table and hash things out.” (Obama, 2010)

Accordingly, given this broad outline of two different accounts of civility, and its broader academic and political significance, it is now appropriate to examine some central criticisms of the concept to situate the concerns of this thesis in its proper context.

Criticisms of Civil Discourse:

It is clear that advocates of civil discourse have had to face a broad range of strident objections to their entire political project. Firstly, it has been argued that theories of civil discourse have ignored problems of discursive manipulation and exploitation in political life. From this point of view, it is commonplace that political actors frequently manipulate norms of civility to pursue their vested and pernicious interests under a beguiling egalitarian fiction or to simply peddle “bullshit” or other forms of misinformation. (Kimbrough, 2006; McKerrow, 2001, 2001b)

Alternatively, it is feared that advocating civility ultimately has a profoundly conservative impetus that can serve to legitimate, rationalise and justify social and economic inequalities. For instance, it is noteworthy that far-right parties

have adopted notions of “civility” as part of their public policy platforms as exemplified by the British National Party.

Indeed, the BNP's 2010 General Election manifesto even mentions civility on multiple occasions, pledging to “promote the traditional British concepts of civility and courteousness” in the public education system and to “support a return to the traditional standards of civility and politeness in British life”. (BNP, 2010, pg 44)

Moreover, accounts of civility are also vulnerable to the conceptual objection of where the precise limits of civil discourse ought to lie. Is it morally desirable, for instance, to participate in a “civil” discourse with political groups or individuals that hold bigoted or discriminatory world-views?

Secondly, critics argue the recent preoccupation with civil discourse within liberal political theory is misguided as it ignores how “uncivil” speech can help challenge unjust power relationships and institutions. (Harcourt, 2012; Papacharissi, 2004; Scott & Smith, 1969)

From this viewpoint, encouraging civil discourses alone will be insufficient to challenge deeply institutionalised injustices. After all, a society, as Peter Johnson notes, might value civility while remaining “exploitative, unjustifiably discriminatory and indifferent to the existence of wide inequalities between rich and poor”. (Johnson, 2008, 596)

For instance, Dana Cloud suggests, the term civility “appeared in the context of courtly manners requiring obeisance to aristocratic power”, thereby serving the reproduction of “hierarchical social relations”. (Cloud, 2015, pg 15) From this perspective, she argues that advocating civil discourse in political life serves to undermine political contestation while solidifying the dominance of political and economic elites. (Cloud, 2015, pg 16)

Indeed, calls for “civil discourse” can either depoliticise the contestability of public political life or even legitimate prevailing injustices by dissipating the strength of demands for structural or systemic change. (Reich & Cloud, 2009) An emphasis on civility, therefore, is futile in the face of ever deepening economic inequalities in western democracies as it presupposes that political

elites would be willing to re-distribute economic wealth simply through dialogue alone.

This criticism, as Goldberg notes, is rather unsurprising given that calls for greater political civility have often been expounded by theorists with a socially conservative bent, who see civility as a panacea to “selfish and hyper-individualised societies” and even supposedly to increasing rates of crime. (Goldberg, 2005, pg 337)

Conversely, the capacity to label certain groups or individuals as “uncivil” has clearly been a powerful means for privileged actors to portray demands for justice as being fundamentally delusional or even perverse. According to this argument, norms of civility are invariably slanted to the advantage of dominant groups and communities as opposed to improving the communicative standing of the oppressed.

Indeed, it has been widely noted how notions of “civility” have historically been used as an exclusionary device or a justificatory regime for colonialism, imperialism, racism and sexism, legitimating unjust social institutions while dehumanizing their victims. (Cloud, 2015; Elias, 2000; Filmer, 2000; Goldberg, 2005; Keane, 1998; Nehring, 2011; Reich & Cloud, 2009; Taylor, 2004; Zurn, 2013)

Unsurprisingly, critics fear that advocating civil discourse is profoundly misguided as its norms might exclude marginalised communities and social groups while stifling social criticism. (Cloud, 2015; Reich & Cloud, 2009) Given the harsh criticism of the concept of civility in political theory, there have been a number of calls to acknowledge the importance of coercive and non-persuasive political tactics and strategies as a vital- and integral- aspect of democratic life.

Coercive political disobedience and “uncivil” political discourse, from this viewpoint, are more effective means to contest dominant power relations and to challenge the boundaries of “acceptable” discourse. (Fung, 2005; Galston, 2010; Goldberg, 2005; Medearis, 2005; Stears & Humphrey, 2012; Young, 2004)

This observation is frequently tied to the observation that uncivil discourse might not necessarily undermine the political process as it might encourage critical

argumentation and the airing of claims that previously had been ignored or marginalised.

Finally, one of the most important lines of criticism regarding civil discourse stems from feminist theories of epistemology that foreground the significance of power relations in the production, exchange, and consumption of knowledge. In addition, feminist accounts also stress how our social positioning profoundly influences our access to different epistemic resources. This issue constitutes the crux of the 'situated knowledge thesis' which Wylie (2009) explains thus:

“...what we experience, and what we know, is conditioned by social location, not just in an idiosyncratic sense--as a consequence of our individual talents and dispositions, our unique personal histories--but as a function of structural conditions of social differentiation that make a systematic difference to the material conditions of our lives, to the relations of production and reproduction that shape our identities and opportunities, to the cultural/conceptual resources available to us for understanding these relations”. (Wylie, 2009, pg 11)

Wylie stresses, therefore, that our social locations serve to potentially delimit the content of our knowledge and influence the epistemic norms that regulate what counts as valuable or redundant knowledge on a structural basis. (Wylie, 2004, pg 343) Consequently, as she elaborates further:

“What individuals experience and understand is shaped by their location in a hierarchically structured system of power relations: by the material conditions of their lives, by the relations of production and reproduction that structure their social interactions, and by the conceptual resources they have to represent and interpret these relations”. (Wylie, 2004, pg 343)

Feminist epistemologists have further argued that our differing social locations can serve to produce different interpretations of social life and reality. (Bergin, 2002; Mohanty, 1993; Narayan, 2004) Indeed, as Code argues, “differing social positions generate variable constructions of reality”, thereby meaning that knowers are simultaneously “limited and enabled by the specificities of their locations”. (Code, 1995, pgs 52-3)

Alternatively, Linda Alcoff suggests that our social identities constitute an epistemic horizon “from which certain aspects or layers of reality can be made

visible. In stratified societies, differently identified individuals do not always have the same access to points of view or perceptual planes of observation". (Alcoff, 2006, pg 43)

Unsurprisingly, some theorists have noted that differential access to epistemic resources can not only breed misunderstandings but that they are also inherently implicated in relations and structures of oppression. It is claimed in particular that access to epistemic resources are profoundly connected to social practices of silencing on both an individual and collective level. (Fricker, 2007; Medina, 2013)

It is clear that one of the most systemic outlines of this problem is Miranda Fricker 's distinction between two forms of epistemic inequality- namely 'testimonial' and 'hermeneutical' kinds of injustice. Fricker (2007) presents these kinds of injustice as being analytically distinctive albeit she also stresses how they are complexly interconnected in practice.

Fricker describes testimonial injustice as a situation in which a speaker's testimonial credibility is unjustly devalued by virtue of the operation of identity-based prejudicial beliefs, attitudes and values. As a consequence, prejudicial attitudes about the social identities of a given speaker leads other people to dismiss them as being untrustworthy, insincere, incompetent or unreliable testifiers of knowledge. (Fricker, 2007)

Hermeneutical injustice, on the other hand, refers to a situation whereby a speaker cannot articulate their experiences of injustice to others by virtue of 'gaps' in a community's shared epistemic resources. These flaws in dominant epistemic resources render it difficult for victims of injustice to understand their suffering intelligibly and to articulate their claims in a manner easily receivable by their fellow members of society. (Fricker, 2007)

One example of the operation of hermeneutical injustices in society stem from collective practices of denial which prevent commonly shared knowledge from being articulated openly in public as they establish social taboos that render some subjects 'discussable' or 'unmentionable'.

Political acts of denial, therefore, are deeply implicated in asymmetries of social power. They allow dominant actors to gain, maintain and reproduce their

dominance while also positioning their victims in difficult political and moral predicaments. (Cohen, 2000; Norgaard, 2011; Taylor, 2008; Zerubavel, 2006) For example, challenging conspiracies of silence might risk potential social sanction, public opprobrium, and hostility.

The issue of historical denial is obviously pressing in post-colonial and deeply divided societies as they can render claims of injustice unintelligible, obscure institutional responsibility for abusive mistreatment and impede accurate historical knowledge of the past. Moreover, they can also allow beneficiaries of injustices to dismiss arrogantly the claims of oppressed groups and communities as being inherently flawed or nonsensical. (Cohen, 2000; Taylor, 2008; Zerubavel, 2006)

Consequently, hermeneutical gaps can conceptually deprive people of adequate semantic terms to describe their experiences as well as expressively deprive people of suitable idioms and styles through which their testimony can be articulated and interpreted. (Fricker, 2007)

Ultimately, therefore, relations of epistemic injustice serve to silence particular actors by virtue of their social identities, their choice of communicative style or the vocabularies in which they stake their claims publicly.

Unsurprisingly, given these concerns, there is a suspicion that norms of civility might reproduce relations of epistemic injustice in multiple fashions. Firstly, norms of civil discourse might foster practices of self-censorship by members of marginalised communities who feel that they will unjustly stifle their preferred public discourses, vocabularies or communicative styles.

Secondly, there is the concern that advocating norms of civil discourse fails to tackle the problem of how dominant relations of power privilege some actors, styles of communication or social discourses while ignoring or marginalising other contributions and persons. Norms of civility, from this perspective, will likely to be ineffective in challenging vested forms of ignorance that serve to reproduce social hierarchies and injustices in society. They might also further impede political criticism by restricting the terms of public debate to established “moderate” or “widely shared” positions.

Ironically, therefore, from this point of view, rather than assisting democracies to negotiate moral and political conflict, norms of civility can restrict the expression of genuine disagreement, dissent and the expression of provocative, controversial and uncomfortable claims. Indeed, the central issue here is that there seems to be no point in advocating civil discourse if listeners from more advantaged communities are motivationally unprepared to fairly consider marginalized voices or if they lack adequate interpretive resources altogether.

This is a central concern I examine in my fourth chapter where I note how some theorists have argued that advocating civil discourse in the face of power asymmetries is essentially futile if not morally pernicious.

Accordingly, having outlined the general background context of this study, it is important now to precisely explicate my central concerns and claims in this thesis.

Thesis Introduction:

My introduction has highlighted so far that academic interpretations of the position of civil discourse in contemporary liberal-democracies is highly polarized.

On the one hand, advocates argue that civil discourse is an essential precondition for the fair consideration of political claims and the consideration of the common good. Indeed, without fostering civility in political institutions and wider society, it is feared that liberal-democracies shall invariably succumb to devastating moral polarisation and institutional gridlock.

On the other hand, critics argue that civil kinds of discourse unduly constrain the terms of public discourse in favour of advantaged social groups and communities while dissipating contentious struggles.

From this point of view, advocating civil discourse is merely an academic thought bubble that evades meaningful questions of power while obscuring the essential role of civil disobedience and other forms of coercive political contestation in challenging relations of oppression.

I hope that this dissertation will contribute to transcending this unproductive binary understanding of civil discourse. My first original contribution to

knowledge in this thesis is to critically appraise two highly influential models of civil discourse from different schools of philosophical thought.

The first model of civil discourse I consider is the proceduralist model of John Rawls and Jürgen Habermas. This model defends the idea that citizens and public officials must stake their political claims without referencing their comprehensive conceptions of the good.

It thereby mandates a normative duty of translation which requires participants in public debates to frame their political arguments with reference to principles, values and norms which could be generally accepted by all members of society, irrespective of their diverging conceptions of the good.

Consequently, I argue that Rawls and Habermas maintain that the ultimate end of civil discourse is the public justification of coercive state power. They share the concern that without practices of civil discourse the state could justify public policies on the basis of reasons which are not acceptable by all citizens.

From their point of view, citizens act uncivilly if they refuse to translate their claims into more generalizable frames because it signifies an unwillingness to propose “reasonable” terms of social co-operation to each other. Accordingly, both understand civil discourse as an essential technique to preserve freedom in a diverse polity while fostering social relations of deeper respect, solidarity and trust.

Nevertheless, I also acknowledge that there are some important differences between Rawls and Habermas’ approaches and I strive to outline the broader historical evolution of their conceptions of civil discourse.

The second model of civil discourse I consider is the hermeneutical model of Charles Taylor. Taylor’s conception of civil discourse is profoundly suspicious of the proceduralist attempt to establish rigid distinctions between the right and the good for the purposes of public discourse.

Rather than connecting civil discourse to the justification of coercive state power, Taylor emphasises its capacities to orientate citizens towards the common good in the face of his diagnosis of the growing political polarization, fragmentation and factionalism of contemporary democracies.

Without an orientation towards the common good, Taylor believes that it will be impossible for citizens and public officials to provisionally form an “overlapping consensus” concerning their central regulating principles of Justice.

Significantly, Taylor also believes that civil discourse is an essential vehicle of social criticism. He claims that civil discourse facilitates the deconstruction of pejorative stereotypes and prejudicial attitudes towards minority groups.

Indeed, he also emphasizes how crucial civil discourse is to the fair recognition and accommodation of cultural, religious and ethnic difference more broadly. Civil discourse allows individuals from different communities to forge an overlapping consensus by appreciating the universal insights in each other’s cultural, religious and moral traditions.

Nevertheless, I claim that the proceduralist and the hermeneutical understandings of civil discourse suffer from significant limitations. Firstly, the proceduralist position is exclusionary, thereby rendering it inappropriate as a workable model of civil discourse. Rawls and Habermas’ attempt to differentiate between the private and the public and the good and the right simply will not be accepted by a significant portion of citizens in contemporary democracies.

I argue that they fail to explain *why* citizens who feel that they cannot separate their comprehensive doctrines from their political claim-making activities would wish to partake in any translation process. Their approach is exclusionary in the sense that it will likely motivationally decrease the willingness of such citizens to participate in formal decision-making processes.

In addition, I also note that Rawls and Habermas fail to consider how citizens who refuse to translate their claims into a generalized idiom might be castigated as “unreasonable” by their fellow citizens, thereby generating potential social opprobrium and hostility against them.

Secondly, I argue that Rawls and Habermas’ conceptions of civility ignore how the moral expectation for citizens to translate their claims into a more generalizable discourse could create an exclusionary epistemic climate. I discuss the case of indigenous Australian political claims regarding the natural environment to question whether public reason models of civility can fairly

accommodate claims which are incommensurable with dominant normative, epistemological and ontological social discourses.

In addition, I also argue that their conceptions of civility are flawed because they ignore the problem of epistemic kinds of injustice and practices of social ignorance which marginalize the claims of oppressed communities while according an unjust level of credibility, trustworthiness and reliability to the claims made by members of privileged communities. Unfortunately, there are no critical resources within their approaches which allows for the critical interrogation of dominant epistemic norms.

I also argue that Taylor's hermeneutical interpretation of civil discourse suffers from similar defects, in spite of the considerable advantages it offers over the proceduralist model. Firstly, I note while Taylor emphasizes the critical capacities of civil discourse, a tension exists between his dialogical conception of personal identity and his rather static conception of group-based identity.

I discuss Taylor's famous defence of "cultural survivalism" in Quebec to illustrate the strain between his idea that civil discourse can culminate in a "fusion of horizons" between different epistemic, normative and ontological frameworks and his attempt to justify practices of accommodation which ultimately would restrict changes in a dominant majority's culture.

Secondly, I claim that Taylor fails to adequately consider some of the moral and political difficulties associated with civil discourse in the face of power differentials. Taylor, like Rawls and Habermas, fails to consider how dominant epistemic norms can serve to hinder receptivity to the claims of marginalized communities.

This is to say that he fails to consider how dominant epistemic norms and relations can breed practices of epistemic malevolence by members of privileged communities, particularly in terms of motivated refusals to re-consider their viewpoints and interests.

Consequently, the influence of practices of social ignorance and relations of epistemic injustice can render it extremely difficult to engender the critical self-reflexive stance Taylor believes is instigated by civil discourse.

Conversely, I also argue that Taylor fails to consider how practices of social ignorance and relations of epistemic injustice create a set of difficult moral quandaries for members of oppressed communities in public discourses.

I discuss Kristie Dotson's notion of "testimonial smothering" to illustrate that members of marginalized communities often have legitimate reasons *not* to share their knowledge with members of more privileged communities, particularly in cases where they are concerned that expressing their claims might reinforce pejorative assumptions about them.

Ultimately, I claim that given Taylor's insensitivity to the problem of testimonial smothering, he fails to offer any account of what interpretive stances or institutional practices are required to identify and mitigate, offset or eliminate the flaws in dominant epistemic norms which incentivize individuals from marginalized groups to restrict their testimonial claims in public.

Finally, it will be suggested that Taylor does not offer adequate criteria for how citizens and public officials should approach situations where people speak "uncivily" or where people stake claims in a dogmatic fashion. He further fails to offer a principled account which outlines what kinds of claims or justifications ought to be excluded from public deliberation.

This brings me to the second area where I hope to make an original contribution to knowledge- namely, the development of an account of civil discourse which places practices of social ignorance and epistemic injustices at the forefront of concern.

I develop this argument by suggesting that feminist epistemological theories of knowledge and ignorance should be extended to scholarship regarding civil discourse as they offer distinctive insights and theoretical opportunities.

My central claim is that civil discourse is a relationship of trust between interlocutors who mutually accept meeting certain epistemic responsibilities with respect to the connection between their public claim-making activities and their worldviews. Accordingly, I understand civil discourse as a trust-building process between people who come from very different social backgrounds and who have diverse opinions on contested public issues. Civility entails a relationship

of trust because fairly receiving one's claims is a duty others owe to us just as fairly staking our claims is a duty we owe to others.

I argue that there are three key epistemic responsibilities integral to civility. Firstly, participants in civil discourse must be mutually willing to learn *about* each other's worldviews and to be particularly sensitive to how their social positioning influences the character of their claims.

Secondly, I argue that participants must be mutually willing to question their own worldviews in order to effectively learn *from* other's worldviews and to appreciate their areas of ignorance.

Finally, I argue that individuals must be willing to question their own positioning in relations of power in order to develop a critical consciousness with respect to how the staking of their own claims and the reception of the claims of others might be unjustly distorted by dominant relations of power.

From this perspective, it is vital to question how relations of power might lead us to inappropriately place our trust in some actors and their claims while neglecting to put warranted trust in others. Without this self-interrogation, it will be impossible to appropriately re-adjust one's credibility assessments in order to ensure that one accords appropriate attention and consideration to the perspectives of others.

Moreover, self-questioning is also important given the intersectionality of our social identities. It might contingently be the case that certain facets of our identities might render individuals vulnerable to losing an appropriate degree of epistemic self-confidence in our beliefs.

This lack of self-confidence stems from the operation of oppressive social categorizations, stereotypes and prejudicial attitudes. Accordingly, questioning our own positioning in relations of power might be an important means of building warranted trust and epistemic confidence in our own commitments in public discourse, thereby potentially contributing to the challenging of unjust epistemic norms.

However, I also insist that the distorting influences of epistemic injustices and practices of social ignorance require individuals in any discursive exchange to

simultaneously exercise a degree of epistemic caution towards our interlocutors if we are to place warranted trust in their public claims.

Consequently, I argue that it is important for individuals to question the benevolence of our discursive partners by monitoring for signs of possible discursive manipulation and exploitation.

This critical questioning is necessary to ensure that not only are the claims of others epistemically sound and reliable but also because a failure to critically question other people's testimony might leave one vulnerable to manipulation or exploitation. I claim that this focus can help assuage fears that civil discourse is merely a façade for discursive manipulation and exploitation.

However, as I also acknowledge, the process of other questioning can also erode relations of trust between interlocutors. Consequently, when questioning the epistemic motivations of others, it is vital to be sensitive to the possibility that one's estimations of their benevolence might be flawed.

Finally, in my fourth chapter, I hope to make my third original contribution to knowledge where I return to one of the most fundamental objections staked against the idea of advocating civil discourse in the face of power asymmetries—namely what I term the “exclusion objection”.

This line of objection suggests that the only effective means of challenging oppressive social relations is via coercive practices of political disobedience and the use of “uncivil” political rhetoric. While I am profoundly sympathetic to this objection, I also maintain that while advocating civil kinds of discourse in the face of significant power differentials can be irresponsible in certain contexts, so can the advocacy of political coercion without any reference to norms of civility.

This is because the use of coercion in pluralistic democracies cannot occur *carte blanche*. There must be principled limitations on the scope of political disobedience given that the use of coercion risks disrespecting the autonomy and dignity of our fellow citizens and threatens the goods that arise from social order.

I hope therefore that my discussion shall illustrate that civil discourse and coercive political disobedience can be mutually compatible and complementary

as opposed to be diametrically opposed as much of the academic literature currently presupposes. But what precisely is my line of argument?

I begin my discussion by surveying the broader academic literature on the concept of civil disobedience before critically interrogating Rawls' and Habermas' conceptualizations of civil disobedience for a number of reasons.

Firstly, discussions of public reason and civil disobedience in Rawls' and Habermas' work have predominantly occurred in isolation within much of the academic literature- a most unfortunate oversight given the interesting intersections between them.

More importantly for my purposes, both construct theories of public reason and civil disobedience which set strenuous conditions for 'legitimate' claim-making and political disobedience.

I suggest that Rawls and Habermas' understanding of civil disobedience privileges an untenable distinction between the right and the good and places unwarranted focus on appealing to constitutional principles as part of the public justification of civil disobedience.

These requirements, I argue, mean that their frameworks of civil disobedience are not attuned to the problem of epistemic injustice and practices of social ignorance which serve to rationalize, justify and legitimate unjust political, social and economic relationships and institutions.

Accordingly, given these central limitations, I maintain that it is important to develop a new account of civil disobedience that transcends these limitations yet which can differentiate between morally praiseworthy and morally blameworthy kinds of political disobedience.

Consequently, I propose that civil disobedience should be understood as a means to challenge practices of social silencing and forms of vested ignorance in a polity as opposed to merely understanding it as an appeal for redress to constitutional authorities via referencing constitutional principles.

In addition, I also argue that civil disobedience can provoke social criticism by challenging dominant epistemic norms which allow members from dominant

groups or institutional actors to remain ignorant in their complicity in unjust social relationships.

It particularly aims to challenge “common sense” frameworks of understanding which render relations of injustice invisible or natural by either subverting hegemonic discourses or introducing new counter-hegemonic discourses which open different political possibilities. However, I claim that such a re-framing of the purpose of civil disobedience requires a re-framing of how political disobedience is reconcilable with civil discourse.

Consequently, I argue that civility in coercive political disobedience is reflected when participants offer non-participants reasoned moral justifications to explain the motivations and intentions for their actions, articulate reasoned moral justifications to explain the selection of tactics involved and justify why they were appropriate relative to the moral ends of civil disobedience.

I also argue that it requires participants to refrain from hate speech and act non-violently unless faced by unreasonable aggression from their opponents and to demonstrate adequate consideration to the viewpoints, interests and needs of non-participant bystanders.

Ultimately, therefore, I hope that this dissertation hopes to offer insight into the moral complexities of the relationship between persuasion and coercion in liberal-democratic regimes.

It hopes to develop an account of civility that is reconcilable with the demonstrable need to use coercive tactics and strategies to challenge unjust social relations and structures while placing the neglected problem of epistemic injustice and practices of social ignorance to the forefront of theorization about the place of civil discourse in contemporary democracies.

Chapter One- John Rawls and Jürgen Habermas- The limitations of public reason as a form of civil discourse.

This chapter shall argue that Rawls and Habermas understand civil discourse to be essential in sustaining the political legitimacy of the state in light of the deep diversity of contemporary liberal-democratic societies. I claim that they connect civility with the problem of how to publicly justify the coercive use of state power in the face of deep moral disagreement and cultural, religious and ethnic difference.

Moreover, both share the idea that civility is a necessary vehicle for behavioural regulation, allowing citizens and public officials in diverse societies to negotiate their differences and disagreements while respectfully affirming each other's autonomy and dignity as moral persons.

Civility, they both maintain, is associated with a distinctive set of communicative behaviours, which impose a moral duty of self-restraint on one's public claim-making activities. Citizens and public officials, they stress, must try to "translate" their claims into a more generalised fashion, avoiding appeals to controversial and partial conceptions of the good in "formal" political institutions and forums.

Both emphasise that this translation process will ensure that any legislation implemented by formal political institutions will be able to command the assent- at least in principle- of all citizens while also cultivating social relations of respect, trust and solidarity.

However, there are also significant differences of emphasis in their accounts of civility. Habermas appears to attach greater importance to the idea that civility involves a willingness by citizens to adopt an impartial and generalizable viewpoint as opposed to defending their political claims with respect to their own self-interest or their partial conceptions of the good.

For Habermas, this activity is crucial to ‘discovering’ principles, norms, and values which transcend particularistic conceptions of the good, thereby allowing for the political legitimization of power in a manner potentially acceptable to all.

In addition, Habermas' work also suggests that civility has epistemic dimensions as well, connecting it to the need to discover *the* “better argument” in the course of any public dialogue. (Habermas, 1984; 1987) His epistemic focus thereby reflects the concern in his early work to clearly distinguish between manipulative and non-manipulative kinds of discourse.

By contrast, Rawls seems to connect civility more closely with a need for political stability, implying that civility constitutes an essential means to prevent liberal democracies from disintegrating into destructive kinds of political and moral conflict.

Furthermore, as I shall note later, Rawls seems to differ from Habermas in that he more closely connects civility with the idea of ‘reasonableness’, developing a normative account of “reasonable” personhood to justify the imposition of discursive restraints required by public reason.

Finally, in the concluding part of the chapter, I critically interrogate some criticisms of their accounts of civility. I argue that their rigid distinctions between the public and the private and the good and the right are exclusionary to citizens who cannot accept this differentiation.

More troublingly, I suggest that Rawls and Habermas' interpretation of civil discourse fails to consider the exclusionary impacts of epistemic injustices and practices of social ignorance which throw into question the capacity of public reason to be an inclusive model of civil discourse.

Before developing these critiques in further depth though, it is important to understand the broader similarities and differences between the work of Rawls and Habermas and their broader political implications for their respective accounts of civility.

Similarities of approach:

The first most apparent similarity between John Rawls and Jürgen Habermas lies in their common intention to develop a systematic, impartial theory of

political justification through the concept of “public reason”. Both, as Todd notes, reject a foundationalist understanding of political reasoning which insists that the justification of a particular claim can be settled by appeals to unquestionable, a priori normative foundations. (Todd, 2010)

Their work, as Todd (2010, pg 14) further suggests, constitutes a continuation and a defence of a genre of political theory subjected to a substantial number of critiques in recent times. These commentaries range from post-modern scepticism towards “grand narratives”, feminist challenges to the universalist aspirations of liberal political theory as well as post-colonial deconstructions of Euro-centric thinking. (Todd, 2010, pg 14)

This latter point highlights another central similarity in their thought. Both theorists are immensely interested in how the cultural, religious and moral diversity of liberal-democratic societies impacts on the legitimacy and authority of the State. They both thereby contribute to a strand of political theory that can be traced back as far as Hobbes, Locke and Kant which stresses the importance of the public justification of coercive political power. (Chambers, 2010, pg 894; Horton, 2000, pg 1)

Although there are multiple interpretations of this idea, the concept of public reason not only establishes epistemic principles of public deliberation but it also develops a normative account of appropriate discursive behaviour by citizens and public officials. (Quong, 2011)

Accordingly, as Jonathan Quong (2011) notes, the fundamental puzzle that the notion of public reason attempts to resolve is “how is the public justification of liberal rules and institutions possible in light of the deep pluralism or disagreement that is a feature of contemporary societies?” (Quong, 2011, pg 5)

The notion, as Simone Chambers (2010) further notes, suggests that the exercise of political power should be legitimated by “seeking, constructing and offering” justifications acceptable to all potentially affected by proposed governmental legislation. (Chambers, 2010, pg 895) From this point of view, the process of public reason allows democratic institutions to be publicly transparent and accountable to the citizenry.

Habermas closely connects this problem with his account of the complexity of contemporary societies in light of various modernization processes, particularly concerning rationalisation and the proliferation of “subsystems” that orientate the social order. In addition, Habermas’ understanding of this problem is profoundly guided by his belief that reason “no longer provides a direct blueprint for a normative theory of law and morality”. (Habermas, 1996, pg 5)

Rawls, on the other hand, suggests that the diversity of “comprehensive doctrines” within contemporary societies renders the ambition of human reason to achieve mutual consensus on the justification of political relationships considerably more difficult. This situation demands the identification of principles of Justice which can be accepted internally across divergent notions of the good.

Consequently, as Andrea Baumeister notes, both theorists defend a commitment to the neutrality and impartiality of the State towards conflicting notions of the good. They believe that this arrangement will best ensure the willing assent of most, if not all, citizens within contemporary liberal democracies. (Baumeister, 2000, pg 48)

Finally, it is worth noting that both are optimistic that liberal democracies can effectively adjudicate social conflicts in a manner acceptable to all. This tendency is exemplified by Habermas’ partial rejection of the early Frankfurt School’s diagnosis of deepening public depoliticisation abetted by the ‘culture industry’. Instead, he cautiously advocates the potential use of public reasoning to emancipate human beings from oppressive political relationships. (Johnson, 2006)

Similarly, Rawls argues that political philosophy expands the horizons of political possibility. It allows people to creatively articulate principles of a “realistic utopia” in spite of historical injustices and political imperfections. (Rawls, 2001) Unsurprisingly, given this optimistic stance, both advocate for more “deliberative” forms of democracy and attempt to outline the normative principles that would regulate their formal procedures as well as the interpersonal conduct of participants.

Accordingly, having briefly outlined some fundamental similarities in terms of their academic concerns and methodological stances, it is vital to note some important areas of difference and disagreement between them.

Differences of approach:

The previous section has highlighted a number of significant similarities between Rawls and Habermas. Despite this reality, it is apparent that there are some significant differences too between their political theories. First of all, there are considerable methodological differences between their approaches which reflect their different understandings of the role of political philosophy. This difference is rendered particularly conspicuous via Rawls “non-metaphysical” conception of political justice and Habermas’ “post-metaphysical” account of reason.

Rawls argues that a “non-metaphysical conception” of Justice can be discovered within the values of different “reasonable” comprehensive doctrines in a political community. This affirmation, in turn, allows for the development of an “overlapping consensus” regarding regulatory principles of justice. (Rawls, 2005)

Habermas, by contrast, develops a theory of reason not based on metaphysical foundations but rather one which claims its authority from the normativity inherently embedded within procedures of discourse. It is in this regard that one of the central differences between Rawls’ and Habermas’ understanding of deliberative kinds of democracy is their respective “thin” and “thick” character. But what does this difference precisely imply?

According to Habermas, a universal logic of “communicative” reason is internal to the process of public discourse. This internal logic allows discursive participants to reach a consensus that, at least in principle, is potentially acceptable to all.

Given the innate human capacity for reasoning, Habermas claims, a form of deliberative politics is most conducive to “unleashing” the intrinsic qualities of human linguistic communication that is understood teleologically as being orientated toward mutual understanding.

Habermas, therefore, claims that the public exchange of validity claims will facilitate the eventual emergence of the “better argument”. (Habermas, 1984, 1987) Indeed, Habermas insists that public deliberation has a peculiar “motivational force” to change sensibilities, perspectives and interests. (Habermas, 1996)

These assumptions allow Habermas to argue that while power relationships pervade contemporary societies, it is still possible to develop political procedures that will facilitate collective “communicative action”. (Habermas, 1984) Communicative action allows citizens and public officials to justify their political relationships in a manner acceptable to all, at least in principle, and it enables them to undertake collective political action.

Accordingly, Habermas develops an account of an “ideal speech situation” which constitutes a counter-factual vehicle to critique existing processes of public deliberation. The ideal speech situation stipulates different normative conditions for meaningful inclusion in any discursive situation as well as for the pursuit of the most epistemically worthy arguments. (Habermas, 1973, 1984, 2003)

Given this account, Habermas insists that “distortions” in public communication pose a fundamental threat to achieving mutual understanding. These distortions can be overcome if inequalities of power can be removed or “bracketed” as far as possible. (Habermas, 1989) A failure to address power differences, he argues, will invariably undermine the most optimal exchange of validity claims via which *the* most compelling argument can guide public decision-making.

Moreover, Habermas argues that these distortions are complicit in the production and reproduction of various “social pathologies” which hinder mutual perspective-taking and drive social alienation and social distancing. For instance, Habermas has argued the development of global Terrorism in the 21st century reflects a situation where distorted mechanisms of public communication have bred the social alienation of minority groups in many “Western” liberal democracies. (Habermas IN Borradori, 2003, pg 35)

Rawls, on the other hand, advocates a considerably “thinner” notion of public reason. This account is culture-specific rather than universalistic in its

orientation, arguing that it is most applicable to Western liberal-democratic regimes that have undergone favourable historical transformations. It is unsurprising, therefore, that Rawls was attributed by Richard Rorty to be a “Liberal ironist”, albeit arguably somewhat mistakenly. (Rorty, 1991)

Accordingly, he insists that a political “overlapping consensus” is creatable via latent ideas within the public sphere or the broader historical and political culture. Rawls further claims that his account of public reason:

“does not...use (or deny) the concept of truth; nor does it question that concept, not could it say that the concept of truth and its idea of the reasonable are the same. Rather within itself the political conception does without the concept of truth...” (Rawls, 2005, pg 93)

Instead, the criterion Rawls uses to develop his free-standing account of political legitimacy and justice is “reasonableness” as opposed to notions of the truth. This is because, according to Rawls, the notion of truth is bound to remain highly controversial given the diversity of comprehensive doctrines. (Rawls, 2005)

In addition, Rawls seems less sanguine about the possibilities of public discourse to resolve political differences, foregrounding the role of “the burdens of judgement” as a fundamental feature of persistent moral disagreement. This point highlights a pivotal difference between Rawlsian and Habermasian public reason.

Rawls develops a substantive account of public reason that requires public officials and citizens to act according to a “duty of civility” when expressing their political claims or voting for public officials.

Habermas, by contrast, develops a predominantly procedural account of public reason that does not place restrictions on political expression, with the notable exception of religious justifications in the legislative sphere as we shall see later. Habermas mostly devotes his energies to developing discursive procedures that will guide public deliberation in an inclusive and fair manner.

Another significant difference in their respective accounts of public reason concerns their scope of application. Rawls, on the one hand, posits a strong

distinction between “public” and “non-public” reasoning. The former is associated with the “public political culture”.

This includes governmental and quasi-governmental forums and processes- for instance parliamentary debates, political announcements, campaigns for political office, the act of voting and the operations of the judiciary. (Rawls, 2005)

The use of “non-public” reason is associated strictly with organisations and private individuals within civil society- for instance, universities, churches, professional and voluntary associations. (Rawls, 2005)

This conceptualization contrasts with Habermas' account of public reason that understands the “public sphere” as the most vibrant dimension of public communication concerning issues of the common good. According to his account, civil society functions as a “translating” organ, articulating common concerns for the efficient functioning and scrutiny of governing institutions.

Indeed, this point reflects a central criticism that Habermas tenders against Rawls. This is the criticism that Rawls' account of the “overlapping consensus” divorces its empirical acceptance from its moral acceptability. Habermas raises the problem that while an overlapping consensus might be accepted empirically by all, this does not necessarily entail its moral validity. (Habermas, 1995, pgs 121-2)

This critique reflects Habermas' more strenuous account of justification where moral correctness is connected to the validity of truth claims. According to Habermas, a political agreement can only be legitimate if it is the outcome of a rational consensus motivated by the “force of the better argument” to which all parties agree for identical reasons. (Habermas, 1984, 1987, 1990) As Habermas maintains:

“Rawls imposes a common perspective on the parties in the original position through informational constraints and thereby neutralizes the multiplicity of particular interpretive perspectives from the outset. Discourse ethics, by contrast, views the moral point of view as embodied in an inter-subjective practice of argumentation which enjoins those involved to an idealising enlargement of their interpretive perspectives.” (Habermas, 1995, pg 117)

Habermas, therefore, also criticises Rawls' account of the “original position” in his *A Theory of Justice*, arguing that it is significantly flawed. This is a function of Rawls' claim that conceptions of Justice are only “free-standing” if they are affirmable by “reasonable” comprehensive doctrines.

Instead, Habermas insists that accounts of Justice should not depend on any substantive moral values or principles, as their public acceptability rests on their remaining entirely procedural, neutral between conflicting conceptions of the good. Rather, Habermas maintains that his conception of public reasoning is not premised on substantive principles of justice characteristic of Rawls' approach and that it does not “bracket the pluralism of convictions and world-views from the outset”. (Habermas, 1995, pgs 118-9)

Unsurprisingly, Habermas proposes that his alternative is more “modest” in that it only focuses on the procedural aspects of public reasoning. His approach attempts to define a system of rights which facilitates the critical exchange of rational opinion and will formation. (Habermas, 1995, pg 131)

This point, once again, highlights the deeper philosophical difference between them in Habermas' estimation. According to him, Rawls is misguided in his philosophical approach. He alleges that Rawls attempts to articulate a normative outline of a just society which then could be used to judge existing political arrangements.

However, Habermas insists that the role of philosophy should confine itself merely to the clarification of procedural guidelines of democratic legitimation. Moreover, philosophy should devote itself purely to the “analysis of rational discourses and negotiations”. (Habermas, 1995, pg 131)

By contrast, Rawls insists that it is plausible for his theory not to comment on questions of truth and validity. He argues that his account does not overly privilege liberal rights over the democratic process of norm justification. Instead, he maintains that his account of legitimacy and justice, like Habermas', is an ongoing, inter-generational project. He rejects Habermas' criticism that his approach fixates citizens' conceptions of justice indefinitely or rigidly. (Rawls, 1995, pg 153)

In addition, Rawls' also raises a number of objections relating to the political viability of Habermas' project. He argues that Habermas is unclear with respect to how the interests of all persons can be given "equal consideration" in his highly theoretical conceptualization of "ideal discourses". (Rawls, 1995, pg 177)

Finally, Rawls' suggests that Habermas' account of discourse is too controversial to be accepted by citizens who hold widely divergent notions of the good. He argues that his framework covers "many things far beyond political philosophy", particularly in relation to his account of communicative action. (Rawls, 1995, pg 135)

In conclusion, therefore, there are substantial differences between the positions of Rawls and Habermas regarding their methodological assumptions and their particular accounts of public reason. Interestingly, it is worth noting that these differences exist in spite of Habermas' claim that he "shares the {same} intentions" of John Rawls' work and deems the "essential results" of his framework as being correct. (Habermas, 1995, pg 110)

It is appropriate, then, to explore further their accounts of public reason given this broad statement of their similarities and differences of approach and argumentation, proceeding with Habermas' account.

Habermas' Early work on the Public Sphere

It is important to begin a discussion of Habermas' conceptualization of civil discourse by situating it within this broader theory of the "public sphere". It is clear that the concept of the "public sphere" was one of the earliest concerns of Habermas work. His first attempt to develop a comprehensive theory of the public sphere began with his 1962 *Habilitationschrift* "Strukturwandel der Öffentlichkeit" which was published in English in 1989. (Habermas, 1989).

Habermas, in this text, attempted to develop a historical narrative that explained the political significance of the bourgeois public sphere from the 18th century until the ascendancy of contemporary mass media. Indeed, as James Bohman notes, this work instigated a central concern of Habermas' entire philosophical project, namely:

"...the idea of inclusive critical discussion, free of social and economic pressures, in which interlocutors treat each other as equals in a cooperative

attempt to reach an understanding on matters of common concern.” (Bohman, 2007, no page numbers available.)

According to Habermas, the emergence of the bourgeois public sphere stemmed from a form of “representative publicity” that prevailed during and prior to the Renaissance period. Publicity of this kind merely reflected the display of prestige and status rather than providing space for critical discussion, spectacle or debate. (Habermas, 1989, pg 7)

However, with the rise of a bourgeois reading public, fostered in turn by the growth of early finance and trade capitalism, a “critical” ideal of publicity emerged which challenged the secrecy of the absolutist State. This recast political legitimacy from the arbitrary will of the monarch to the reason of the citizenry. (Habermas, 1989)

This process, he suggests, was mainly reflected in the emerging newsletters of merchants that provided continuous information about current trade affairs and later political journals that developed a novel space of critical reflection about public affairs.

This space, divorced from state interference, eventually culminated in the roles of salons, coffee houses and Tischgesellschaften. All of these public forums provided an egalitarian space for the discussion of issues of public import. As he argues, by this point:

“Because, on the one hand, the society now confronting the state clearly separated a private domain from public authority and because, on the other hand, it turned the reproduction of life into something transcending the confines of private domestic authority and becoming a subject of public interest, that zone of continuous administrative contact became “critical” also in the sense that it provoked the critical judgement of a public making use of its reason. The public could take on this challenge all the better as it required merely a change in the function of the instrument with whose help the state administration had already turned society into a public affair in a specific sense- the press.”

(Habermas, 1989, pg 24)

Habermas, therefore, argues that the public sphere is a realm where “private people come together as a public”, allowing citizens to scrutinize the actions of

public authorities in a historically unprecedented fashion. (Habermas, 1989, pg 27) Interestingly, Habermas argues that while the different forums of the public sphere varied in their size, composition, procedure style and their climate of debate they all “they preserved a kind of social intercourse that, far from presupposing the equality of status, disregarded status altogether.” (Habermas, 1989, pg 36)

Moreover, Habermas argues that the public sphere was historically unique as it allowed the problematizing of social issues that previously went unquestioned. This development was a threat to the monopoly of social interpretation by the State and ecclesiastical authorities. It provided an unprecedented forum for the “competition of private arguments” that would facilitate the emergence of a collective consensus regarding the common good. (Habermas, 1989, pg 83)

Of course, Habermas recognizes in practice that the ideal of the bourgeois public sphere was never fully realised and that it harboured significant exclusions, notably of women. However, he insists that it was not merely a thought experiment but rather a historically significant political and social innovation. Indeed, he contends that the principle of publicity that it expounded still informs the functioning of contemporary political institutions. (Habermas, 1989, pg 4)

However, Habermas' faith in the public sphere as a vehicle for social criticism is tempered by the recognition of a number of troubling historical developments. These developments include the expansion of the welfare state which has eroded the distinction between the state and society, the growing influence of consumer society, the corruption of parliamentary process by vested interests as well as the distortion of media reporting by advertising imperatives. (Habermas, 1989)

The consequences of these developments have been momentous, he argues, as the previously “intelligent criticism of publicly discussed affairs” transformed into a “mood of conformity with publicly presented persons or personifications”. (Habermas, 1989, pg 195)

Consequently, Habermas claims that that the public sphere has increasingly undergone a “re-feudalisation” process where critical publicity has succumbed

to a more “representational” model as the contemporary state increasingly addresses its citizens as consumers.

In conclusion, Habermas’ account of the public sphere offers a pre-sentiment of his later conceptualization of civil discourse. The idea of the public sphere presupposes a communicative ethos whereby discursive partners treat each other as epistemic and moral equals in a co-operative process of communication, orientated towards reaching a shared consensus on public issues. It is in Habermas’ account of the public sphere that one finds an early intuition with respect to how he understands civility: namely, as a means to forge a consensus on public matters which respects the interests and viewpoints of all.

Accordingly, in order to appreciate how Habermas’ work develops an idea of civil discourse, it is important to turn to his later work on ‘communicative action’ and his conception of “translation” which constitute the two pillars of his conception of civil discourse.

Communicative action:

It is evident that the crucial notion of “publicity” within Habermas’ work is further developed in his work during the 1970s in light of the “linguistic turn” within critical theory. This development prompted Habermas to develop an account of the rational co-ordination of social action via an analysis of language use. From this development, Habermas’ conception of civil discourse can be divided into two broad stages- namely the stages of communicative action and public reason.

The first stage of Habermas’ conceptualization of civil discourse reflected his interest in differentiating between manipulative and coercive forms of communication and forms of communication orientated towards fostering mutual understanding between interlocutors. This is the stage of “communicative action”.

According to Habermas, communicative action has three essential social purposes. Firstly, it allows for the reproduction and renewal of “cultural knowledge”, secondly it facilitates “social integration” and the development of

relations of social solidarity and thirdly, it orientates the “formation of personal identities”. (Habermas, 1984, pg 138)

Accordingly, in his *The Theory of Communicative Action*, Habermas articulates a conception of civil discourse that presupposes a “performative attitude” that all competent participants in a given discourse must inherently accept as a pre-condition for engaging in discourse itself. Habermas argues that this performative attitude reflects a set of deeper presuppositions that all participants in a discourse tacitly accept during the exchange of their own justifications and the reception of the claims of others. (Habermas, 1984)

This performative attitude is reflective of Habermas' claim that the reaching of mutual understanding constitutes the “inherent telos” of our human communicative abilities. (Habermas, 1984, pg 287) Habermas argues that our capacities to reach mutual understanding are dependent on the critical exchange of valid reasons in the face of a mutual acknowledgement of the legitimacy of all parties to participate as epistemic and discursive equals.

Indeed, Habermas stresses that forming an understanding between interlocutors' entails reaching a “valid agreement”- this is to say, an uncoerced consensus- which allows for their future actions to be co-ordinated successfully. (Habermas, 1984, pg 392)

Consequently, Habermas distinguishes between communicative action, which he maintains constitutes a rational mode of discourse orientated towards the achievement of a non-coercive consensus, and strategic action in which parties simply strive to fulfil their “egocentric {calculations} of utility”, thereby potentially leading to the discursive manipulation of others in order to suit their own vested purposes. (Habermas, 1984, pgs 85; 88)

Later, in *Moral Consciousness and Communicative Action* (1990), Habermas more clearly explains that strategic action involves actors seeking to “influence the behaviour of another by means of the threat of sanctions or the prospect of gratification in order to *cause* the interaction to continue as the first actor desires”. (Habermas, 1990, pg 58, emphasis original) This contrasts sharply to communicative action where parties seek to “*rationaly to motivate* another” via

the exchange of validity claims to change each other's points of view and each other's interests. (Habermas, 1990, pg 58, emphasis original)

In addition, Habermas argues that both of these discourses can be differentiated on the basis that communicative action requires participants to critically self-reflect on their own interests, beliefs, values and preferences in response to the claims of others. On the other hand, the strategic action can entail that participants dogmatically treat their own interests, beliefs, values and preferences as being non-revisable or questionable.

Moreover, Habermas connects this idea of communicative action to the need of interlocutors to justify their claims as if they were addressing an ideal audience. This process of justification is predicated on interlocutors accepting a set of ideal presuppositions or conditions about human speech which serve to regulate the manner in which their claims are staked, exchanged, critiqued and revised towards the formation of a normatively valid consensus over conflicting norms.

Importantly, Habermas argues that this process of communicative action allows discursive interlocutors to reach a consensus over *the* better argument regarding conflicting claims of norm-validity. Indeed, Habermas particularly stresses that communicative action is inherently premised on a self-understanding by interlocutors that their arguments are premised on the assertion of truth claims which can be rationally defended or "redeemed" in his terminology. (Habermas, 1984, pg 11) As Habermas stresses:

"It is constitutive of the rationality of the utterance that the speaker raises a criticisable validity claim for the proposition p , a claim that the hearer can accept or reject for good reason". (Habermas, 1984, pg 11)

Accordingly, Habermas argues that interlocutors can respond in three ways to the assertion of validity claim- one can adopt a "yes" or "no" position with respect to an argument or one can abstain from forming a judgement until one has more completely understood the nature of our discursive partners' claims. (Habermas, 1984, pg 39) As Habermas summarizes:

“The speech act of one person succeeds only if the other accepts the offer contained in by taking (however implicitly) a yes or no position on a validity claim that is in principle criticisable”. (Habermas, 1984, pg 297)

This point is significant to stress because Habermas claims that interlocutors should judge the strength of a particular claim with reference to the epistemic soundness of its justificatory reasons. If these reasons are sufficiently sound from an epistemic point of view, Habermas believes that this recognition alone will motivate one’s interlocutors to accept our claims to argumentative validity. (Habermas, 1984, pg 18)

Habermas argues that if these ideal conditions are realized, then it will be impossible for discursive interactions to be grounded through manipulation or coercion as all participants would possess equal voice and influence and no possible contributions would have been excluded from consideration in the collective orientation towards reaching consensus.

Importantly, while Habermas insists that the norms of ideal speech condition are not necessarily achievable in actual 'real life' deliberations, he argues that they can serve as a counter-factual device to critique actually existing public deliberative interactions. Indeed, Habermas' conception of “ideal speech” conditions articulates a latent conception of civility that has a number of interconnecting aspects.

Firstly, Habermas’ conception of civil discourse requires participants in a discourse to mutually commit to a particular set of communicative behaviours. It requires them to be receptive to criticism regarding their claims and to be prepared to offer relevant justifications to defend their viewpoints in reply. In addition, he further claims that individuals can only be discursively responsible if they “orient their actions to intersubjectively recognised validity claims” and if they are sincere when staking their arguments. (Habermas, 1984, pg 14)

In addition, it requires discursive partners to stake their claims in a manner that is logically consistent and comprehensible to their interlocutors. It is also a non ego-centric form of communication where interlocutors mutually strive to empathically engage with each other’s claims by striving to understand them from their point of view.

Importantly, civil discourse as communicative action understands discursive interaction as an ongoing *learning process* which demands that interlocutors strive to learn from epistemic tension- that is, when they confronted with situations where their interlocutors refuse to accept their validity claims on the basis of criticism with respect to the epistemic soundness of one's claims. (Habermas, 1984, pg 18)

Secondly, Habermas conception of civil discourse entails a mutual commitment by interlocutors to the progress of their interchange. It requires them to refrain from placing any limitations as to the scope of the discourse- this is to say that there should be no a priori restraints placed on the subject matter- and it requires them to be responsive to any new contributions regarding the subject matter.

In addition, because Habermas insists that participants must be sincere when staking their claims while also critically engaging with each other's arguments, civil discourse is inherently a truth-seeking process of discursive co-operation. It aims, in his words, to reach consensus with respect to the "force of the better argument" regarding any contentious issue or subject. (Habermas, 1984, pg 25)

Moreover, Habermas understands civil discourse as requiring a mutual commitment by interlocutors to understand and treat each other as epistemic equals. This means not simply assuming *prima facie* that our interlocutors have valuable insights to proffer but that one has no right to impose one's claims on others.

Habermas' conception of civil discourse, therefore, encourages participants in a discursive exchange to learn from a diversity of epistemic resources and facilitates the rational and voluntary transformation of their interests, values, beliefs and preferences in a manner which is oriented towards establishing the moral validity of binding norms for the purposes of political decision-making.

Habermas believes that this transformation is possible by virtue of the fact that interlocutors possess an intersubjectively shared "life-world" that articulates a set of background understandings that allows them to negotiate conflicting validity claims.

The second stage of Habermas' conceptualization of civil discourse reflected his deepening interest in how democratic legitimacy can be grounded through practices of public reasoning and it loosely emerged during the early 1990s. This interest stems from his previously elaborated concerns with respect to the “re-feudalization” of the public sphere as well as growing awareness of the political complexities created by increasing ethnic, cultural and religious difference and moral disagreement in contemporary democracies.

The key question framing Habermas' work now became: how is it possible to legitimate democratic regimes in light of the reality that conflicting moral, religious and cultural traditions can no longer stake any claim to universal acceptability? It is worth reading the following quotation in length:

“Under modern conditions of life none of the various rival traditions can claim prima facie general validity any longer. Even in answering questions of direct practical relevance, convincing reasons can no longer appeal to the authority of unquestioned traditions. If we do not want to settle questions by open or covert force- by coercion, influence or the power of the stronger interest- but by the unforced conviction of a rationally motivated agreement, then we must concentrate on those questions that are amenable to impartial judgement. We can't expect to find a generally binding answer when we ask what is good for me for us or for them; instead, we must ask what is equally good for all”.

(Habermas, 1993, pg 151)

Accordingly, Habermas stresses that the purpose of civil discourse is to legitimate the exercise of coercive political power. Civil discourse is important because it constitutes an alternative merely to aggregating the preferences of citizens. It offers citizens with the opportunity to attempt to change each other's interests and perspectives non-coercively, it promotes deeper knowledge of political disputes through promoting reasoned deliberation and reflection and encourages citizens to develop relations of mutual solidarity, trust and respect.

Civility is also important, implies Habermas, because it entails a mutual commitment to the idea that all citizens are simultaneously the subjects and the authors of the legal-constitutional order. This normative self-understanding implies that a democratic regime can only claim legitimacy if it has been

discursively justified through inclusive legislative processes and only if the outcomes can be accepted by all those affected.

This emphasis reflects an important distinction in Habermas' work between "moral" and "ethical" discourses. The former demands that individuals embrace an impartial perspective when considering contested norms to discern whether it should be universally binding. The latter merely reflects the importance of one's own self-understandings and one's own comprehensive notions of the good life.

Habermas argues that for the purposes of public deliberation it is important to privilege moral over ethical discourses with respect to the justification of universally binding norms because it is only through moral discourses that interlocutors can broaden their perspectives and alter their values, preferences, beliefs and interests in a manner compatible with reaching a consensus.

Unsurprisingly, therefore, Habermas maintains that ethical discourses only have "relative" validity because, unlike moral discourses, they are not universally and unconditionally valid. Indeed, as Habermas insists:

"Politics may not be assimilated to a hermeneutical process of self-explication of a shared form of life or collective identity. Political questions may not be reduced to the type of ethical questions where we, as members of a community, ask ourselves who we are and who we would like to be." (Habermas, 1994, pg 4)

Habermas argues that such a stance is increasingly urgent in light of religious and cultural pluralism as "ethical" discourses are inadequate to the task of justifying political relationships. This is because, he explains, "politically relevant goals are often selected by interests and value orientations that are by no means constitutive for the identity of the community at large, hence for the whole of an intersubjectively shared form of life." (Habermas, 1994, pg 5)

Consequently, Habermas understands moral discourses to be the primary resource for resolving life-world conflicts as they remove contentious values from the process of consensus seeking. (Habermas, 1993) It is only through participants eventually reaching a consensus through moral discourses that

“laws that lie in the equal interest of each can meet with the reasonable agreement of all”. (Habermas & Rehg, 2001, pg 768)

Habermas, therefore, argues that social integration can only occur if collective political norms are legitimated on the basis of universally acceptable justifications. This requirement is utterly necessary if liberal-democracies are not to decide on contested public issues via the exercise of coercive force or simply by allowing the strongest political interests and actors to impose their agendas on their fellow citizens.

Accordingly, Habermas insists that the negotiation of generally acceptable justifications can only emerge if citizens choose to concentrate their deliberative efforts on issues that can be settled via the exercise of impartial reasoning and judgement. (Habermas & Nielsen, 1990, pgs 95-6)

Consequently, he suggests that the establishment of universal, valid norms ought to be an outcome of a procedure non-contingent on mere bargaining or compromising processes. This process must remain divorced from the taint of “power-politics” and it should legitimate norms on the basis of reasons that are “neutral” with respect to contested notions of the good. Political justifications that are particularistic or partial are simply not acceptable for the formation of democratic norms in diverse polities.

Habermas, therefore, advocates a “discourse-theoretic interpretation” of democracy which disavows the need for a substantive ethical consensus in the process of democratic legitimation. Rather than political justification proceeding from a “previous convergence of settled ethical convictions” it should begin with fair institutional and discursive procedures and protocols. (Habermas, 1994, pg 4)

Accordingly, Habermas suggests that moral discourses are central to discursive processes of law-making because they strive to develop norms that are capable of being assented to by all citizens via legally constituted legislative procedures. Consequently, Habermas articulates two fundamental principles that underpin his understanding of the legitimation of democratic norms: namely the principle of discourse (D) and the principle of universalization (U). Principle D states that:

“Just those action norms are valid to which all possibly affected persons could agree as participants in rational discourses”. (Habermas, 1996, pg 107)

Principle U, on the other hand, is a stronger principle that develops from principle D: (U) “A norm is valid when the foreseeable consequences and side effects of its general observance for the interests and value-orientations of each individual could be jointly accepted by all concerned without coercion”. (Habermas, 1998, pg 42)

Accordingly, Habermas argues that the principles of popular sovereignty and the rule of law are “co-original” principles for democratic legitimation which impose mutual limitations upon each other. This is an important point of emphasis because Habermas insists that his discursive account of political legitimation does not grant citizens “a voluntaristic, carte blanche permission to make whatever decisions they like”. (Habermas & Rehg, 2001, pg 767)

Instead, the rule of law provides a space to pursue one's “private ends” while the notion of popular sovereignty allows for the exercise of the public’s agency. Consequently, as Habermas, argues, the “freedom of everyone- that is, self-legislation- depends on the equal consideration of the individual freedom of each individual to take a yes/no position- that is, self-legislation.” (Habermas & Rehg, 2001, pgs 767-8)

Nevertheless, while Habermas prioritises the importance of “ethical” over “moral” discourse, he also recognises the importance of “balancing competing interests” via a political process of bargaining. These practices depend on “a prior regulation of fair terms of achieving results, which are acceptable for all parties on the basis of their differing preferences.” (Habermas, 1994, pg 5)

Accordingly, he stresses that given fair procedural conditions, bargaining practices can justly mediate strategically-driven interactions. (Habermas, 1994, pg 5) This is because fair procedural conditions can encourage citizens to reach an agreement on the basis of generalizable principles of justice, thereby allowing a reconciliation of their conflicting perspectives and interests supportive of the common good. (Habermas, 1994, pg 5)

Habermas conception of “deliberative politics”, therefore, involves a broad range of argumentation forms (e.g. pragmatic, ethical and moral discourses)

that respectively rely on “different communicative presuppositions and procedures”. (Habermas, 1994, pg 6) The variety of discursive forms guarantees that democratic will-formation is not dependent on a prior agreement on ethical worldviews but rather from the “communicative presuppositions” that facilitate the emergence of the better argument under fair procedural conditions. (Habermas, 1994, pg 5)

Habermas argues that any coercive political law can only claim legitimacy if all those potentially affected by it could accept the grounds of its justification via their participation in “rational” discourses. (Habermas, 1995, pg 16)

In addition, Habermas establishes three further conditions in this idealised understanding of constitution-making. Firstly, he insists that participants ought to be “united by a common resolution to legitimately regulate their future life together by means of positive law.” (Habermas, 2001, pg 776) Secondly, he stresses the importance of citizens being able and willing to participate in “rational discourses and thus to satisfy the demanding, pragmatic presuppositions of a practice of argumentation”. (Habermas, 2001, pg 776)

Thirdly, he argues that participants must be willing to render the meaning of constitution-creating an “explicit topic”. (Habermas, 2001, pg 776). This requires a continual process of reflection on the principles of the Constitution in the face of changing social circumstances (Habermas, 2001, pg 776).

Indeed, for Habermas, the Constitution is a future-orientated, provisional project with future generations tasked with the actualization of the “still untapped normative substance” of the legal principles articulated in the constitutional framework. (Habermas, 2001, pg 774) The Constitution, therefore, is deemed to be a “self-correcting learning process” unless contingently interrupted and undermined by “historical regressions”. (Habermas, 2001, pg 774)

Finally, it is worth noting that Habermas understands the legal process as a means to offset the tendencies of human beings towards moral corruption. This is because legal processes can “relieve the morally judging and acting person of the considerable cognitive, motivational, and organisational demands of a morality based entirely on individual conscience.” (Habermas, 1995, pg 15)

Habermas emphasis on the law as constituting a complementary force to morality is a significant because his account of democratic legitimacy is fundamentally hypothetical in nature. Indeed, he maintains the procedure he outlines cannot attain actual consensus in contemporary democracies due to its strenuous demands. As Weymans et al argue:

“Rather than arguing for an actual consent by everyone involved, Habermas states that this consent is ‘counter-factual’ or, as Geuss put it, ‘hypothetical’, because it refers not to the act of consent that people give but rather to the consent they would have given if they had been asked to do so” (Weymans et al, 2012, pg 29)

The hypothetical status of consent expressed through the constitutional legal process, as Weymans et al note, is actually a useful decision-making procedure as it discharges individual citizens with the burden of expressing their actual consent. It is this expression of hypothetical consent as well as the coercive powers of the law that ensures the legitimation of the democratic process for Habermas. (Weymans et al, 2012)

Nevertheless, Habermas still insists that the formation of hypothetical consent does not undermine the principle of popular sovereignty. Why? Because public opinion or “communicative power” is articulated in the diffuse, unregulated, chaotic and “autochthonous” public spheres that are conceived to be multiple and overlapping.

This process of articulation develops “subjectless” forms of public opinion which are eventually transferred into the realm of official law-making, thereby allowing lawmakers to translate and re-conceptualize public opinion into universally acceptable political justifications which would justly legitimate coercive public policy. (Habermas, 1996)

In conclusion, therefore, Habermas argues given contemporary conditions of complexity and diversity the legitimacy of the democratic order is dependent on broad normative agreement on “constitutional essentials”. This moral consensus transcends mere pragmatic or prudential compliance with the principles of the constitution. (Habermas, 2003, pg 187)

Given that citizens are not united by a substantive value consensus, Habermas argues that only consensus is possible on the procedures for the proper execution of power and the formation of legitimate legislation. This in turn, requires fair procedures for conflict resolution, avenues for the constitutional checking of political power and communicative freedom in the public sphere.

Moreover, it also requires citizens to be willing to stake their political claims in a manner that are potentially acceptable to all, especially when such claims are being staked in “formal” political institutions. However, it is profoundly interesting to note that Habermas' understanding of what is precisely involved discursive justification has changed quite significantly in recent years.

It was demonstrated previously that Habermas' initial view of democratic legitimation was partially formed in opposition to aspects of Rawls' account of public reason. Habermas initially rejects the assumption that there ought to be pre-fixed constraints on the kinds of justifications permissible for deliberation in the public sphere.

Instead, Habermas argues that the public sphere and legislative arenas must embrace a diversity of arguments depending on the particular situational circumstances. Habermas maintains that providing the provision of certain communicative conditions- for instance, the ability of participants to effectively introduce their claims without coercion, manipulation or interference- it will be possible for participants to eventually identify norms that are universally binding to all.

This is an important point of emphasis because Habermas initially understands civil discourse to be an open-ended process of discovery as it is only through the critical exchange of validity claims that citizens can identify universally valid norms for the purposes of public policy making.

Without this open-ended process of discovery, not only will reaching a normative consensus be frustrated but citizens will be incapable of discerning the better argument from the diversity of available possibilities or to understand what constitutes a 'reasonable' or 'generally acceptable' claim in the first place.

Civil discourse, he implicitly suggests, is therefore impossible if citizens cannot accept the idea that contested political issues can be resolved, at least in

principle, of a singular correct answer that enables the formation of a binding consensus.

This argument is an important point of contrast with Rawls who, it is claimed by Habermas, sacrifices the moral validity and truth-orientation of particular norms in exchange for securing a consensus on claims that citizens simply happen to 'reasonably' accept. Interestingly, therefore, in Habermas' earliest conception of civility he rejected Rawls assumption that citizens and public officials must stake their claims in a manner which they reasonably expect to be acceptable to their interlocutors.

Rather, he argues that it is perfectly permissible for citizens to frame their political claims in any manner they desire, providing that it conforms with certain communicative standards and providing that public policy is ultimately grounded on 'moral discourses' as opposed to 'ethical' discourses.

However, it is clear that Habermas' understanding of the connection between civil discourse and democratic legitimation shifts more towards Rawls position from the mid-1990s onwards in light of his growing interest in the position of religion in contemporary political life. Unfortunately, a more detailed appraisal of Habermas' evolving views on religion cannot be attempted here for reasons of space.

Nevertheless, in broad terms, Habermas' viewpoints on religion have altered from a deep suspicion of the function of religion in social life to the view that contemporary societies have entered a "post-secular" age. Habermas now acknowledges that religious claims play a significant role in public, political discourse while attempting to place certain constrictions on their public expression. Habermas' growing interest in the position of religion in public discourse signifies a major pivot point in his conception of civil discourse.

Habermas stresses that it is fundamentally important that public policy in diverse contemporary democracies must be formulated in terms intelligible to all citizens and it must also be possible to justify public policy in a language universally acceptable to all. (Habermas, 2008)

This implies that there are limitations with respect to the abilities of religious citizens to stake their claims with reference to their comprehensive doctrines.

Instead, they must strive to “translate” their comprehensive doctrines in terms that are generally acceptable to and shared by their fellow citizens.

Importantly, though, Habermas does not understand this process to be mono-directional between religious and secular citizens. Rather, Habermas strongly argues that religious and secular citizens should understand themselves to be mutually implicated in a “complementary learning process”. (Habermas, 2008)

Habermas frames this relationship as what citizens ought to “reciprocally expect from one another in order to ensure that...social relations remain *civil* despite of the growth of a plurality of cultures and religious worldviews.” (Habermas, 2008, pg 22, emphasis mine)

According, both religious and secular citizens must accept the right of each other to hold their convictions and to practice their customs, rituals and traditions in spite of the fact that one might disagree with them. Importantly, he argues, such a tolerance should not be conflated with appreciating different ways of life. (Habermas, 2008, pg 23)

The significance of tolerance, therefore, stems from Habermas claim that a democratic order requires an “ethics of citizenship” to sustain its vitality. This ethics transcends a willingness to obey the law for merely pragmatic or prudential reasons, such as the fear of being punished.

He suggests that the development of this ethos is the result of a social learning process that emerges from a “secular self-understanding of modernity”. It is an ethos that cannot be prescribed or politically manipulated or fostered via the law. (Habermas, 2008b, pgs 28)

Subsequently Habermas argues that if relations of toleration are to be socially sustained, it is essential that the political principles of a society are publicly justified in a “language that all citizens understand”. (Habermas, 2008b, pg 28)

While Habermas does not oppose the expression of religious discourse in the realm of civil society, he argues that it is imperative that religious discourse does not influence the legislative, judicial and executive functions. (Habermas, 2008; 2008b)

Moreover, Habermas also argues that if relations of toleration are to be cultivated in a diverse society, it is imperative that religious citizens publicly

commit to accepting the constitutional framework, especially its articulation of equal rights and entitlements.

In addition, religious citizens are also obliged to publicly renounce the use of violence for the purposes of political contestation and they must also recognise that religious identification and association can only occur on a voluntary basis. (Habermas, 2003b, pgs 6-7) Importantly, Habermas also insists that religious citizens must also accept the priority of scientific experts, develop an understanding of secular knowledge and accord priority to secular justifications for the purposes of public policy making. (Habermas, 2008, pg 137)

Indeed, one of the strongest motifs evident in *Between Naturalism and Religion* is the principle that the state ought to be neutral between conflicting world-views. This neutrality, he argues, is vital as it constitutes the “institutional precondition for the equal guarantee of freedom of religion for all.” (Habermas, 2008, pg 128)

Religious citizens must have the ability and motivation to consider their religious convictions “reflexively” and “connect them with secular views” within the formal public sphere”. In addition, as he insists:

“Every citizen must know and accept that only secular reasons count beyond the institutional threshold separating the informal public sphere from parliaments, courts, ministries and administrations.” (Habermas, 2008, pg 130)

Habermas describes this requirement as an “institutional translation proviso”. Importantly, though, the proviso does not disqualify citizens from expressing their religious convictions altogether. Rather, they can express such convictions only if they are subsequently willing to translate their claims in a “generally accessible” language. (Habermas, 2008, pg 130)

Nevertheless, he insists that arguments articulated with reference to religious doctrines are only permissible within the realm of “institutionalized” practices of “deliberation and decision-making” *after* their translation occurs within the “pre-parliamentarian domain”. (Habermas, 2008, pg 131) The process of translation, therefore, must occur within the realm of civil society before being “filtered” into formal decision-making bodies.

Significantly though, Habermas views this process as a “co-operative task” between secular and religious citizens. This cooperation is essential to avoid the unjust burdening of religious citizens during the process of translation. (Habermas, 2008, pg 132)

Secular citizens, therefore, must be willing to accept the “possible truth content” of religious claims and assist religious citizens to discover and articulate more “generally accessible argument”. (Habermas, 2008, pg 132) In addition, they must also recognize that their disagreements with religious citizens are “reasonable” in nature as opposed to assuming that the contributions of religious citizens are fundamentally flawed. (Habermas, 2008, pg 139)

Accordingly, religious citizens are permitted to articulate political positions via referencing their religious worldviews without restriction in the realm of civil society- or what Habermas terms the “informal” public sphere. (Habermas, 2008, pgs 128-9) Importantly, unlike Rawls, Habermas also allows citizens to vote in light of their religious beliefs and values. (Habermas, 2008, pg 129)

Ultimately, though, all religious citizens must accept the principle that the implementation of government policy must remain as neutral as possible between different and conflicting worldviews. This requirement demands that religious citizens ultimately ought to frame their arguments in a manner which does not appeal to their religious convictions. Instead, they must appeal to exclusively secular justifications that could in principle be accepted by all. (Habermas, 2008, pg 130)

In conclusion, therefore, we can see a shift in Habermas’ position away from an emphasis in his early work on communicative action from an analysis of the necessary conditions for discursive inclusion which framed a very different understanding of civility, compared to his most recent works which focus more specifically on the political legitimation of coercive political power.

It is in this regard that Habermas seems to have developed an interpretation of civil discourse closer to Rawls’ framework, albeit there are some significant differences of nuance between their theories of public reason. Accordingly, having outlined Habermas’ notion of civil discourse, it is appropriate now to investigate Rawls’ understanding of civil discourse.

John Rawls: Public Reason and Civility:

The general role of political philosophy:

Any investigation of Rawls' political theory must proceed with a brief summary of his understanding of the purpose of political philosophy as it profoundly influences his conceptualization of civil discourse. There are four broad purposes of political philosophy in Rawls' estimation.

First of all, he emphasises that it ought to extend, in a “realistically utopian” manner the boundaries of current political possibility. (Rawls, 1999, pg 6) Indeed, Rawls particularly stresses the significance of political philosophy assuming an optimistic stance when considering questions of institutional design. This is due to the claim that any democratic society is dependent on a shared sense of optimism that human beings can devise imperfect yet sufficiently decent political orders. (Rawls, 2001, pg 4)

This assumption is important as it motivates two central background questions which animate his understanding of how contemporary liberal-democratic societies can face the challenges of deep pluralism- namely:

“What would a just democratic society be like under reasonably favourable but still possible historical conditions, conditions allowed by the laws and tendencies of the social world?” (Rawls, 2001, pg 4)

AND:

“What ideals and principles would such a society try to realize given the circumstances of justice in a democratic culture as we know them?” (Rawls, 2001, pg 4)

Secondly, Rawls insists that political philosophy's practical role is to interrogate deeply contested issues in order to discover whether any "underlying basis of philosophical and moral agreement can be uncovered". (Rawls, 2001, pg 2) Alternatively, even if such agreement remains elusive, Rawls maintains that political philosophy can help "narrow" any such divergences.

From his point of view, therefore, political philosophy can articulate visions of social co-operation premised on relations of mutual respect between citizens from diverse backgrounds. (Rawls, 2001, pg 2)

Accordingly, political philosophy has a heuristic function through the specification of normative principles that will form a "well-articulated conception of a just and reasonable society". (Rawls, 2001, pg 3) This offers citizens and public officials a "unified framework" via which deep disagreements can be negotiated on a normatively consistent basis. (Rawls, 2001, pg 3) Importantly, it must be emphasised that Rawls' understanding of this "unified framework" underwent significant revision between his *A Theory of Justice* and his works *Political Liberalism* and *Justice as Fairness*.

Rawls maintained that his first account of the "original position" in *A Theory of Justice* failed to consider the implications of "reasonable pluralism" with respect to how conceptions of justice can be divergently interpreted by citizens, thereby inspiring a major later revision of his work.

Rawls' mature interpretation maintains that liberal-democratic regimes require a political conception of justice which is not indebted to any substantive comprehensive doctrines as grounds for its justification. Rather, its principles serve to support a distribution of political and economic liberties, entitlements and benefits in a manner supportive of the commitments free and equal citizens would mutually commit to in the hypothetical "original position".

Rawls therefore introduces an important distinction between "comprehensive" and "political" conceptions of liberalism to denote his new theoretical approach towards the legitimation of coercive political power in diverse liberal-democracies. Rawls, therefore, agrees with Habermas' claim that contemporary western democracies must negotiate the reality that they exist in a "post-metaphysical" era whereby strong assumptions about the truth of particular

conceptions of the good can no longer serve to orientate our collective political arrangements.

Rawls rejects comprehensive conceptions of liberalism on the basis that they supposedly entail a commitment to a strong conception regarding the connection between rationality and truth which simply will not be shared by all citizens in a diverse polity. This is an important point because Rawls insists that political theory should avoid constructing theoretical frameworks premised on epistemic and metaphysical foundations. It must remain divorced from any commitment- implicit or explicit- to particular comprehensive notions of the good and their truth value. (Rawls, 1999)

Rawls argues that comprehensive conceptions of liberalism cannot serve to justify our political relationships in the face of “reasonable pluralism” because it requires public justifications to originate from a commitment to substantive moral doctrines.

For instance, Rawls cites John Stuart Mill’s conception of liberalism as an example of a comprehensive doctrine which would substantively influence the nature of political justification, given its underlying, foundational utilitarian assumptions, and Immanuel Kant’s substantive understanding of the moral principle of autonomy as instances of comprehensive liberalisms which are unlikely to solicit unanimous support in diverse liberal-democracies.

Rawls maintains that individuals in contemporary diverse societies are unlikely to subscribe to a particular and over-arching comprehensive conception of liberalism. Instead, Rawls believes that a “political” conception of liberalism is more appropriate in the face of profound yet reasonable moral and political disagreement as the practice of public justification proceeds from arguments which all “reasonable” persons can share, justified by principles internal to their own comprehensive conceptions of the good.

From a pragmatic point of view, Rawls hopes that a political conception of liberalism is more likely to secure agreement on an “overlapping consensus” of political ideals, principles, beliefs and norms which would serve as a platform to justify our collective political relations via justifications potentially acceptable to all. The site of this overlapping consensus stems from broadly shared values,

norms, ideas and principles which are already circulating within the realm of civil society or which are already immanent to the workings of political institutions.

From a moral point of view, Rawls sincerely believes that a political conception of liberalism is essential if the state is to avoid coercively imposing its policies via justifications which some citizens are unwilling to accept, thereby trampling on their political liberties and undermining their “moral powers” as individuals. Indeed, Rawls explicitly articulates the fear that any liberal-democratic society which orientated its conceptions of justice around comprehensive liberal doctrines would invariably require the exercise of significant coercion to oppressively enforce them.

Accordingly, Rawls claims that all democratic regimes must respect two key principles of justice if they are to remain just and stable given profound moral and political disagreement. The first principle is to guarantee an entitlement to a fair, adequate scheme of fundamental liberties which will facilitate the equal participation of all citizens.

The second principle is the requirement that social inequalities should be to the maximal advantage of the most disadvantaged, thereby ensuring that economic inequalities do not stifle people’s equal entitlements to democratic participation.

In addition, a democratic regime must cultivate the capacities of citizens to grow two central moral powers which Rawls believes are intrinsic to human beings. The first is a capacity for a sense of justice and the second is the capacity to interpret and develop and our conceptions of the good or our interpretations of our own rational self-interest in the absence of any unjust coercion or interference.

According to Rawls, the former capacity allows human beings to constrain one's ambitions in a manner that fairly considers the interests of others. This quality allows human beings to establish fair and lasting terms of social co-operation.

On the other hand, Rawls argues that the latter capacity constitutes an essential part of one's moral identity. It provides “shape to a person's way of life”, orientating our goals in the social world by articulating what is of moral significance in our lives. It helps shape our understandings of our social commitments and fidelities. (Rawls, 2005, KL, 1159)

Accordingly, Rawls maintains that an enduring democratic regime must respect these capacities, thereby ruling out the “oppressive use of state power” in order to enforce a “shared adherence” to a particular comprehensive doctrine. (Rawls, 2001, pg 34)

Thirdly, Rawls maintains that political philosophy contributes to the public understanding of their political and social institutions, particularly in terms of explicating a polity's central aims and purposes and interpreting its historical evolution. (Rawls, 2001, pg 2)

This is an important point as he argues that citizens require a well-developed appreciation of their equal political status as citizens and “how this status affects their relation to their social world”. (Rawls, 2001, pgs 2-3)

Finally, Rawls insists that the fourth function of political philosophy is “reconciliation”. It serves to “calm our frustration and rage against our society and its history” by illustrating that the historical evolution of our institutions culminated in a “rational” manner. (Rawls, 2001, pg 3)

This function is accorded great significance in *The Law of Peoples* where Rawls ruminates over “great evils of human history”- such as religious persecution, genocide and poverty- and suggests that these historical realities urgently demand the establishment of just political and economic institutions. (Rawls, 1999, pgs 6-7)

Given this outline of the central principles which animate Rawls' understanding of political philosophy, it is now appropriate to turn to the specific concerns which animate his account of civil discourse.

The general problem motivating Rawls work:

The fundamental issue which motivates Rawls conceptualization of civil discourse is the “fact of reasonable pluralism” which he believes constitutes a “permanent condition of a democratic society”. (Rawls, 2001, pg 33) It is important to distinguish between “reasonable” pluralism and pluralism per se in his account. Reasonable pluralism in Rawls' estimation refers to a characteristic of human reasoning which is explanative of the connection between democratic institutions and human diversity.

Rawls argues that besides the persistence of “narrow interests” and the flaws and limitations of human reasoning normative disagreements are primarily an outcome of the “burdens of judgement”. These burdens include some of the following considerations: (Rawls, 2001, pg 35)

- a) The fact that the evidence- empirical and scientific- bearing on a case may be conflicting and complex, and thus hard to assess and evaluate
- b) The fact that even where we agree fully about the kinds of considerations that are relevant, we may disagree about their weight, and so arrive at different judgements
- c) The fact that to some degree all our concepts, and not only our moral and political concepts, are vague and subject to hard cases. This indeterminacy means we must rely on judgement and interpretation (and on judgements about interpretations) within some range (not sharply specifiable) where reasonable persons may differ
- d) The fact that the way we assess evidence and weight moral and political values is shared (how much so we cannot tell) by our total experience, our whole course of life up to now; and our total experiences surely differ. So in a modern society with its numerous offices and positions, its many divisions of labour, its many social groups and often their ethnic diversity, citizens’ total experiences differ enough for their judgements to diverge to some degree on many if not most cases of any significant complexity.
- e) The fact that there are often there are different kinds of normative considerations of different force on both sides of a question and it is difficult to make an overall assessment. (Rawls, 2001, 36)

The nature of “reasonable pluralism”, therefore, poses the following problematic for Rawls- namely: “How is it possible to exist over time a just and stable society of free and equal citizens, who remain profoundly divided by reasonable religious, philosophical and moral doctrines?” (Rawls, 2005, KL 789)

Rawls response to this question is to suggest that the legitimation of coercive political power must be justified in a manner which does not favour or advantage any particular conception of the good.

Citizens and public officials, Rawls argues, mutually agree to justify their political claims with respect to reasons which “reasonable” comprehensive doctrines could accept as plausible or valid justifications because they believe that this mode of deliberation is ultimately neutral between their conflicting and divergent conceptions of the good and because they can accept its requirements from within the values and beliefs articulated by their comprehensive conceptions of the good.

Consequently, given this outline it is appropriate to outline precisely the domain of public reason- that is, where do the requirements of public reason precisely apply?

The domain of public reason:

The previous section has highlighted the importance Rawls' attaches to widely shared conceptions of Justice. These conceptions are essential to practices of political justification in diverse liberal-democratic societies. But how is it possible to critically identify these principles of justice?

According to Rawls, if agreements on principles of Justice are to be efficacious, there must be a “companion agreement on the guidelines for public inquiry”.

(Rawls, 2001, pg, 89) In addition, there must be acceptable “criteria as to what kind of information and knowledge is relevant in discussing political questions”.

(Rawls, 2001, pg, 89) There are a number of important aspects to this notion of justification.

First of all, Rawls insists that public reason “neither criticises nor attacks any comprehensive doctrine” unless it is “incompatible” with democratic principles, particularly in cases where comprehensive doctrines do not support the requirements of public reason. (Rawls, 2005, KL 6747) Rawls especially stresses that public reason remains agonistic with respect to the claims of truth made by any particular comprehensive conception of the good.

In addition, he argues that public reason is limited by its ambitions and the scope of its subjects. It only concerns “questions of fundamental political justice” which are “constitutional essentials” and “matters of basic justice”. (Rawls, 2005, KL 6767) Constitutional essentials, on his account, are composed of two central elements:

- a) The fundamental principles that specify the general structure of government and the political process: the powers of the legislature, executive and judiciary and the scope of majority rule;
- b) The equal basic rights and liberties of citizenship that legislative majorities ought to accept: such as the right to vote and to participate in politics, liberty of conscience, freedom of thought and of association, as well as the protections of the rule of law. (Rawls, 2005, KL 3809)

Matters of basic Justice, on the other hand, allow different social institutions to effectively integrate as part of one coherent political system and they articulate a framework of fundamental political, civil and economic liberties and duties. Moreover, they also articulate the “division of advantages” in a given society—that is, their patterns of economic distribution. (Rawls, 2005, KL 4166)

Rawls stresses that public reason does not universally cover all political discourse in a liberal-democracy. Instead, he argues that it is confined to the “public political forum”. A broad range of actors and discourses participate in this forum, such as:

- 1) The discourse of public officials, especially chief executives.
- 2) The discourse of the judiciary and legislative officials.
- 3) The discourse of candidates for public office and their campaign managers, including their public oratory, party platforms and political statements. (Rawls, 2005, KL 4143; 6787)

He maintains, therefore, that the “public political forum” is distinctive from the “background culture”. The latter is the realm of civil society. It includes “diverse agencies and associations” where the requirements of public reason are non-applicable, including “media of any kind”. (Rawls, 1997, pg. 768)

Moreover, in a significant revision of his thought, which he termed “the proviso”, Rawls later allowed for the introduction within the “public political forum” of comprehensive doctrines at any time. This possibility is tempered though by the strict requirement that citizens eventually provide public reasons that do not appeal exclusively to their comprehensive doctrines. (Rawls, 2005, KL, 6907)
Alternatively, in his more extended articulation of this idea:

“...reasonable comprehensive doctrines, religious or non-religious, may be introduced in public political discussion at any time, provided that in due course proper political reasons- and not reasons given solely by comprehensive doctrines- are presented that are sufficient to support whatever the comprehensive doctrines introduced are said to support”. (Rawls, 2005, KL, 7027)

Correspondingly, he insists that the use of his “proviso” ought to be governed on the basis of “good faith” and “good sense and understanding”. He insists that the “details about how to satisfy this proviso must be worked out in practice and cannot feasibly be governed by a clear family of rules given in advance”. (Rawls, 2005, KL, 7027)

This 'good faith' condition reflects his belief that there are occasional situations where legitimate reasons exist to stake political claims with reference to one's own comprehensive doctrines. This argument provides the bridge for permitting two other forms of discourse into a political debate- namely declaration and conjecture. According to Rawls, declaration is permissible as it allows individuals to persuade others that our comprehensive doctrines are sufficiently “reasonable” for the purposes of further discussion.

Conjecture is also permissible in political debate because it allows participants to demonstrate that other people's conceptions of the good are capable of endorsing “reasonable political conceptions”. This capability means that their claims are translatable according to the requirements of public reason. (Rawls, 2005, KL, 7057)

The idea of a “family of reasonable political conceptions of justice” represents another significant facet of his thought. (Rawls, 2005, KL, 6865) Rawls maintains that given the diversities of contemporary democracies the standards of public reason cannot be articulated from the perspective of a singular “reasonable” conception of justice alone. Instead, as he insists:

“There are many liberalisms and related views, and therefore many forms of public reason specified by a family of reasonable political conceptions...the limiting feature of these forms is the criterion of reciprocity, viewed as applied between free and equal citizens, themselves seen as reasonable and rational”.

(Rawls, 2005, KL, 6865) The guidelines for public reason, therefore, stem from a “family of political conceptions of Justice”.

The only obligatory shared condition between them is a normative commitment to reciprocity, defined as a capacity to treat one's fellow citizens as free, equal, rational and reasonable persons. (Rawls, 1997, pg 770) However, where precisely are these principles of Justice found?

This question reveals another fundamental aspect of Rawl's *Political Liberalism*. Rawls insists that conceptions of (liberal) Justice are located within the “public culture” which articulates a shared historical fund of political ideas, norms and principles. (Rawls, 2005, KL 851) For instance, Rawls cites traditions of judicial interpretation, historical texts and documents as well as the customs of public institutions as examples of resources of the public culture. (Rawls, 2005, KL 914)

These resources allow citizens to 'translate' their conceptions of the good into a conception of justice which would subsequently frame their political claims in a manner which respects the equality and liberty of their fellow citizens and public officials.

Consequently, Rawls highlights the importance of attaining an “overlapping consensus” over shared principles of justice which are internally acceptable to diverse, comprehensive worldviews. (Rawls, 2005, KL 851) An overlapping consensus occurs when citizens affirm a shared conception of Justice compatible with the values, principles and ideas internal to their own comprehensive doctrines. (Rawls, 2005, KL 851-914)

This account has significant implications, once again, for Rawls' normative understanding of citizenship because he maintains that the affirmation of this political conception of justice does not detriment citizen's comprehensive notions of the good.

Rawls distinguishes between citizens “political” or “institutional” and their “non-political” or “non-institutional identities”. Rawls argues that citizens must continually adjust and reconcile their moral values in “non-public life” with an affirmation of public values of political justice. (Rawls, 2005, KL 1163)

However, this process of adjustment must respect three fundamental criteria. Firstly, citizens must accept a list of fundamental basic political rights, liberties and opportunities.

Secondly, they must assume a “special priority” to these rights, liberties and opportunities over their conceptions of the good. Finally, they must accept measures that will allow all citizens to “make effective use of their freedoms”. (Rawls, 2005, KL, 6865)

Nevertheless, despite these universal commitments, he insists that his account does not “fix public reason once and for all in the form of one favoured political conception of justice”. (Rawls, 2005, KL, 6884) Indeed, he argues that there is an internal dynamism to his account of public reason which can incorporate shifts in public discourse- for instance, via the articulation of new interpretations of key political values, principles, ideas, etc. (Rawls, 2005, KL 6865)

Given this outline of the domain of public reason, it is now relevant to reflect on how Rawls understands public reason as a normative ideal as well.

The ideal of Public Reason:

In addition to this formal delineation of the domain of public reason, Rawls also articulates an “ideal” of public reason. Rawls demands that key public officials, including chief executives, judges, candidates for public office and legislators, to:

“...act and follow the idea of public reason and explain to other citizens their reasons for supporting fundamental political positions in terms of the political conception of justice they regard as most reasonable...in this way they fulfil what I shall call their duty of civility to one another to other citizens.” (Rawls, 1997, pg 769)

This “duty of civility”, Rawls argues, also ought to be fulfilled by citizens when voting on issues of fundamental political justice. They are expected to act “as if they were legislators”, demanding that they ask themselves which statutes or policy proposals are the “most reasonable to enact”, especially in terms of assessing whether they satisfy the key principle of reciprocity. (Rawls, 1997, pg 770)

Moreover, he stresses that this duty also “involves a willingness to listen to others and a fair mindedness in deciding when accommodations to their views should be reasonably be made”. (Rawls, 2005, KL 3634) It is worth stressing though that this duty is “intrinsically moral” as opposed to being a legal obligation because it might endanger essential liberties of speech. (Rawls, 1997, pg 769)

In addition, it is also important to emphasize that this duty is “intrinsically moral” because citizens accept the requirements of public reason on the basis that it is compatible with the values and beliefs internal to their own conceptions of the good. Citizens and public officials, in Rawls' estimation, do not merely accept its requirements for self-interested or prudential reasons or out of a need to temporarily settle a *modus vivendi* political arrangement.

Indeed, the significance he accords to this ideal of public reason is highlighted when he suggests that:

“...the disposition of citizens to view themselves as ideal legislators, and to repudiate government officials and candidates for public office who violate public reason, is one of the political and social roots of democracy, and is vital to its enduring strength and vigour” (Rawls, 1997, pg 769)

This account of the duty of civility reflects a central normative problem motivating Rawls' political theory, namely:

“By what ideals and principles, then, are citizens who share equally ultimate political power to exercise that power so that each can reasonably justify his or her political decisions to everyone?” (Rawls, 1997, pg 770)

Rawls argues the practice of public reason is essential if citizens and public officials are to justify their political relationships in a fashion which respects their status as free and equal persons. This is because the practice of public reason generates an orientation towards one's fellow citizens where one becomes less inclined to justify the restriction of each other's fundamental liberties or to legitimate the exercise of political power for reasons which they cannot accept.

This ideal for Rawls is manifested through the idea of “reasonableness”. It is important to stress that, following his commitment to a “political” as opposed to a “comprehensive” conception of liberalism, Rawls argues that his conception of

“reasonable” individuals is not grounded on particular ontological or essentialized assumptions about human nature or is derived from a particular comprehensive conception of the good.

Rather, he argues that his understanding of a “reasonable” person stems from implicit normative understandings which are broadly accepted by members of a political community. Rawls argues that citizens are only reasonable if they treat their fellow citizens as being “free and equal” and recognize that they are members of a shared enterprise of social co-operation.

Importantly, Rawls stresses that citizens can only be considered reasonable if they believe it is morally unacceptable for them to exercise political power in order to repress the reasonable yet different comprehensive doctrines of their fellow citizens.

Indeed, citizens are only considered reasonable if they are prepared to exchange “fair terms of cooperation” by referencing widely acceptable conceptions of Justice. Conversely, an unreasonable person refuses to propose any principles of justice which are conducive to implementing fair terms of social co-operation. (Rawls, 2005, KL 1373/1401) They will also recognize that different interpretations of 'reasonable' conceptions of Justice are a function of the “burdens of judgement”.

It is important to stress that “reasonableness” is closely associated with the significant concept of “reciprocity” throughout his work. Rawls argues that reciprocity is manifested when individuals propose terms of Justice which might reasonably be accepted by other citizens.

Any proposal of principles of justice, he further insists, should never occur under a climate of domination or manipulation. (Rawls, 1997, 770) The concept of reciprocity, therefore, grounds Rawls' account of political legitimacy. Rawls defines political legitimacy thus:

“Our exercise of political power is proper only when we sincerely believe that the reasons we would offer for our political actions- were we to state them as government officials- are sufficient, and we also reasonably think that other citizens might also reasonably accept those reasons. This criterion applies on two levels: one is to the constitutional structure itself, the other is to particular

statutes and laws enacted in accordance with that structure. To be reasonable, political conceptions must justify only constitutions that satisfy this principle.” (Rawls, 1997, pg 771)

The law is legitimate, on this account, when all public officials and citizens act as if they were legislators following the requirements of public reason. Rawls maintains that although citizens might believe that a particular law is flawed, they must recognise and accept its binding authority. (Rawls, 1997)

In conclusion, Rawls' is attempting to articulate an ideal of a “well-ordered society”. He stresses the importance of citizens mutually affirming a shared political conception of Justice in spite of divergent worldviews. This affirmation is achieved via reaching an overlapping consensus which is dependent on articulating “reasonable” ideas drawn from a polity's shared political culture. (Rawls, 2005, KL 1289) The implication of this thought, therefore, is that a democratic society ought not to be construed either as an association or as a coherent community. As he suggests:

“...citizens do not believe that there are antecedent social ends that justify them in viewing some people as having more or less worth to society than others and assigning them different basic rights and privileges accordingly...By contrast, a democratic society with its political conception does not see itself as an association at all. It is not entitled, as associations within society generally are, to offer different terms to its members (in this case those born into it) depending the worth of their potential contribution to society as a whole, or to the ends of those already members of it.” (Rawls, 2005, KL 1289)

This idea of a well-ordered society reflects another significant dimension of Rawls' thought which can be traced back to *A Theory of Justice*- the notion of publicity. Publicity for Rawls is an essential attribute of a just democratic society because it serves to justify coercive political power. He argues that the ideal of publicity is essential to ensuring that public institutions are accountable to public, critical scrutiny and oversight.

This essential demand for publicity is ultimately closely associated with what might be termed the “central thesis” of Rawlsian political theory- namely the “liberal principle of legitimacy”. This principle requires that the exercise of

political power must be conducted with reference to constitutional principles. These principles, in turn, must be acceptable to all citizens and justified through a process of continual dialogue and negotiation. (Rawls, 2005, KL 2556)

In conclusion, therefore, it has been argued that Rawls' theory of public reason defends the idea that in the “public political culture” all participants ought to comply with a normative duty of civility. This moral duty requires them to frame their political justifications only via generally acceptable political claims which “reasonable” citizens might accept.

It is important to reflect that Rawls' theory of public reason is animated by multiple admirable goals. These ambitions include the fostering of civil friendship, the protection of citizens' autonomy and the securing of social co-operation and stability. These goals are also supplemented with his earnest attempt to develop an account of justice that all citizens could affirm for moral, rather than merely prudential, reasons. He believes that such an account of Justice serves to legitimate the coercive exercise of power by the state.

Importantly, civility for Rawls is particularly attached to what it means to be ‘reasonable’ person, thereby suggesting that civility constitutes an important virtue in democratic societies as people attempt to forge agreement over basic political values despite the existence of conflicting worldviews. Civil discourse allows citizens who hold divergent conceptions of the good to legitimate their collective political arrangements in a manner which respects their status as free and equal persons.

It also regulates the political conduct of citizens not simply in terms of how they vote but how they stake their claims in vital political institutions while regulating the conduct of citizens who hold public office as they decide over matters of “basic justice” and the constitutional framework. Accordingly, given this outline of the positions of Rawls and Habermas with respect to civil discourse, it is now appropriate to interrogate some important limitations of their accounts.

Problems with Rawlsian and Habermasian Public Reason:

The previous two sections have outlined Rawls' and Habermas' theories of public reason and how they are committed to some notion of 'civility'. This section shall argue that there are three principle problems with their accounts. Firstly, Rawls and Habermas' accounts harbour exclusionary potentials, particularly in terms of religious voices in the public sphere.

This critique is not novel of course as a number of critics have questioned the Rawlsian and Habermasian constrictions of public discourse from a diversity of perspectives, I hope to develop these critiques in a different direction by connecting the problem of exclusion to the idea of epistemic injustice. (E.g. Bader, 2009; Baumeister, 2011; Bohman, 2003, Chambers, 2010; Friedman, 2000; Gaus & Vallier, 2009; Lafont, 2007; Maclure, 2006; Taylor, 2007b; Weithman, 2002; Wolterstorff & Audi, 1997; Yates, 2007)

Secondly, it shall be argued that their accounts of civility are flawed by their rigid and an implausible distinction between the right and the good as well as the public and the private.

Finally, it shall be maintained that their accounts of civility are overly rigid, thus delimiting the creative capacities of public dialogue and ignoring how norms of civility can facilitate the emergence of new self and other understandings. Let us now explore these criticisms in further depth.

The distinction between the Right and the Good and the Public and the Private:

One of the most contentious dimensions of Rawls and Habermas' work stems from their strict division between the right/the good and their differentiation between the public/ the private. This problem arises from a number of

questionable assumptions Habermas and Rawls make concerning the connection between our social identities and political claim-making.

Firstly, both of their conceptions of public reason assume that individuals are easily capable of distinguishing between the right and the good for the purposes of public justification. They also assume that individuals are capable of deploying this distinction to formulate their political claims in terms that all could potentially accept. Significantly, they also believe that individuals have a default motivational willingness to engage in their process of translation and that they will have the requisite abilities to do so.

This criticism suggests that there is a fundamental methodological problem with their approach that delineates what kinds of justifications are “public” or “private” via the articulation of a fixed philosophical framework. They ignore that such distinctions are invariably subject to political contestation and remain historically fluid and contingent.

There is simply no means of distinguishing between the right and the good in a non-arbitrary and incontestable fashion yet the entire framework of their conceptions of public reason already presumes that such a position is possible. Instead, Habermas and Rawls they treat our conceptions of good as merely articulating a framework of value orientations or as constituting a coherent scheme of beliefs that can easily be abstracted away for the purposes of public justification.

However, this conceptualisation is flawed as it ignores how our conceptions of the good have an existential character that stems from deeply internalised processes of socialisation and acculturation. They articulate a series of substantive beliefs and commitments that are profoundly important to the self-identities of persons, informing our social judgements via referencing a number of substantive moral prescriptions or proscriptions.

Accordingly, one of the central problems with their conceptualization of public reason is an empirical one. They fail to appreciate that public reasoning processes will invariably involve citizens and public officials referencing ideas derived from their own world-views at all levels of democratic deliberation, including in formal decision-making processes.

Consequently, questions must be raised as to the political viability of their project, given that they require citizens to abstract themselves from their worldviews if they are permitted to participate in "formal" political institutions.

It is not simply the case, therefore, that citizens will find it difficult to "translate" their claims into a more generalised vocabulary but also that they will invariably interpret and assess the claims of other people with reference to their particularistic conceptions of the good.

Consequently, it is deeply questionable whether Rawls and Habermas' accounts of public reason have the adequate resources to negotiate conflicts characterised by partial incommensurable epistemic and moral frameworks.

The problem of incommensurability is particularly pressing for Habermas' conceptualization of civility as he believes that interlocutors' share a common lifeworld which allows them to evaluate competing validity claims and forge a consensus on the basis of reasons all could accept. (Habermas, 1987) Yet the problem of incommensurability arises precisely when individuals do not share a similar lifeworld by virtue of their radically different worldviews.

This divide frustrates the possibilities for reaching a discursive consensus via the rational evaluation of competing validity claims precisely because there are interpretive and evaluative normative disagreements about particular subjects as well as ontological disagreements about the nature of the world, including the meaning of human rationality.

This of course means that participants might find it difficult to be orientated towards reaching mutual understanding as part of the process of reaching a consensus. Unsurprisingly, practices of bargaining and interest-based negotiation might be more appropriate in such contexts, especially in the face of communicative break-downs caused by radical differences of worldview.

For instance, indigenous Australians often make environmental political claims that accord sentience to aspects of the land and which express a profoundly existential sense of identification with nature. This connection is often expressed by the term "country" which reflects a complex set of obligations inherited from and practised with a variety of human and non-human actors and descendants. Indeed, in particular, people and land are engaged in a reciprocal

and communicative relationship of care encoded through sacred stories that explain the creation of the earth by ancestor beings. (Grievés, 2008, pg 364)

In addition, these beings also established principles to govern the interactions of all living creatures. This framework is commonly referred to as “The Law” as it delineates the obligations each person has for other people, their country as well as with the ancestor spirits themselves. (Grievés, 2009, pg 7)

Unsurprisingly, there is no customary distinction between the secular and the profane as common to European-derived political thought. (Fryer-Smith, 2008, pg 225) Indeed, more broadly as W.E.H Stanner argues, there is a certain poverty of the English language to convey the meaning of indigenous cultural relationships to the land, he suggests that:

“No English words are good enough to give a sense of the links between an Aboriginal group and its homeland. Our word ‘home’, as warm and suggestive though it may be, does not match the Aboriginal word that may mean ‘camp’, ‘heart’, ‘country’, ‘everlasting home’, ‘totem place’, ‘life source’, ‘spirit centre’ and much else in one. Our word land is too spare and meagre. We can now scarcely use it except with economic overtones unless we happen to be poets... The Aboriginal would speak of earth and use it in a rich symbolic way to mean his ‘shoulder’ or his ‘side’. I have seen an Aboriginal embrace the earth he walked on... a different tradition leaves us tongue-less and earless towards this other world of meaning and significance” (Stanner IN Grievés, 2009, pg 13)

Indigenous environmental claims, therefore, often reflect an ontology, epistemology and axiology that cannot be readily translated into “generally acceptable” terms without significant loss of meaning. This point is particularly poignant given one the central aspect of colonial oppression was the systematic denigration of the value of indigenous environmental knowledge.

Consequently, indigenous peoples face a situation in which dominant epistemic norms and ideological constructs require them to frame their political claims in a manner which might cause them to avoid referencing fundamentally important information or to translate them into a language which does not faithfully describe their grievances.

This example illustrates that a failure to appreciate the existential and perspectival aspects of political claim-making can have exclusionary implications. It is an especially poignant example as neither Rawls nor Habermas conceptualise the role of independent political institutions and traditions of indigenous peoples within their accounts of public reason. (Tully, 1995, pg 82)

Ultimately, what this example suggests is that their accounts of public reason position individuals who either cannot translate their terms into a more “generalizable” vocabulary or who refuse to do so in a difficult predicament.

Firstly, Rawls and Habermas ignore how difficult it can be to articulate generalised principles divorced entirely from citizens own parochial conceptions of the good. As a consequence, they have no account of how citizens and public officials can overcome any cognitive or affective obstacles that might arise during this process.

Secondly, as the literature on “recognition” and the “politics of difference” has repeatedly illustrated, it is clear that many political struggles by oppressed minority groups have been animated by a desire for majorities or public institutions to specifically recognize the substantive nature of their ethical commitments publicly.

The danger with Rawls and Habermas' accounts of public reason is that the translation process might fail to adequately express the uniqueness and distinctiveness of their political claims, thereby fostering the public misrecognition of their identities.

Simply put, if citizens feel that the discursive restraints of public reason do not adequately express the richness of their substantive values and beliefs, this can have serious, negative implications for their political participation.

It is worth noting again that Rawls and Habermas treat the translation process as a normative obligation for participation in “formal” political institutions. However, this requirement is profoundly problematic as by insisting that citizens and public officials abstract themselves from their conceptions of the good, it can deprive individuals of reasons to participate in public discourse in the first

place. This point is particularly well articulated by Iris Marion Young who notes that:

“It is impossible to reason about substantive moral issues without understanding their substance, which always presupposes some particular social and historical context; and one has no motive for making moral judgements and resolving moral dilemmas unless the outcome matters unless one has a particular and passionate interest in the outcome.” (Young, 1990, pgs 103-104)

Legitimate questions can be raised, therefore, as to whether their right/good division can potentially exclude citizens who believe that their 'comprehensive' doctrines and/or group-based identities are fundamentally connected to their political aspirations, goals and convictions. Indeed, as Monique Deveaux (2000) worries:

“In particular, cultural groups that seek special constitutional status would be prevented by neutral liberalism's deliberate constraints from appealing to their community's distinct traditions, language, history and ways of life to justify their political claims and proposals. It is unlikely that the claims of minorities for cultural recognition can be articulated effectively in terms of neutral, public reasons”. (Deveaux, 2000, pg 94)

It is unsurprising, therefore, that Rawls and Habermas' conceptions of public reason have widely been deemed to be exclusionary on the basis that it signals to individuals, groups or political parties that wish to stake their public claims with reference to their comprehensive doctrines that their justifications are ultimately unworthy of inclusion in democratic debates.

This sentiment, in turn, can breed a sense of alienation and discontent with democracy, thereby potentially producing destructive kinds of political conflict. This possibility, of course, is particularly ironic given that Rawls' account of public reason was precisely orientated towards promoting social and political stability.

This point brings us to the problems raised by Rawls and Habermas' attempts to delineate between the realm of the public and private that underpins their account of the discursive responsibilities of public reason.

The public/private differentiation is long-standing within liberal political theory and has been subjected to a plurality of interpretations. (Benhabib, 1992b) The realm of the private has been presented as a space where individuals can safely exercise their freedom of conscience and act as economic agents and acquire private property without interference from state or ecclesiastical authorities, subject to the constraints of the law. (Benhabib, 1987; 1992; 1992b)

This distinction is manifested in the work of Rawls and Habermas in a variety of fashions. Firstly, it is significant to note that Rawls' account of public reason not only places restraints upon the reasons acceptable in political deliberation but it also constricts the forms of acceptable political participation.

This problem is evidenced in Rawls' discussion of the duty of civility where citizens cannot vote in agreement with their comprehensive doctrines. Rather, they ought to vote on the basis of public values articulated in the Constitution. Citizens who refuse in this regard are deemed to be 'unreasonable' as they fail to conform to an essential requisite of democratic citizenship.

In addition, as Robert B. Talisse notes, in a telling remark Rawls argues that “It is unreasonable for us to use political power...to repress comprehensive doctrines that are not unreasonable”. (Rawls in Talisse, 2005, pg 146)

This implies that it might be reasonable to use political power in particular instances to coercively suppress “unreasonable” comprehensive doctrines. Talisse suggests, therefore, that Rawls' framework might justify restricting the equal participation of those who cannot offer “non-public” political justifications. (Talisse, 2005, pg 146)

In addition, Rawls also characterises those who refuse to offer non-public reasons for acting in an “uncivil” fashion. This issue is a significant problem because, as David Thunder notes, it risks casting those who fail to follow the normative restraints of civility to social opprobrium and hostility by their fellow citizens who wish to follow the restraints of public reason. (Thunder, 2006, pg 681)

This social pressure might foster political exclusion because it might morally coerce certain citizens to stake their claims in a manner contrary to their conscience. (Thunder, 2006) In addition, as Thunder suggests, this scenario

raises the possibility that particular groups of citizens might simply withdraw their participation altogether from political processes. (Thunder, 2006, pg 688)

From this perspective, the problem with Rawls and Habermas' accounts of public reason is that they underestimate the possibility that their moral duties of translation might constrict or even exclude the participation of certain individuals on the basis of conventional and widely held public opinion or sentiment. This danger is especially prevalent where certain comprehensive notions of the good directly challenge socially dominant viewpoints and values, thereby potentially encouraging practices of self-censorship.

Thirdly, if even citizens can collaboratively assist each other in the translation process, it might be the case that their conceptions of the good might produce disagreements as to whether a public justification is suitably acceptable to all citizens.

Rawls and Habermas believe that the translation of political claims from parochialism to generality is essential to legitimating the political order by articulating generally acceptable principles of Justice.

Yet, as I have been arguing, this rigid distinction is profoundly difficult to sustain in practice. Indeed, one of the most significant facets of contemporary political life, as Jeremy Waldron notes, are struggles over the very meaning of "Justice". (Waldron, 1999) Their strict differentiation is only possible in light of their assumption that there is significant agreement over conceptions of Justice in contemporary society.

However, in reality, both principles of Justice and particularistic conceptions of the good are intimately intertwined and subject to contestation. This circumstance renders it futile to privilege the former over the latter in the fashion Rawls and Habermas have done.

The problems associated with the right/good differentiation are also related to their distinctions between "public" and "private" reasons within their frameworks. According to Rawls and Habermas, citizens must accept that their comprehensive doctrines have to be translated into more generalizable terms as a pre-condition for the consideration of their claims in "formal" public institutions.

It is questionable though whether it is possible and desirable to distinguish so strongly between a “public” and “private” reason in the first place. For instance, as a number of feminist critics have noted, Rawls and Habermas have failed to adequately interrogate the reality that distinctions between the public and the private are a site of considerable political contestation and have been historically fluid. (Benhabib, 1987, 1992; Fraser, 1990)

Moreover, Rawls and Habermas fail to seriously consider the reality that distinctions between the public and the private have historically been biased in a manner which serves to advantage particular groups in society while disadvantaging others.

One important manifestation of this tendency is the way in which public institutions have frequently failed to intervene to regulate oppressive social practices on the basis of an assumption that these practices were confined to the ‘private’ activities of members of civil society. For instance, until relatively recently in many Western polities marital rape was not considered to be a crime by virtue of patriarchal social norms.

Indeed, it is striking how little this fundamental problem is considered throughout the corpus of Rawls’ and Habermas’ work. This theoretical lacuna means that they cannot adequately consider how relations of power shape social understandings of what kinds of public justifications are considered to be ‘public’, thereby worthy of consideration, and those which are merely private, thereby unsuitable for the purposes of public discussion making.

In addition, as suggested previously, Rawls and Habermas take it for granted that citizens will be able to easily translate their comprehensive conceptions of the good into politically claims which are generally acceptable. Yet, as I have just argued, the problem with this assumption is that it presupposes that there is little disagreement over what constitutes a “public” as opposed to a “private” justification. Yet, as Jocelyn Maclure notes, in practice this is an immense site of political controversy in contemporary liberal democracies. (Maclure, 2000, pg 47)

Accordingly, there can be no 'neutral' or universally accepted means of articulating the distinction between the public and the private as it is inherently related to relations of asymmetries of political, social and economic power and is dependent on a set of contestable substantive value judgements.

Indeed, as my discussion of Charles Taylor shall illustrate later, in reality liberal-democracies are inevitably committed to particularistic values which renders it impossible for them to be entirely neutral between conflicting conceptions of the good. Given that political disputes are animated precisely by conflicting substantive values, it is often extremely difficult for citizens and public officials to discover "neutral" public justifications without referencing particularistic values.

For instance, to simply take one of many possible illustrations, it is clear that one contemporary site of contestation over the public/private division revolves around the moral and political legitimacy of dominant financial institutions to create the vast majority of the money supply in contemporary democracies.

This is clearly an issue of public concern given the vested interests financial institutions have in issuing debt (credit) to clients in the pursuit of short-term profits in light of a regulatory regime that considers such institutions 'too big to fail'. This arrangement inevitably creates the moral hazard that financial institutions can issue unsustainable levels of debt, resulting in speculative asset bubbles that significantly exacerbate economic inequalities and which prolong resulting economic recessions.

However, within dominant economic analyses, not only is it typically overlooked that financial institutions issue the majority of credit/debt in contemporary economies but the issuing of debt is frequently understood to be a strictly 'private' problem. It is considered to be a mere contractual undertaking between one financial institution and its individual customers or between different financial institutions.

This ignores the reality that the culmination of so-called 'private' debts (e.g. mortgage obligations, personal credit card debt and student loans) not simply differentially impacts on individuals, communities and social groups by virtue of the distribution of economic resources in a society but also that the accumulation of 'private' debt results in public calamities in the form of debt

deflation, home re-possession, pension write-downs, negative equity and public spending cuts.

Unsurprisingly, this model of finance has been the site of considerable contestation and public argumentation. Critics highlight the particularistic and controversial economic assumptions underlying policy frameworks, particularly the idea that financial institutions can adequately 'self-police' themselves with regards to the extension of credit due to their self-interest in their economic survival. This example, therefore, highlights how an issue that is supposedly a 'private' affair, in fact, is profoundly publicly contestable.

From this perspective, the Rawlsian and Habermasian attempt to distinguish between the public and the private under-estimates the extent to which this distinction is politically questionable. Indeed, their particular account of this distinction will likely be rejected by a considerable number of citizens within contemporary liberal democratic societies because they precisely aim for their "private" concerns to be treated as a "public" concern, worthy of informing political decision-making processes.

This is because, as James Bohman argues, one of the most significant aspects of contemporary democratic struggle is the "character of public life itself, as well as the meaning and scope of political values", thereby foregrounding the limitations of any attempt which tries to place the "values" of public reason beyond political contestation". (Bohman, 1995, pgs 264-5) This point is also emphasised by Seyla Benhabib who stresses that:

"All struggles against oppression in the modern world begin by redefining what had previously been considered private, non-public and non-political issues as matters of public concern, issues of justice, and sites of power that need discursive legitimation" (Benhabib, 1992b, pg 100)

Consequently, Rawls and Habermas seem to ignore the very contestability of the distinction between the private/public, a point particularly emphasised by feminist critics who argued that by designating certain issues as belonging to the private realm public authorities were failing to recognize them as political problems worthy of addressing as opposed to being private, individual troubles.

Indeed, as Fish (1999, pg 95-6) notes, Rawls and Habermas thereby ignore how their requirements for public discourse constitute an “act of power” as opposed to being morally and politically neutral. It is important at this stage therefore to explore the next line of criticism of their accounts of public reason- namely their rigidity which under-estimates the creative, transformative potential of public dialogue in creating new self and other understandings.

The Rigidity of Rawlsian and Habermasian Public Reason:

It has been noted previously that Rawls and Habermas advocate the translation of ‘private’ reasons into ‘public reason’s because a failure to do so would indicate a) fundamental disrespect to one’s fellow citizens who hold different ideas of the good and b) undermine political legitimacy as political deliberations could ultimately be justified on non-generalizable grounds. However, it is clear that both of these assumptions are questionable.

Firstly, these two assumptions imply a rather narrow understanding of political reasoning in which citizens enter public deliberations with relatively pre-fixed and coherent conceptions of the good- or ‘comprehensive’ doctrines which then ought to be “translated” at some point during public debates.

It is clear though, as Iris Marion Young notes, that it is often typically the case that people’s political opinions are capable of revision in the following dialogue and internal deliberation and that people’s conceptions of the good tend to be rather fragmented and non-unitary. (Young, 2002, pg 135)

Another issue which signifies the rigidity of Habermas’ account of civility stems from his assumption that during communicative action participants should assume a performative attitude orientated towards the discovery of *the* truth- that is, he believes that the force of the better argument shall organically emerge via the exchange of yes/no claims and counter-claims.

Yet given the previous discussion of incommensurability, it is possible that discursive participants will bitterly disagree with respect to what counts as an appropriate or inappropriate argument given their deeper background normative, epistemic and ontological disputes. The problem here is that there is no underlying meta-agreement with respect to what kinds of reasons are acceptable or unacceptable for the purpose of public policy making.

A similar issue arises for Rawls given his claim that, in attempting to justify public policy, citizens should only stake their claims via reference “plain truths *now* widely accepted, or available to citizens generally”. (Rawls, 2001, pg 90, my emphasis) The source of this “reasonable expectation” is the “shared fund of implicitly recognised basic ideas and principles”, which Rawls locates within the “public culture” of democratic societies. (Rawls, 2005, pg 8)

However, this assumption is immediately problematic because it could potentially exclude justifications which cannot be easily articulated within the present 'shared fund' of common and implicitly endorsed principles, irrespective of their argumentative merits and how widely these principles are held by citizens.

Unsurprisingly, therefore, while Rawls insists that public reason is temporally and conceptually mutable in terms of the kind of subjects it covers, critics have charged Rawlsian public reason from suffering from what might be termed an ‘imaginative deficit’ or a conservative predisposition. (Bader, 2009; Waldron, 1993) For instance, Jeremy Waldron suggests that:

“...what this conception seems to rule out is the novel or disconcerting move in political argumentation...Rawls' conception seems to assume an inherent limit in the human capacity for imagination and creativity in politics, implying as it does that something only counts as a legitimate move in public reasoning only to the extent that it latches on to existing premises that everyone already shares” (Waldron, 1993, pg 838)

Indeed, it is clear that one of the most important facets of political contestation in contemporary liberal-democratic regimes are attempts by protest groups to challenge dominant vocabularies which serve to obscure injustices or hinder the expression of different conceptions of Justice.

For instance, animal rights activists frequently attempt to draw attention to the systemic exploitation and extreme suffering of animals in factory farming practices. The process of raising public awareness is extremely difficult because these practices are socially invisible. (Humphrey, 2008)

Given the pervasive normalisation of animal consumption, the influence of powerful agricultural lobbies and the reticence of media organisations to

confront divisive issues, the way animals are exploited in factory farms remains often very difficult to articulate publicly.

Indeed, the task of raising public consciousness is difficult because the claims of animal rights protesters often conflict with dominant frames of public discourse. People also frequently lack a willingness to consider the claims of animal rights protesters given that their claims might provoke an uncomfortable process of moral soul-searching.

Consequently, questions can be raised as to whether Rawls and Habermas accounts of public reason effectively restrict the inclusion of transformative political discourses that, in varying degrees and kinds, transcend commonly held political beliefs, values, norms, principles and ideals.

As a result, there seems to be no mechanism internal to their frameworks of public reason that will allow for epistemic innovation because it might marginalize the expression of transformative political claims.

Rawls and Habermas' accounts of public reason, therefore, suffer from a critical deficit. Given that their exclusive emphasis is on the political justification of power, both accounts fail to treat public discourse as a means of social criticism, requiring the critical interrogation of prejudicial social attitudes, pejorative social categorizations or ideological delusions. (Rostbull, 2008, KL 1701)

They both fail to critically interrogate the social and psychological processes through which individual's receptivity to other people's claims can be distorted or compromised by virtue of dominant power relationships.

This point is not to suggest that the problem of how individuals who hold diverse conceptions of the good can co-exist in a peaceful manner is an unimportant question. However, it is to suggest that their account's failure to elaborate an account of how public reason can contribute to the public critique of dominant power relations is a significant problem.

This failure is particularly unfortunate for Habermas given that his more recent writings have become increasingly detached from his earlier emphasis on ideology critique and its connection to political freedom. Accordingly, Rawls and Habermas need to develop theories of public discourse that critically

interrogates the nature of prevailing epistemic norms that shape which kinds of justifications are publicly validated or publicly marginalised or excluded.

In addition, they also need an account of how dominant epistemic norms can be challenged and revised by marginalised communities whose concerns fail to receive a fair hearing by virtue of these norms. Unfortunately, this aspect of political contestation is erased from their frameworks, as they fail to consider how memberships in certain communities or social groups grant on epistemic privilege or marginalisation.

From this perspective, I argue that any account of civil discourse is redundant if it fails to consider questions of what kinds of knowledge are publicly validated or invalidated and which actors are granted- or denied- epistemic credibility. Consequently, it seems questionable that a theory of public reason which emphasises a notion of “reasonableness” is suitable to include marginalised groups on a genuine basis.

Again, it is problematic precisely, as Bashir (2012) points out, because it might marginalise or exclude some claims that seem difficult to express in presently ‘reasonable’ terms. This problem is pronounced in cases of historical exclusion, exploitation and domination where hegemonic groups have universalised their “norms, values and reasons” and have depicted “the excluded or oppressed as inferior, irrational and unreasonable”. (Bashir, 2012, pgs 138-9)

Another dimension of Rawls' rather rigid understanding of public reason is his construal of reasonableness. Unlike Habermas (albeit with the notable exception of religious justifications) Rawls partly defines “reasonableness” by virtue of the substantive content of political claims.

He insists that citizens and public officials should exchange claims that (they reasonably believe) might also reasonably be accepted by others. These claims should, therefore, rely upon values that currently implicit in the so-called public political culture and should not attempt to appeal to notions of the 'whole truth'. However, this seems to presuppose that individuals can form an understanding of what constitutes a 'reasonable' political claim prior to its articulation in public simply through the exercise of self-reflection or internal deliberation.

Moreover, we can also see this rigidity in the work of Habermas in the form of his treatment of religious justifications in the public sphere as well as his commitment to a strictly procedural account of reason. Cooke (2007) offers the insightful criticism that Habermas' insistence that religious claims ought to be "translated" before their admission into the 'formal' public sphere presupposes that it is possible to pre-suppose or pre-determine what is of need in justification in public deliberation.

Indeed, she maintains that the institutional translation proviso contradicts Habermas' emphasis upon the "transformative power of deliberation" in his previous works, notably the *Theory of Communicative Action*. (Cooke, 2007, pg 228) However, his most recent work on religion and secularism seems to ignore this possibility by assuming that people enter political dialogue with pre-fixed conceptions of the good.

Consequently, Cooke points to the following problem- if Habermas consider the staking of generally acceptable political justifications as a normative *pre-condition* for political involvement in the "formal" political sphere, he risks denying the "transformative power of different, unexpected and unfamiliar arguments". (Cooke, 2007, pg 230)

Cooke instead stresses that individuals are typically most challenged by claims which are epistemically different and which one has no previously acquaintance. This has the important implication that any discursive framework which renders the staking of generalizable political claims a precondition for participation is likely to epistemically impoverish any discursive interaction as it might marginalize the staking of "different, unexpected and unfamiliar" claims. It prevents a kind of epistemic friction where *new* perspectives can be gained. (Cooke, 2007, pg 230)

This critique has also been developed by Nikolas Kompridis who suggests that the rigid character of Rawlsian and Habermasian public reason reflects a deeper and questionable philosophical commitment to a strictly procedural notion of reason. This model of reason, Kompridis argues, strictly prioritises questions of justice and political justification at the expense of adequately

accounting for crisis of intelligibility and the possibility-disclosing potentials of reason. (Kompridis, 2007)

According to Kompridis' position, politics should be understood as the "art of disclosing new possibilities" which implies a moral responsibility for making room "for the call of another, rendering intelligible what may have been previously unintelligible." (Kompridis, 2011, pgs 256;264) As he further stresses: "Becoming receptive to such a call means facilitating its voicing, letting it become a voice that we did not allow ourselves to hear before, and responding to it in a way that demands something of us that we could not have recognised before." (Kompridis, 2011, pg 264)

Ultimately, the problem with Kantian conceptualizations of public discourse, Kompridis suggests, is that they ignore the problem of "how to voice what for now cannot be voiced intelligibly in the available media of public discourse". (Kompridis, 2011, pg 267) This quotation provides a useful segue into the final serious problem associated with Rawls and Habermas conceptualisation of public reason- namely the problem of epistemic exclusion.

The problem of power, exclusion and epistemic injustice.

The concept of political exclusion is quite broad ranging in character. It can refer to processes or actions where certain individuals, groups or communities are simply prevented from participation in public bodies or spaces or where political authorities attempt to leverage unacceptable costs on political participation. (Young, 2000)

In addition, political exclusion can occur in contexts where individuals are formally included in political processes yet their interests, viewpoints and needs are ignored or denied, thereby debarring them from decision-making processes. (Young, 2000)

Relations of epistemic injustice are an important manifestation of this kind of political exclusion because it denotes a situation where particular claims, perspectives or arguments are excluded from public consideration via the creation of impediments to their voicing.

From this perspective, dominant epistemic norms can marginalise or exclude the contributions of certain individuals by virtue of their stigmatised social identities, their communicative styles or the content of their claims. This exclusion might be a function of stifling conventions of moral behaviour or extremely strenuous guidelines of epistemic justification that effectively demotivate people from voicing their claims publicly.

In addition, it is also important to note how dominant epistemic norms can shape our understandings of particular social and political processes. For instance, a wide range of 'standpoint theorists' has suggested that people's differing social locations are implicated in differential levels of understanding and insight regarding experiences of injustice. (Collins, 1991; Harding, 1991; Wylie, 2004)

Indeed, in particular it has been suggested that relations and structures of oppression are more likely to be more 'visible' from the situation of marginalized social groups and individuals in comparison to more advantaged social groups and persons. Indeed, members of advantaged groups might, in fact, be 'blind' to certain aspects of social reality given their superior social and structural positioning.

This 'blindness' partially stems from the manner in which oppressive social relationships influence patterns of social knowledge as well as the differential epistemic authority of socially situated knower. The valuable insights of feminist epistemology highlight the profound interconnections between social location and how claims are treated, with varying degrees and kinds, as being credible or non-credible, thereby influencing the distribution of social knowledge and ignorance across society as a whole.

From this perspective, as Elizabeth Anderson (2011) notes, dominant conceptualizations of knowledge production, acquisition and justification systematically advantage and disadvantage particular groups whilst advantaging others as power relations inherently shape our conceptualisations of knowledge, the "knowing" subject as well as "practices of inquiry and justification". (Anderson, 2011, no page numbers available)

Anderson (2011) further categorises the manner in which feminist scholars have understood the connection between power and social knowledge practices via suggesting that it can be 'operationalized' in six inter-related senses- namely that dominant knowledge practices function to:

- Exclude certain groups of people from knowledge inquiry
- Systematically and systemically deny certain groups of people from epistemic authority
- Denigrate certain kinds of cognitive styles and modes of knowledge
- Articulate theories of people which represent them as being inherently inferior, deficient or significantly only in the manner in which they serve particular interest
- Produce understandings of social phenomena which make invisible certain people's activities, interests or power relations
- Develop knowledge which is not useful for people in subordinate positions but instead functions to reinforces hierarchical relations
(Anderson, 2011, no page numbers available)

Importantly, asymmetries of power profoundly govern social practices of ignorance via the marginalisation of knowledge useful to subordinated groups or by suppressing or denying knowledge of injustices committed against minority groups. From this perspective, as Dotson notes, ignorance should not be understood naively as just a lack of knowledge but rather as an active social process of knowledge production and reproduction. (Dotson, 2011)

Indeed, recent work in feminist epistemology foregrounds how our social positioning can limit our capacities to interpret certain aspects of social life. For instance, members of dominant social groups and communities might find it difficult to understand the lived experiences and realities of people from more disadvantaged communities and groups.

Consequently, feminist epistemology has highlighted the importance of how power relations shape the capacities of people to access information and to interpret and to publicly articulate their experiences.

It is helpful again to re-visit Miranda Fricker's distinctions between 'testimonial' and 'hermeneutic' forms of epistemic injustice to explicate this point further. According to Fricker, the former generally happens "prejudice causes a hearer to give a deflated level of credibility to a speaker's word" whereas the latter occurs "when a gap in collective interpretive resources puts someone at an unfair disadvantage when it comes to making sense of their social experiences". (Fricker, 2007, KL 59)

This situation causes "hermeneutical marginalisation" in which epistemically oppressed persons participate "unequally in the practices through which social meanings are generated" and suffer an injustice specifically in terms of their capacities as a knower. (Fricker, 2007, KL 60-62; 132-3; 295-6) Indeed, she suggests that one of the most deleterious consequences of this process is that the experiences of marginalised groups are frequently:

"...left inadequately conceptualised and so ill-understood, perhaps even by the subjects themselves; and/or attempts at communication made by such groups, where they do have an adequate grip on the content of what they aim to convey, are not heard as rational owing to their expressive style being inadequately understood". (Fricker, 2007, KL 134-5)

In addition, she also suggests that it renders those epistemically disadvantaged susceptible to various different forms of systemic actual or potential injustices. Importantly, epistemic injustices can also undermine the autonomy of the epistemically disadvantaged. It causes victims to lose confidence in their beliefs and their respective justifications as well as inhibiting the formation of their subjectivities. (Fricker, 2007, KL 401-2; KL 655-57; KL 1,869-70)

The obvious implication for Rawls and Habermas' accounts of public reason is that the articulation of political claims can never be divorced from the nature of power relations in a given society which differentially cast some kinds of testimony as being more or less credible and some agents as being more or less reliable and trustworthy qua knowers.

The other implication is that epistemic injustices profoundly influence our receptivity towards people's claims, especially if they come from social

backgrounds that are deemed to be of inferior social status and if they come from marginalized, stigmatised or excluded social groups or communities.

Unfortunately, though, Rawls and Habermas entrust significantly motivational faith in the idea that the principle of reciprocity that animates acts of translation will be sufficient to include genuinely all participants in a given discursive interaction.

It is also unfortunate that Habermas' account of communicative action, while emphasising that it constitutes an ideal set of conditions, does not adequately explore how imbalances of power can frustrate the capacities and motivations of individuals to question the validity claims of their interlocutors because they are simply motivationally unwilling or unable to consider others' discursive challenges.

However, this faith seems naive as it is not clear how merely exchanging generalizable claims will be enough to challenge norms and conditions of epistemic subordination and dominance, particularly when these processes are occurring at sub-conscious levels and when these social relations are institutionalized and normalised.

If people's claims are simply not taken seriously, the manner of a claim's articulation does not seem to matter significantly as a means of epistemic inclusion and recognition. Rather, relations of epistemic injustice breed morally culpable failures of epistemic recognition as certain individuals or social groups are deemed unworthy as potential epistemic equals.

This denial of epistemic fairness means that the capacities of marginalised individuals, social groups and communities to advance their claims as equal citizens are significantly compromised. Indeed, relations of epistemic injustice are distinctive kind of discursive disrespect as individuals unjustly ignore or refuse to engage with other people's claims.

Ultimately, therefore, Rawls and Habermas' failure to appreciate that practices of translation can fail as a function of a lack of adequate social vocabularies to express political grievances is a significant limitation of their theories.

Consequently, any theory of public reasoning must consider how marginalised social groups and communities can develop new conceptual vocabularies in

which to explain publicly their grievances. Without being able to name their problems in a publicly intelligible manner, they shall continue to be ignored by virtue of their social invisibility.

This point foregrounds another central problem with Rawls' and Habermas' accounts of public reason- namely their motivational assumption that all individuals will fairly consider whether the claims of other citizens are “generally accessible”, thereby rendering them suitable for the purposes of further discussion or even for the justification of coercive public policy.

However, as I shall outline in greater detail later in this dissertation, this assumption is questionable given that individuals by virtue of the limitations of dominant social resources of interpretation, cognitive or affective biases of judgement, practices of social ignorance and other epistemic vices frequently fail to consider fairly the claims of others. This tendency, I suggest, is particularly manifested when members from advantaged social communities are urged to consider the claims of individuals who come from oppressed communities.

Consequently, the political claims of marginalised groups are either ignored or misrecognised by virtue of their supposed “unreasonableness” and by virtue of judgements which maintain that individuals making the claims are being “unreasonable” as persons. Given this reality, it is simply unclear as to how practices of translation alone will be able to challenge these unjust epistemic relations.

From this perspective, Rawls and Habermas fail to pay sufficient attention to how dominant relations of power can distort the interpretative practices of members from privileged social groups or communities. This distortion can make people unwilling or incapable to fairly consider the claims of marginalized individuals by virtue of prejudicial attitudes or pejorative stereotypes. As Kevin Olson (2011) argues, this reality represents a significant difficulty for marginalised groups:

“Facing connotations of failure and incompetence, the symbolic challenge to marginalised groups is a substantial one. They must make a public case that the accepted, 'legitimate' standards of political speech should be broadened to

include idioms normally termed signs of failure and incompetence. They must overcome the stigma and de-legitimation of their own idiom to argue for its legitimation. And they must make this argument within or in contrast to hegemonic idioms themselves. This task is difficult because of the dilemma it poses: to legitimate oneself either by using a dominant idiom poorly as a non-native speaker, or a stigmatised idiom well as a native speaker. Either choice can be considered a sign of incompetence". (Olson, 2011, pg 539)

Rawls and Habermas' accounts of public reasoning are flawed because they fail to explore the conditions necessary to promote greater epistemic equality between participants in a discursive interaction. This is a salient point as in Habermas' account on particular issues where "ethical" or "pragmatic" discourses cannot generate consensus it becomes imperative to adopt "moral" discourses that aim at articulating binding principles that are "equally good for all".

Conflicts ought to be resolved in a manner which appeals to generalizable interests which requires participants adopting the "the perspective of everyone else in order to test whether a proposed regulation is also acceptable from the viewpoint of every other's persons understanding of himself and the world." (Habermas, 1993, pg 154)

However, as Young points out, this assumption of impartiality ultimately denies differences amongst subjects who are classified through markers of social distinction, particularly in relation to class, race, ethnicity, gender, sexuality and age. As she notes these social differentiations suggests that "...one subject cannot fully emphasise with one another in a different social location, adopt her point of view; if that were possible then the social locations would not be different". (Young, 1990, pgs 103; 104)

Ultimately, therefore, the conceptions of civil discourse of Rawls and Habermas are significantly limited by virtue of their failing to appreciate how the reception of the claims of marginalized groups and communities is hindered by relations of epistemic injustice and practices of social ignorance.

Conclusion:

In conclusion, it must be recognised that the problem Rawls and Habermas attempt to tackle is extremely worthy of consideration. Both are deeply concerned with how participants in political dialogues should stake their claims with reference to commonly accepted (or acceptable) principles of Justice as opposed to staking one's claims with exclusive reference to one's self-interest or advantage.

In addition, they are also attempting to articulate a model of public reasoning which attempts to engender relations of greater trust, solidarity and respect across deep moral and political divisions and disagreements. The practice of public reason, they both hope, can engender a civic and political culture that will foster greater mutual understanding and political compromise.

However, I have been arguing, there are a number of fundamental problems with their account of public reason. Firstly, contrary to Rawls and Habermas insistence, it is not entirely "unreasonable" for citizens or public officials to publicly articulate their particularistic ideas of the good in public debates.

This is because one does not necessarily show people disrespect by referring to one's particular ideas of the good. In fact, robust discussion of these ideas might be essential in order to more deeply comprehend someone's position and might even be a key pre-condition for people to come to appreciate the attractiveness and plausibility of one's own viewpoints- and vice versa.

This is particularly important given the reality that public claim-making will inevitably reference deeper ontological and normative assumptions which reflect broader differences of worldview which have to be negotiated with sensitivity.

Rather than orientating discourse towards the attainment of consensus, it seems more realistic in many contexts to encourage participants to learn from and about each other's worldviews. This learning process is essential if discursive participants are to identify any areas of common concern and interest and whether there are possibilities to agree on particular issues for diverging or occasionally identical reasons.

A robust discussion of contested ideas of the good can open the possibility for new self and other understandings while also making room for new perspectives that were previously ignored or were difficult to articulate within the prevailing social context.

Indeed, as Iris Marion Young notes, robust dialogue over competing conceptions of the good and ideals of justice can be an important vehicle for social criticism. This is because it allows people from different social backgrounds to draw upon their situated knowledge as a “resource” which will benefit all participants in a given dialogue. (Young, 1997b, pg 399)

At their best, such discussions can allow individuals, especially those from more privileged backgrounds, to question whether they have assumed that their life experiences to be universally normative. (Young, 1997b, pg 403) As she continues:

“Expressing, questioning and challenging differently situated knowledge adds to social knowledge. While not abandoning their perspectives, people who listen across differences come to understanding something about the ways that proposals and policies affect others differently situated. They gain knowledge of what is going on in different social locations and how social processes appear to connect and conflict from different points of view. By internalising such a mediated understanding, participants in democratic discussion and decision-making gain a wider picture of the social processes in which their own partial experience is embedded. Such a more comprehensive social knowledge better enables them to arrive at wise solutions to collective knowledge to the extent that they are committed to doing so”. (Young 1997b, pg 403-4)

In addition, one does not necessarily indicate disrespect for other persons if one refuses- or cannot- translate one's claims into generalizable terms but rather depends on one's comprehensive worldviews to articulate a political claim. This case is obviously manifested in cases of epistemic injustice, but it also reflects the reality that many citizens cannot divorce their political claims from their substantive moral beliefs and values.

Although citizens might disagree or disrespect different worldviews, they might not necessarily feel disrespected per se by the decision by their fellow citizens

to articulate their claims with reference to their own worldviews. Instead, it might be more important *how* their fellow citizens communicate with them as well as the broader social circumstances which surround their communicative interactions.

After all, the decision to express one's claims with reference to comprehensive doctrines might reflect an earnest desire for others to understand one's position more clearly. Alternatively, one might express comprehensive doctrines while clearly recognising the limitations of one's perspectives and acknowledge the validity of different viewpoints.

Conversely, if one refuses to acknowledge other people's criticisms or objections to one's conceptions of the good or dogmatically try to impose one's viewpoints by silencing other people's contributions, then clearly the manner of the expression of one's own comprehensive doctrines is open to criticism. The over-riding point, again though, is that staking one's claims with reference to ideas of the good is not intrinsically disrespectful to others, despite profound controversy and contention.

Moreover, it is not necessarily the case that one needs to appeal to notions of reasonableness in order to distinguish between morally appropriate or morally inappropriate justifications for the purposes of public policy making. For instance, certain actors or claims can legitimately be restricted from public debate on the basis that they fundamentally violate the established rights of certain individuals or groups or that they threaten public order and security.

This point also highlights the limitations of narrowly conflating public reason with political legitimacy. I have argued previously that there are serious problems with treating civil discourse merely as a vehicle to legitimate coercive public policy in the face of contestation regarding the distinctions between the public/private and the good/right.

Consequently, I would propose that rather than insisting that public policies can only be deemed legitimate if they are justified by reasons acceptable to all, it is more realistic to suggest that public policies can be considered legitimate if they were implemented through procedures that were considered to be sufficiently just by all parties involved.

Of course, there will invariably be contestation not only over the rules of any democratic procedures but also disagreement over the validity of the procedures themselves. This is to say that these procedures will invariably be subjected to contestation and, as a consequence, any public policy decisions will likely be regarded as provisional and revisable by those subject to them.

There is a further problem with Rawls and Habermas' narrow conflation of civility with the legitimation of coercive political power. This narrow focus means that they ignore other possible interpretations of what civil discourse involves. By emphasising discursive self-restraint, they ignore other important manifestations of civility such as listening to others claims fairly and subjecting one's viewpoints to critical interrogation and scrutiny.

It is on this note, therefore, that it is appropriate to outline the final limitation of Rawls and Habermas' theories of public reason. This objection stems from their inadequate conceptualisation of epistemic injustices and the exclusionary potential of their accounts of public reason.

It was argued that while Rawls and Habermas accounts of civil discourse restrict its importance to the public justification of coercive state power. Moreover, Rawls and Habermas argue that civility has an epistemic function, as public reason constitutes a 'filter' which delineates permissible and non-permissible justifications for the purposes of public policy making.

In addition, both stress that civility constitutes an important normative principle of behavioural regulation, allowing people in diverse societies to respectfully negotiate their differences and disagreements while also affirming each other's autonomy and dignity as individuals.

Civil discourse, in this framework, is closely connected with the staking of generalizable political claims that could be acceptable by all citizens, thereby supposedly ensuring that people's status as free and equal persons is respected while also serving to publicly legitimate coercive public policy.

However, their accounts of civility are flawed by their strict right/good distinction. The distinction serves to obscure the contested nature of public justifications and underestimates the degree of disagreement about justice and political legitimacy in contemporary societies.

Moreover, the previous section has attempted to illustrate the limitations of any account of civility which attempts to insulate political reasoning from disagreements over the good on the grounds that it is likely to be exclusionary as well as the mere fact that disputes over the good constitute a central dimension of contemporary political life are inescapable.

It has been argued therefore that any account of civility which attempts to impose a priori restrictions on public debate is likely to suffer from a critical and creative deficit as it seems to presuppose that people enter public deliberations with a) static conceptions of the good and b) a willingness and ability to translate these static conceptions of the good into terms which could be acceptable by all.

This is not to suggest that there is no place for some discursive guidelines to orientate public dialogue. However, it is to suggest that such regulations should be open to contestation and should be seen as provisional and revisable in recognition that these norms might harbour epistemic exclusions.

Finally, and perhaps most importantly, accounts of civility that do not adequately consider forms of epistemic injustice will inevitably be significantly flawed. From this point of view, any account of civility should be able to illustrate how it is compatible with robust social criticism, particularly in terms of whether 'civil' forms of dialogue can encourage insight into one's own areas of ignorance and to how one's social location and position might potentially render oneself unreceptive to certain kinds of claims staked by marginalized individuals, communities and social groups.

In addition, an account of civil discourse will have to explicitly acknowledge that dominant epistemic norms can undermine the participation of certain individuals by virtue of the content of their claims, by their choice of communicative styles or because they belong to a socially demeaned identity group.

Unfortunately, though, Rawls' and Habermas' accounts lack a mechanism through which marginalised social groups and communities can challenge and revise collective epistemic resources and norms. From this perspective, their emphasis on translation as a means of political legitimation is misguided.

Rather, the focus should be placed on how relations of epistemic injustice can be contested prior or during any discursive exchange. Any regulations regarding the acceptable parameters of a public dialogue- if deemed necessary in the first place- should be treated as a secondary issue and subject to negotiation between the involved parties.

Given their skewed focus, ultimately their frameworks of civil discourse cannot adequately conceptualize how counter-hegemonic claims can be heard fairly in public dialogue processes. This central problem shall preoccupy the third chapter. However, in the meantime, it is important to explore another imperative- and very different- account of civility that is articulated in the work of Charles Taylor.

Taylor's account of public reasoning seems to overcome many of the limitations of Rawlsian and Habermasian public reason. For instance, he stresses the importance for public dialogue processes to challenge prejudicial social attitudes and categorizations. Indeed, he is remarkably confident that over time and with continual public dialogue that these obstacles are surmountable, thereby allowing individuals from different cultural, religious and ethnic backgrounds to consider fairly each other's claims.

Importantly, he also stresses the inherently embodied nature of human communication and acknowledges the harms faced by oppressed social groups and communities if they internalise negative social stereotypes or prejudices about themselves. Taylor, therefore, evinces an awareness of the threat that demeaning social interpretations imply for the epistemic agency of marginalised communities and groups. Accordingly, let us unpack Taylor's work in further detail.

Chapter Two- Charles Taylor's account of civil discourse

This chapter shall interpret and critically evaluate Charles Taylor's conception of civil discourse. Taylor's hermeneutical approach stresses the importance of substantive and robust dialogue in cultivating deeper relations of solidarity, trust and respect across cultural, religious and ethnic difference as well as “deep differences of moral vision”. (Taylor, 1980, pg 90)

Taylor aims to develop a theory of civility which directly addresses some of the fears evoked in the introductory chapter- namely anti-realist suspicions that resolving moral disagreement is an impossibility and relativist suspicions that it is impossible to critically judge the practices and worldviews of different communities without unjustly imposing ethnocentric criteria of judgement on them.

In addition, it is also vital to appreciate that Taylor's conception of civil discourse strives to avoid four central epistemological and normative pitfalls. Firstly, he rejects what he terms “neo-Nietzschean” scepticism regarding the possibility of critical dialogue across differences on the basis that such exchanges invariably involve the imposition of power by dominant parties. The central problem he has with this line of argument is that there can be no “epistemic gain” from discussing our different world-views if one holds this doctrine to be true. (Taylor, 1995, pg 17)

Secondly, Taylor also rejects the idea that understanding human beings is akin to scientific models of knowledge acquisition- that is to say, he differentiates between “knowing an object” and “coming to an understanding with an interlocutor” on the basis that the former is only a “unilateral” operation while the latter is invariably a “bilateral” process of dialogue. (Taylor, 2002c, pg 280)

Thirdly, Taylor rejects the idea that human beings are inherently imprisoned within ethnocentric frameworks of understanding, claiming that through dialogue it is possible to critically reflect on the limitations of our cultural frameworks and to expand our interpretative horizons. (Taylor, 1985c)

And finally, Taylor is opposed to cultural relativist arguments which defend what he terms an “incorrigibility thesis”. This thesis claims that individuals from different communities cannot meaningfully criticise each other's self-understandings and that the proclaimed beliefs and values of an individual from a different community constitutes an unquestionable last say on a given issue by virtue of their identity and life experiences. (Taylor, 1985c)

Given these foundational assumptions of Taylor's work, it shall be suggested that Taylor largely understands civility as an instrument to achieve particular social and political goods which he believes are increasingly imperilled in contemporary democracies.

Indeed, as Ruth Abbey stresses, one of Taylor's chief ambitions is to construct a “model of democratic inclusion” which actively “celebrates differences” and which aims to support citizens “to learn about and engage with one another in the understanding that their differences enrich one another and the polity as a whole” (Abbey, 2000, pg 124) Unsurprisingly, Taylor famously insists that:

“The great challenge of the coming century is that of understanding the other. The days are long gone when Europeans and other ‘Westerners’ could consider their experience and culture as the norm toward which the whole of humanity was headed”. (Taylor 2002b, pg 126)

Moreover, it is also interesting to note that there is a gritty, pragmatic aspect to Taylor's account of civil discourse. Taylor stresses that social belonging in diverse societies requires constant, difficult negotiation and creative compromise between members of different communities.

Taylor's account of civil discourse is therefore animated by a concern highly similar to Rawls and Habermas' theories of public reason- namely: “How can people live together in difference, in a democratic regime, under conditions of fairness and equality?” (Taylor, 1999, pg 284)

The most difficult aspect of this effort, he argues, is that negotiated outcomes can only be provisional and suitably tailored for the dynamics of particular situations of disagreement. (Taylor, 1999b, Taylor, 2011f) This reality, therefore, requires citizens to orientate themselves towards the common good and to give each other's claims a fair hearing.

Accordingly, given this broad outline of Taylor's philosophical framework, my reading of Taylor's work stresses that his model of civility requires citizens to continually re-assess their self-understandings as well as their pre-judgements held about individuals from different communities and social groups.

Taylor's philosophical approach presents an interesting account of civility because he stresses its de-constructive capacities. He implies that civil discourse is central to questioning pejorative stereotypes and attitudes, particularly towards cultural, ethnic and religious minorities. He also offers a compelling account of how individuals from different social backgrounds can expand their mutual understandings of each other while questioning their previously unexamined self-interpretations of their own identities.

Nevertheless, I also suggest that Taylor in certain respects inadequately accounts for differentials in power. These power differentials hinder the fair hearing of the perspectives of marginalised individuals, social groups and communities, contradicting some of the central principles of his own understanding of civility.

I argue that while Taylor's conception of civil discourse correctly aims to critique pejorative social categorizations and stereotypes, he fails to connect this problem to collective practices of social ignorance and the operation of epistemic injustices.

In addition, there are unfortunate tensions between Taylor's advocacy of "cultural survivalism" for dominant cultural majorities and his account of civil discourse. I argue that his framework of cultural survivalism contradicts his emphasis on the dialogical character of our identities. However, before explicating these criticisms, it is important to note Taylor's general philosophical approach. I shall proceed by articulating Taylor's critical engagements with the

work of Rawls and Habermas before describing his conceptualization of civil discourse.

The conceptual connections between Rawls, Habermas and Taylor:

The relationship between Rawls, Habermas and Taylor is profoundly interesting given that Taylor is at once deeply critical and sympathetic to their projects. On the one hand, Taylor is critical of Habermasian discourse ethics and Rawls' early work in *A Theory of Justice*. Taylor strongly critiques their formalist, deontological and universalistic approaches because they supposedly ignore the socially situated character of practical reasoning. (Taylor, 2011) He argues that they unduly prioritise the right over the good.

In addition, Taylor is also critical of their accounts of 'public reason' on the basis that they rest on a faulty epistemological distinction between 'religious' and 'secular' justifications. For instance, Taylor cites the example of the civil rights discourse of Martin Luther King to illustrate that religious-political discourse is often highly intelligible to non-religious citizens.

From Taylor's point of view, secular and religious discourses are profoundly intertwined from a historical point of view and share common moral understandings. (Taylor, 2011d, pg 63) Unsurprisingly, given this argument Taylor claims that their conceptions of public reason place unfair epistemic burdens on religious citizens.

While Taylor further suggests that occasionally "prudence" demands translating one's claims in a more generalized manner, citizens generally ought to place greater focus on how their claims will likely be "perceived by others" and how their claims might "impact on the social bond". (Taylor, 2011, pg 109)

Consequently, Taylor argues that a democratic regime must allow all citizens to defend their public claims in a manner which is "most meaningful to them" and to use the "explanatory and justificatory language of their choice." (Taylor, 2007b, pg 532; Taylor & Maclure, 2011e, pg 108) This means that there should not be any mandated requirements of translation as this would likely impose unjustifiable restrictions on freedom of expression.

Accordingly, Taylor rejects the assumption made by Rawls and Habermas that framing one's justifications with respect to one's own comprehensive doctrines

is an intrinsic sign of disrespect to others- that is, it is a reflection of “uncivil” conduct. Rather, Taylor believes that mutual respect can actually be deepened through critical public discussions between different worldviews. (Taylor & Maclure, 2011e)

At the same time, Taylor insists that the principle of state neutrality demands that public policy should not be exclusively justified with reference to a singular comprehensive doctrine. Crucially though, this kind of neutrality is indifferent as to whether these doctrines are religious or non-religious in nature. As he insists: “The state can neither be Christian nor Muslim nor Jewish, but, by the same token, it should also neither be Marxist, nor Kantian nor utilitarian”. (Taylor, 2011b, pg 321)

Taylor insists, therefore, that political decisions should never bestow “special recognition” to any comprehensive doctrine, religious or non-religious, albeit he recognizes that this ideal is difficult to achieve in practice. (Taylor, 2011b, pg 321)

Finally, Taylor also expresses a deeper dissatisfaction with their accounts of public reason. He argues that there can be no universalistic principles to regulate public discourse given the complexity and variability of circumstances between different political communities.

Instead, he argues that civil discourse involves a process of negotiation where all parties strive to forge an acceptable yet provisional agreement on general principles of Justice to regulate their political affairs. Importantly, though there does not have to be a meta-agreement with respect to the principles of public discourse on the basis that any discursive guidelines will invariably be subject to continual disagreement. (Taylor, 2013, pg 37)

In addition, it is also important to stress that Taylor's objection stems from his long-standing criticisms of rigid distinctions between the right and the good within liberal-political philosophy, thereby rendering any attempt to delineate universal rules of public discourse on the basis that such a distinction is highly problematic.

Moreover, it is also important to situate Taylor's resistance to the public reason frameworks of Rawls and Habermas vis-à-vis his broader philosophical defence

of the notion that human beings are intrinsically “self-interpretive” animals. Taylor claims that human beings necessarily depend on substantive “moral sources” which allow us to make qualitative distinctions of value between competing moral goods. (Taylor, 1989; Taylor, 1995c)

Taylor insists that these “moral sources” are situated within broader “moral spaces” which enable critical questions with respect to “what is good and bad, what is worth doing and what not, what has meaning and importance for you and what is trivial and secondary”. (Taylor, 1989, pg 28)

An emphasis on this point is important as Taylor inherently believes that our identities are intrinsically rooted in diverse “webs of interlocution” (1989, pg 39) and that they are mediated by the various background understandings articulated through collective social imaginaries. These imaginaries, in turn, help explain “how we stand to each other, how we got to where we are, how we relate to other groups”. (Taylor, 2004, pg 25)

Accordingly, the purpose of public dialogue is to critically explore these background understandings because their impact on our interpretations and evaluations are “invisible as long as we're operating within {them}”. (Taylor, 2003, pg 171) The implication here is that any public dialogue process which does not involve the exploration of our moral sources and their connection to broader moral spaces and imaginaries will invariably be impoverished.

On the other hand, it is also important to acknowledge that Taylor is sympathetic to certain aspects of Rawls and Habermas' thought. For instance, Taylor adapts Rawls notion of an “overlapping consensus” on basic political principles of Justice as an essential means for people from diverse moral, religious and cultural backgrounds to peacefully co-exist together.

Indeed, both insist that the legitimacy of shared political institutions must rest on an agreement on basic procedural mechanisms even if these arrangements are justified politically for different reasons.

Taylor's conception differs slightly from Rawls' conception though in that Taylor seems to tie it more closely to substantive principles of liberty, equality and fraternity which he maintains are most conducive to developing relations of mutual trust, respect and solidarity between different social groups and

communities. (Taylor, 1999c, Taylor, 2010) These principles became deeply embedded with the contemporary social imaginaries of western democracies in the wake of the French Revolution.

Unsurprisingly, Taylor, like Rawls and Habermas, also advocates some degree of separation between the state and particular worldviews- for example he supports the removal of religious symbols from public institutions. He also endorses the notion that liberal democratic societies cannot accommodate all forms of cultural, religious and moral diversity given their substantive commitments, norms and values.

Consequently, he appreciates that liberalism is an exclusionary doctrine as its philosophical commitments occasionally cannot accommodate the beliefs, values and practices of non-liberal groups and communities. Before further explicating these points though, it is important to articulate the broader background assumptions that animate Taylor's political thought.

The background assumptions of Taylor's Political Philosophy:

The first significant point animating Taylor's political thought is his rejection of “monistic” understandings of politics. Monism maintains that political life can be mediated with reference to singular principles, values or rules. Taylor argues this approach is flawed as it ignores the reality that liberal democracies must negotiate multiple, and often conflicting goods. (Taylor, 1985d; 2001)

Taylor further insists that in diverse liberal-democracies there can be “no single-consideration procedure, be that of utilitarianism, or a theory of justice based on an ideal contract, {which} can do justice to the diversity of goods we have to weight together in normative political thinking”. (Taylor, 1985d, pg 245)

Consequently, Taylor is suspicious of political frameworks, like the work of Rawls and Habermas, which are pre-occupied with a focus on questions of morality over questions of ethics. He maintains that this narrow focus has meant contemporary political philosophy has laboured to develop abstract theories of Justice and political legitimation. As a result, he claims that it ignores the fundamentally important question of the common goods and commitments that are essential to sustaining a diverse democratic society.

From Taylor's perspective, the most significant problem with the idea that morality is definable in terms of a "code of obligatory and forbidden actions" is that it ignores how situations are "unforeably various". (Taylor, 2007b, pg 704) This epistemic problem frustrates the development of pre-fixed codes or a priori political frameworks to negotiate political conflicts.

For example, Taylor stresses that there might be difficult trade-offs between ideals of justice and the achievement of other social goods- such as social stability in certain contexts. He cites the case of post-conflict societies that have to negotiate the tension between calls for retributive justice while preserving inter-group harmony.

Accordingly, he maintains that political theorisation has to cognizant of how important goods can clash, thereby creating profound political predicaments and dilemmas. (Taylor, 2011a, pg 348) Contemporary democracies must inescapably make difficult choices between competing and incompatible ends. Taylor, therefore, claims that monistic accounts of political life suffer from a complexity deficit.

Another central concern of Taylor's work is his diagnosis of growing political alienation, polarisation and fragmentation within contemporary democracies. He argues that modern democracies are particularly vulnerable to alienation in large, centralised and bureaucratic societies given that citizens frequently believe that their government is unresponsive and distanced from their lived realities. (Taylor, 1993, pg 22) Interestingly, this concern has been evinced in some of Taylor's earliest work from the 1950s. (Taylor, 1958)

Indeed, he argues that there is a growing sense of political powerlessness in contemporary democracies. This collective sentiment of powerlessness frustrates the exercise of democratic agency. It also enables the behaviour of the political elites who fail to advance the interests of their citizenry, who, in turn, increasing have only limited avenues to influence the political process. (Taylor, 1993, pg 22)

Moreover, Taylor also argues that this 'hypercentralization' of government has deleterious consequences for the public sphere. Public discourse is increasingly

being mediated via dominant media corporations which provide a narrow output, indifferent to localized input. (Taylor, 1993, pg 22-3)

Consequently, Taylor advocates a form of 'Tocquevillian decentralization'. This involves the delegation of political power and functions to more local entities, thereby encouraging greater citizen participation and mobilisation, as well as the proliferation of more localised and diverse media outlets.

Importantly, Taylor argues that this process is not simply about connecting the operation of power with the more localised political entities but it is also about ensuring that the terms of national debates can be influenced by local public spheres. (Taylor, 1993, pg 23)

The third danger which Taylor foregrounds is the tendency towards factionalism and divided publics in contemporary democracies. These internal rifts of the polity are manifested in numerous ways. Taylor particularly stresses the impacts of "class warfare" that reflects the frustration of society's "least favoured citizens" who believe that their interests are not being fairly represented by dominant political elites. (Taylor, 1993, pg 24)

Another manifestation of social conflict for Taylor arises from what he famously terms "the politics of recognition". This kind of social conflict arises when a social group or community believes that its traditions, customs, beliefs and practices are not being justly recognised by broader society, thereby breeding sentiments of alienation towards broader society. Social relations of misrecognition, for Taylor, amount to a grave and urgent injustice. (Taylor, 1993, pgs 24-5)

Accordingly, misrecognition is characterised by a political and social environment unreceptive to the political claims made by minority groups and communities. As a consequence, Taylor stresses that one of the most important objectives of democratic politics should be to prevent misrecognition from occurring in the first place. (Taylor, 1993, pg 25)

A fourth and related danger Taylor notes within contemporary democracies is their vulnerability to political fragmentation which significantly undermines any prospects for civil discourse across difference and disagreement. This fragmentation occurs when the citizenry increasingly becomes polarized along a

set of intractable moral disagreements and institutional gridlocks. (Taylor, 1993, pg 25)

Fragmentation prevents citizens from forging political alliances and projects regarding the common good. It encourages factional interest groups to mobilise behind their “narrow agendas” at the expense of the community as a whole. Indeed, fragmentation for Taylor is particularly deleterious because it renders any invocation of the “common good” as profoundly suspicious. (Taylor, 1993, pg 25)

Taylor further argues that combating political fragmentation is profoundly difficult. He maintains that there are no universal solutions given the varying historical circumstances different democracies find themselves. Nevertheless, he suggests that fragmentation can only develop in contexts where citizens struggle to “identify” with their political community. It occurs when their sense of collective belonging is “transferred elsewhere or atrophies altogether” and where a sense of political powerlessness is deepening. (Taylor, 1993, pg 29)

Consequently, Taylor suggests that “successful common action” can cultivate a sense of empowerment. It strengthens citizens' identifications with the political community. In addition, he argues that framing political debates with respect to perceived “common goals” can offset the tendency to depict one's political adversaries as a devotee of “utterly alien values”. (Taylor, 1993, pg 29)

Ultimately, these three problems are mutually interrelated and mutually self-perpetuating, culminating in what Taylor terms “soft despotism”. Following de Tocqueville, Taylor fears that citizens of modern democratic states are becoming increasingly incapable of forming “a common purpose and carrying it out”. (Taylor, 1993, pg 26)

This diminishment in collective solidarity potentially renders the populace more vulnerable to arbitrary state power while also reducing avenues for political conflict resolution. Although Taylor is concerned about these trends, and clearly opposes any political frameworks which assert that they can be addressed exclusively through procedural mechanisms, he does recognize that proceduralist kinds of politics have significant attractions.

Firstly, he notes, that they have the potential to stabilise political conflicts. Impartial procedures seem divorced from contested conceptions of the good because they focus on the universalistic rights and entitlements of individuals, remaining divorced from their conflicting preferences and worldviews. (Taylor, 1999, pg 283)

These procedures serve as a guarantee of individual rights irrespective of one's social background or memberships. Accordingly, they seem to allow individuals to find an "immediate common terrain on which all can gather". (Taylor, 1999, pg 284)

Given that the proceduralist paradigm provides an essential re-requisite to allow people to exercise meaningful freedom of choice, Taylor also suggests that much of its appeal reflects the deeper anti-paternalistic world-view of Modernity. However, as noted previously, Taylor harbours significant reservations about proceduralist forms of conflict resolution.

Ultimately, despite its apparent merits, he questions whether it can constitute the *only* mechanism of peaceful co-existence in democratic societies and whether it constitutes a "valid approach in all contexts". (Taylor, 1999, pg 284) Indeed, he stresses that proceduralism can actually inhibit conflict resolution in diverse democratic societies.

It can breed sentiments of growing alienation between citizens in the face of disagreements about the outcomes of procedural decision-making processes. This argument stems from Taylor's claim that a democratic 'people' must be able to relate to a sense of shared identity. They must be able to possess a common sense of identity if they are to exercise collective political agency. (Taylor, 1999 pg 284)

Proceduralism, from this viewpoint, is deeply limited as it fails to address questions of cultural and historical identity which are viewed as fundamentally important to different sub-groups of the citizenry. (Taylor, 1999, pg 285) For example, Taylor cites the example of Quebec whose citizens have long been advocating the protection of their supposedly 'distinct society' within the Canadian Federation.

Taylor is concerned that an approach that emphasises neutral, abstract procedural norms might alienate sub-groups of a population from identifying with a broader political framework. Accordingly, from his standpoint, the failure of proceduralism to recognise the importance of cultural distinctiveness in its defence of abstract, neutral procedures constitutes a threat to forging a common political identity. It can encourage minority sub-groups to reject any political union while undermining the sense of commonality essential to the sustenance of key public goods.

The second criticism Taylor makes of political proceduralism is that it supposedly believes that it is possible to construct procedures that will be universally perceived as 'neutral' in their operation. In addition, he claims that proceduralism falsely presupposes that it is possible to differentiate "neutral" processes from substantive goals without controversy. (Taylor, 1999, pg 285)

For instance, Taylor argues that this problem is particularly evident with respect to conflicts over principles of distributive justice. He argues that in the face of "different, mutually irreducible perspectives" concerning economic justice it is futile to develop a single set of distributive principles. (Taylor, 1985g, pg 311)

Rather, contemporary societies have to negotiate plural interpretations of economic justice which will require the development of distributive models that acknowledge "different degrees of mutual obligation", which consider a society's particular historical, social and economic circumstances and which make substantive reference to contested notions of human dignity and the good. (Taylor, 1985g, pg 312)

Ultimately, therefore, Taylor stresses that the differentiation between 'neutral' procedures from substantive goals is frequently impossible in practice. (Taylor, 1999, pg 285) He alleges that proceduralism suffers from a degree of political naivety. It neglects the reality that democratic procedures are a significant site of political contestation. It is not simply that their principles are frequently interpreted in diverging directions. Rather, the principles, values and routines of procedural institutions are rarely considered 'neutral' by actors who contest their decisions.

Furthermore, Taylor claims that there are significant limitations to relying on procedural mechanisms as an instrument of conflict resolution. Indeed, the imposition of procedural decisions can exacerbate political conflicts as parties adopt a 'winner-take-all' stance. This problem is compounded by the reality that losing parties can feel that their claims have been socially and politically de-legitimated. (Taylor, 1999, pg 285)

Finally, Taylor argues that proceduralism is flawed because it undermines the possibilities for negotiation and compromise between competing demands and parties. It minimizes opportunities for conflicting parties to fairly consider each other's claims. It breeds an atmosphere of uncivil political debate framed in zero-sum terms. (Taylor, 1999, pg 285)

Unsurprisingly, Taylor believes that societal fragmentation undermines civil discourse by encouraging political elites to engage increasingly self-serving soundbites and ad hominem debates. This tendency further contributes to declining political engagement and participation by the citizenry. (Taylor, 1999, pg 286)

However, Taylor also articulates a deeper critique of proceduralism beyond its dysfunctional consequences for political institutions. This critique is tied to Taylor's broader criticisms of Western political thought with respect to its understanding of the relationship between questions of justice and questions of morality. He profoundly disagrees with a liberal tradition of thought that asserts a sharp distinction between the right and the good.

Taylor maintains these theories are fundamentally misguided. He alleges that they unduly restrict our understanding of morality. They supposedly "occlude or exclude questions about what it is good to be or what it is good to love" given their emphasis on universal moral obligations of Justice. (Taylor, 2011c, pg 3)

Consequently, Taylor suggests that analytical philosophy- and empiricist or naturalist kinds of social science- ignore or marginalize the fact that human beings are "self-interpretative" animals. He argues that appreciating this reality has significant implications for understanding human agency and the nature of human subjectivity. Taylor stresses that self-evaluations fundamentally orient our social experiences and our social interactions with others. (Taylor, 1985a,

pg 37). Human beings are constantly making internal, qualitative and existential evaluations of worth and value about what matters to us.

In addition, Taylor also stresses that our acts of self-interpretation inherently occur via dialogues with others and reference historically inherited cultural norms, values and beliefs. He emphasizes that human beings construct their identities in a “social space” as we define ourselves via dialogical interactions with others.

Accordingly, Taylor firmly rejects ontological and normative conceptualisations of self-hood that emphasise our detachment and isolation from other people. (Taylor, 2006) Indeed, Taylor particularly rejects Cartesian accounts of human subjectivity, stressing that it is impossible to evaluate social life:

“...merely in terms of individual subjects, who frame representations about and respond to others, because a great deal of human actions happens only insofar as the agent understands and constitutes himself or herself as integrally part of a 'we". (Taylor, 1991, pg 311)

Taylor's philosophical project, therefore, constitutes a profound challenge to essentialist conceptions of identity as it stresses that our identities are continually being constructed through social interaction and exchange with others, thereby implying that our identities are subject to constant re-negotiation and change. Unsurprisingly, Taylor stresses the following:

“Thus discovering my own identity doesn't mean that I work it out in isolation, but that I negotiate it through dialogue, partly overt, partly internal, with others...My own identity crucially depends on my dialogical relations with others.” (Taylor, 1994, pg 34)

Taylor's point was also earlier evoked in his paper *Philosophy and Social Science* where he suggests that the Western epistemological tradition has defended an impoverished conception of the individual subject which ignores both how the development of our identities and our basic knowledge about the world is intrinsically dependent on others. (Taylor, 1985f, pg 40)

This point brings us to another fundamental pivot of Taylor's thought- namely his rejection of epistemological accounts of language that assert that it merely

constitutes a system of object representation or designation. However, what precisely constitutes 'designative' accounts of language?

Designative accounts of language assert that the meaning of words is derived from their ability to designate particular objects. From this perspective, the meaning of a word stems from the “things or relations that they can be used to refer or to talk about”. (Taylor, 1985e, pg 218) Taylor attempts to trace the complex genealogy of designative theories of language in his essay “*Language and Human Nature*”. (Taylor, 1985e) He suggests that it progressively developed in an intermingling of ideas from Medieval Nominalism, Cartesian epistemologies of (self) knowledge and the political theories of Locke and Hobbes.

Ultimately, what unites these disparate trends of thought is an implicit commitment to an understanding of human agency that Taylor describes as “disengaged”? In addition, he maintains that these frameworks are committed to an understanding of reasoning which is supposedly instrumental and “value-neutral”. It is an account of “disengaged” agency in that it ignores the importance of inter-subjectively shared background understandings as a necessary pre-condition for exercising human agency. This blindside is a function of their commitment to a highly individualised or “atomistic” conceptualization of person-hood.

Nevertheless, Taylor also acknowledges some particular merits of this viewpoint as, on the face of it, it promises human beings that they can describe meaning and value in an objective manner akin to the procedures of the natural sciences. (Taylor, 1985e, pg 221) In fact, Taylor suggests that designative theories of meaning have been extremely influential as they apparently conform to quotidian understandings of language-use. He notes how it often appears that linguistic meaning seems intrinsically built into particular words.

However, more importantly, Taylor argues that designative theories of language have been attractive as they implicitly favour a picture of human agency that is powerful and independent. They render meaning “something relatively unpuzzling, unmysterious” (Taylor, 1985e, pg 220) while also providing human

beings with the reassurance that they can gain knowledge of the world on an objective basis. (Taylor, 1985e, pg 226)

Nevertheless, Taylor argues that this conceptualisation of language as an instrument of control or as a source of autonomous agency is deeply flawed because language use inevitably occurs with reference to a historically conditioned “wider matrix” which cannot be controlled by individuals. Indeed, as he argues, our use of words only makes sense vis-a-vis their “place in the whole web”. (Taylor, 1995d, pg 96) This reality renders it impossible for people to have a “clear oversight of the implications of what we say at any moment”. (Taylor, 1995d, pg 96)¹

Moreover, Taylor argues that designative accounts of language are flawed in another important sense. It ignores how human beings actually “use” language in self-reflective ways and how language itself constitutes a vehicle for reflective self-awareness. As he puts it “Speaking is not only the expression of this capacity {for reflection}, but also its realisation”. (Taylor, 1985e, pg 229)

Consequently, Taylor rejects designative theories of language in favour of an expressivist understanding of language as the former cannot account for the social context in which language use is fundamentally intertwined. He is particularly interested in our capacities to judge whether our use of certain words or signs is appropriate in a given social context. Taylor famously explains this point with reference to the example of a rat- it worth quoting this passage in detail:

“I have the word 'triangle' in my lexicon. This means that I can recognise things as triangles, identify them, pick them out as such...But what does this capacity amount to? Let us see by comparing it with an analogous animal capacity. I might train an animal (a rat), to react differentially, say, to go through a door which had a triangle painted on it, as against one which had a circle. So my rat would be in a sense recognising a triangle. But there is a crucial difference: the rat in a sense recognises the triangle, because he reacts to it. But the human language-user recognises that this is a triangle, he recognises that 'triangle' is the right word to use there...This capacity to recognise that X is the right description is essentially invoked in our capacity to use language...the implicit

claim in speaking languages that they (our words) are appropriate; and we can all understand the challenge that someone might make at any point: "Is x the right word? Or do you really mean x?" And we would all be able to give some kind of reply. (Taylor, 1985e, pg 228)

But how is our capacity to exercise this judgement possible? The answer is that our ability to judge stems from a holistically structured set of background understandings mediated through and by language. For instance, Taylor argues that in order to be able to understand the term 'triangle' a person would necessarily have to know a whole host of different terms that would allow one to contrast the meanings of words associated with various shapes. Moreover, one would have to be self-reflective aware of the social conventions that regulate whether a particular term is appropriate to use in a given context.

Accordingly, Taylor stresses that language from this viewpoint constitutes a "pattern of activity" via which people can "express/realise a certain way of being in the world". (Taylor, 1985e, pg 231) Interestingly, he stresses that our capacities to express/realise ourselves can "only be deployed against a background that we can never fully dominate". (Taylor, 1985e, pg 232)

Moreover, Taylor also argues that while this backdrop profoundly shapes our reflective awareness we are never fully dominated by it. The background is always undergoing change through the use of language itself. It is inherently open to revision, extension and alteration through speech acts. Indeed, as Taylor stresses, one of the central advantages of understanding language in expressivist terms is its capacity to explain human creativity. Designative theories "implicitly restrict" language as only a means to describe external objects.

By contrast, Taylor argues that understanding language in expressivist terms allows us to appreciate how it can facilitate different and new kinds of understandings, capacities to describe things differently and to reflectively articulate "new kinds of normative response and feeling." (Taylor, 1985e, pg 233)

In conclusion, Taylor emphasises that language should not be understood as a passive instrument, allowing us to express ourselves accurately or precisely

with reference to an external object or to accurately 'name' objects via communicative signals. Instead, language constitutes a self-reflective process and practice in which people collectively participate in activities of signification within a given speech community.

More importantly, the expressivist nature of language necessarily implies that our identities are shaped with reference to our social connections with our defining communities as we only learn to use language via ongoing practices of socialisation. Taylor's expressivist account of language emphasises that while our historically inherited communal frameworks are essential to our identities this influence is not unilinear or determinative.

This point is also crucial in understanding Taylor's conception of civil discourse. If our language practices are inherently intertwined with their communal and social context, then our capacity to understand people from different communities hinges on our ability or willingness to learn new languages of expression as these vocabularies articulate a particular community's norms, values, ideals and beliefs. However, how is this possible precisely?

I shall explain this later in greater depth but suffice to say that Taylor addresses this challenge by referencing the work of the German classicist and hermeneutic philosopher Hans-Georg Gadamer. Before this, though, it is important to re-visit one last strand of Taylor's political theory- the need for democratic regimes to develop a strong sense of collective agency and identity- because it underpins his understanding of the purpose of civil discourse in society.

This central pivot of Taylor's political philosophy follows from his critique of proceduralism. Taylor argues that the collective identity of a polity requires a sense of common identity in order for it to exercise democratic agency. (Taylor, 1994b) A shared sense of identity, he notes though, inevitably results in exclusion due to the functional requirement of democratic societies to have a significant degree of social cohesion. Taylor argues that there are a number of manifestations of this 'thrust for exclusion'. First of all, he notes the most tragic and obvious circumstance is one where a social group deemed to be 'non-assimilable' and subjected to "ethnic cleansing". (Taylor, 1999, pg 272)

Secondly, Taylor argues that “forced inclusion” constitutes another form of exclusion are in contexts where perceived difference threatens the dominant sense of identity. For example, he cites the attempted forced assimilation during the nineteenth century of Slovak and Romanian minorities by the Hungarian nationalist movement. Taylor argues that forced inclusion has the following ultimate consequence:

“It is saying in effect: as you are or consider yourselves to be, you have no place here: that is why we are going to make you over”. (Taylor, 1999, pg 272)

Another form of exclusion stems from the refusal to extend citizenship rights to minority groups. Taylor notes the possible fear that such extensions might seem to undermine a shared sense of commitment and connection to a common language, culture, history and ancestry. This anxiety, as Taylor notes, is exemplified by the refusal of the German state to grant citizenship rights to third-generation Turkish migrants until quite recently.

Unsurprisingly, Taylor argues that the very notion of self-government is predicated upon popular sovereignty that correspondingly requires ‘the people’ to possess a sense of collective agency. This sense of identity- as evidenced by the example of the American and French revolutions- is a continual process of creation and innovation, particularly in terms of the cultivating of new forms of collective mobilisation. (Taylor, 1999, pg 265)

Taylor, therefore, rejects the notion that popular sovereignty merely reflects the will of the majority constrained by constitutional checks and balances. Rather, popular sovereignty offers a particular justification for democratic agency as it offers an answer to the fundamentally significant question:

“What is the feature of our “imagined communities” by which people very often do readily accept that they are free under a democratic regime, even where their will is over-ridden on important issues?” (Taylor, 1999, pg 267)

Taylor’s answer proposes that our liberties are guaranteed by a common sense “...that we are ruling ourselves in common, and not being ruled by some agency which need take no account of us”. (Taylor, 1999, pg 267) Accordingly, it is a freedom that also must be collectively defended if it is to remain a viable

possibility and which can only be realised by the ongoing exercise of collective agency through ongoing political mobilisations.

Taylor believes that this recognition of mutual dependency is crucial to developing a collective sense of identity in democratic societies because it orientates citizens towards the common good. It motivates the willingness to participate in democratic decision-making processes and to discuss disagreements of worldviews respectfully.

Importantly though, Taylor also notes that the political identity of the state is also constantly a site of contention, taking note of the example of the position of Quebec nationalism within the Canadian federation. This reality necessarily implies that democratic citizens should engage in an ongoing, public dialogue process in order to articulate an inclusive collective sense of identity. (2001b) Civil discourse is therefore essential to developing relations of solidarity in a diverse polity, Taylor arguing that:

“To some extent, the members must know one another, listen to one another and understand one another. If they are not acquainted, or if they cannot really understand one another, how can they engage in joint deliberation? This is a matter that concerns the very conditions of legitimacy of democratic states.” (Taylor, 1999, pg 270)

Furthermore, Taylor also claims that the quest for mutual understanding is profoundly connected with the ensuring legitimacy of democratic states. Without collective dialogue between different communities' social polarization and division will inevitably occur. (Taylor, 1999, pg 270) It is here that Taylor's work seems closely aligned to Rawls' concerns to ensure the stability of liberal-democratic governance in the face of deep moral and political disagreement. Indeed, Taylor stresses that a democratic society cannot function if its members refuse or are unable to effectively listen to each other's claims and perspectives. (Taylor, 1999, pg 270)

More strongly, Taylor argues that the legitimacy of a diverse democratic society can only be assured if citizens commit to seriously considering each other's claims into the future. A democratic society, therefore, requires a significant

degree of common allegiance, reciprocal commitment and shared trust between its members if it is to ensure its ongoing reproduction.

In conclusion, Taylor argues that democratic societies require firm commitments to commonly shared goals, aspirations and goods. Taylor is therefore suspicious of individualistic or 'atomistic' accounts of liberal selfhood on the basis that they are ultimately too narrow. Taylor is fundamentally critical of an understanding of political life which foregrounds individual freedom at the expense of considering mutual commitments and identifications.

Without this sense of commonality, it is impossible for liberal-democratic regimes to sustain themselves. (Taylor, 2012b) Ultimately, Taylor's work aims to avoid dangerous, exclusionary interpretations of nationalism while defending the proposition that democratic societies require a collectively articulated sense of shared goods and senses of belonging and identity.

It might seem therefore that Taylor's conception of civil discourse is merely orientated towards discovering common goods and to the cultivation of relations of respect, trust and solidarity between citizens across their epistemic and normative differences and disagreements.

However, as we shall note shortly, Taylor also strongly connects a conception of civil discourse to the fair recognition of cultural differences which he argues is a fundamental pre-condition for the equal political and social inclusion of minority groups in society. Interestingly, he also believes that civil discourse can also help to deconstruct pejorative stereotypes and social categorizations about minority groups.

The importance of Recognition, Dialogue and Identity Transformations:

The previous section has emphasised Taylor's concerns in relation to the limitations of procedural politics. It outlined his fears that contemporary democracies are plagued by deepening polarisation and fragmentation. It noted his emphasis on the importance of democracies developing social cohesion and strong sense of collective identity.

Yet while this is an important motif of Taylor's political theory, it is also important to stress that he is also profoundly interested how identity transformations can

be fostered through ongoing civil discourses between members of society who come from different cultural, ethnic and religious backgrounds.

Taylor's understanding of identity starts with the assumption that it ultimately refers to our most fundamental existential orientations, providing human beings with an intelligible background via which our values, beliefs and commitments become intelligible to us. (Taylor, 1994, pgs 34) Importantly, though, Taylor insists that our own identities can never be discovered or developed in isolation. Rather, as we shall note subsequently, he maintains our identities are undergoing constant change via dialogical exchanges.

In addition, Taylor constantly stresses the complexity of our identities. They are constituted by constantly re-negotiated strands and markers. Our identities are subject to plural pressures by a wide range of social forces. (Taylor, 2012) These forces, he argues, have become increasingly pronounced in the face of deepening cultural, ethnic, religious and moral pluralism.

Indeed, Taylor argues that a new political phenomenon has become increasingly important in contemporary liberal-democratic societies. He terms this development the "politics of recognition". It reflects a broad range of political struggles for freedom and self-determination by previously marginalised cultural and ethnic groups.

Taylor argues that the politics of recognition has now become "universally acknowledged in one form or another". (Taylor, 1994, pg 25) Contemporary political life, he claims, frequently revolves around the "need, sometimes the demand, for recognition" of cultural particularity and difference. (Taylor, 1994, pg 25)

Taylor makes the firm claim that demands for recognition are intimately tied with the collective self-understandings of minority groups. (Taylor, 1994, pg 25) Indeed, as he argues, the fashion in which our identities develop is profoundly influenced by whether they are unjustly misrecognised or fairly acknowledged by our fellow members of society. (Taylor, 1994, pg 25)

It is important to stress, therefore, that while Taylor's theory of recognition describes an ethical ideal which should guide the social relations between members of different cultural communities. Taylor therefore develops an

account of civility which implies that recognition requires an open orientation to understanding the diversities of human experience as well as a willingness to appreciate the “humanity of other”, even in the face of confronting difference. (Taylor, 1993b, pg 192)

Given this backdrop, it is understandable why Taylor believes that social relations of misrecognition constitute a significant form of oppression. It imprisons particular groups and individuals in false, distorted and demeaning self-conceptualizations which typically serve the interests of cultural majorities or dominant social groups. Hence, for Taylor, the most pernicious aspect of misrecognition occurs when minority group members internalise pejorative societal values, norms, principles and beliefs about themselves. (Taylor, 1994, pg 25)

Relations of social misrecognition not only violate the fundamental moral value of respect but they can also cause “grievous” emotional wounds on its victims. Importantly, it also effectively excludes minority groups from democratic deliberation over a society's sense of collective identity. (Taylor, 1994, pg 26) Consequently, Taylor insists that bestowing appropriate recognition to other people's identities reflects the meeting of a fundamental human need as opposed to constituting a simple social courtesy.

Taylor argues that it is important to distinguish two historical processes that have rendered the “modern preoccupation with identity and recognition inevitable”. (Taylor, 1994, pg 26) The first is the disintegration of traditional social hierarchies with the rise of modernity, particularly in terms of the decline of justificatory regimes which supported the maintenance of various social inequities and inequalities.

The displacement of what he terms the “honour regime” occurred in light of the emergence of universalist and egalitarian understandings of personhood and citizenship. This development, in turn, encouraged the growth of democratic government as well as a “horizontalization” of social identities as inherited distinctions of social status became increasingly discredited. (Taylor, 1994, pg 27)

The second process- intimately related and intertwined with the first- refers to the emergence of new understandings of individual personhood that emerged during the 18th century. This new understanding stressed the uniqueness of each person, reflecting an individualised sense of selfhood- “one that is particular to me, and that I discover in myself”. (Taylor, 1994, pg 28) It stressed the importance of “being true” to one's own sense of self identity.

Accordingly, Taylor suggests that this process tracked a broader social change in which “being in touch with our feelings” increasingly assumes “independent and crucial moral significance. It comes to be something we have to attain if we are to be true and full human beings”. (Taylor, 1994, pg 28)

The pursuit of authenticity, therefore, is not merely expressed in personal judgements of morality. Rather, it constitutes a significant collective transition within contemporary society as people increasingly understood themselves as distinctive and unique *individual* persons. (Taylor, 1994, pg 30) Indeed, Taylor makes the strong claim that prior to the 18th century, “no one thought that differences between human beings had this kind of moral significance”. (Taylor, 1994, pg 30)

Taylor explains the consequences of this shift of consciousness, suggesting that it accords “moral importance” to individuals being able to form authentic moral commitments and social connections, to being able to understand one’s own self in an intelligible fashion and to be able to affirm the uniqueness of our own identities and claims. (Taylor, 1994, pg 30)

Following this historical transition, human beings increasingly relate to their self-identities with a presumption of self-authorship as being 'true to myself' means articulating and discovering one's uniqueness and originality as a person. It therefore entailed a rejection of social hierarchy. Individuals' saw their identities less fixed by one's (inherited) position or location within society. Instead, identity became increasingly “inwardly generated” rather than being socially derived. (Taylor, 1994, pg 28)

Taylor does not claim, of course, that contemporary society is defined by a lack of social interdependencies. Nor is he claiming that in the past people lacked a sense of self identity. Rather, the problem of misrecognition never arose as a

social issue prior to Modernity as our identities were based on taken-for-granted and inherited social identifications.

In addition, while Taylor stresses that while our identities became increasingly inwardly generated, he also maintains that they should never be understood in monological terms. From this perspective, our identities cannot be 'discovered' or 'generated' mono-logically because human identities are intrinsically dialogical. (Taylor, 1994, pg 32)

Subsequently, Taylor stresses that we can only become “full human agents....through our acquisition of rich human languages of expression”. (Taylor, 1994, pg 29) He argues that the formation of our identities can never occur in isolation. Rather, they can only be negotiated “through dialogue, partly overt, partly internal, with others”. (Taylor, 1994, 34)

Furthermore, Taylor argues that the transition from a society governed by the principle of honour to the principle of equal dignity has fostered a 'politics of universalism'. This kind of politics is concerned with ensuring the equalization of political rights, immunities and entitlements. It reflects the normative principle that all persons command equal respect simply by virtue of being human beings- it reflects a metaphysical and universalist account of human status, capacity and potential. (Taylor, 1994, pg 57)

However, Taylor argues that the transition also fostered a second change with often sits in tension with the first development. He argues that a “politics of difference” has also become increasingly important in contemporary political life.

This development reflected more forceful calls for the social recognition of the unique identities and practices of minority groups and communities. These struggles, he suggests, are particularly important in circumstances where dominant conceptions of identity have ignored or overlooked the identity claims of minority communities. (Taylor, 1994, pg 42)

Taylor notes that from a global perspective minority groups are continually striving to challenge homogenous moulds of citizenship that are unresponsive to their historical experiences, imposing a discriminatory imposition of a singular and hegemonic culture or way of life. These political responses demand a re-

negotiation of the meaning of non-discrimination towards a willingness to consider differential political and social treatment in the face of recognising the particularities of different social groups and communities. (Taylor, 1994, pg 83)

Accordingly, Taylor rejects accounts of equal dignity liberalism which insist on a uniform application of political and civil rights. He argues that such models are overly suspicious of collective social goals. They can be inhospitable to difference as they ignore the collective aspirations for their cultural practices or collective goals to survive or succeed into the future.

For instance, Taylor cites the example of Quebec as a situation where the collective goals of its population challenge a difference blind model of liberalism. Taylor argues that the Quebec political situation foregrounds the popular support for the continual flourishing of Francophone culture into the future, thereby legitimating public policies which aim to socialize new generations into Francophone culture. (Taylor, 1992, pg 58-59)

Despite this public policy orientation, Quebec's society, according to Taylor, has managed to articulate a shared, collective vision of the good while respecting the liberties of individuals who do not share this collective framework. He maintains that Quebec's liberalism is premised on a continual negotiation between protecting fundamental democratic rights while advocating socially valuable goals that are "sought in common" by the majority. (Taylor, 1994, pg 59) As he insists:

"One has to distinguish the fundamental liberties, those that should never be infringed and, therefore, ought to be unassailably entrenched, on one hand, from privileges and immunities that are important, but that can be revoked or restricted for reasons of public policy—although one would need a strong reason to do this—on the other." (Taylor, 1994, pg 59)

Taylor, therefore, contends that a society can promote "strong collective goals" without compromising fundamental democratic rights, on the condition that it adequately respects diversity and provides adequate safeguards for individual liberties. (Taylor, 1994, pg 59)

Moreover, Taylor stresses that liberalism cannot aspire to be a "possible meeting ground for all cultures". It ultimately reflects a "political expression of

one range of cultures” that remains “quite incompatible with other ranges”. (Taylor, 1994, pg 62) Consequently, Taylor famously terms liberalism a “fighting creed” and argues that it “can’t and shouldn’t claim complete cultural neutrality”, thereby inevitably raising substantive distinctions as to where boundaries of toleration ought to lie. (Taylor, 1994, pg 62)

Moreover, he insists that this question is increasingly pressing given the profound diversity and “porousness” of contemporary societies. These conditions necessarily mean that citizens increasingly question the historical boundaries of belonging to a polity. (Taylor, 1994, pg 63)

However, Taylor also notes that this transition has generated significant problems. Struggles for recognition are always difficult for claimants. But they are also difficult for those who receive demands for recognition as they raise normative demands for a change in one's self-understandings and one's sense of identity. Taylor's recognition of these difficulties has profound implications in terms of how he interprets the connection between civil discourse and relations of recognition and misrecognition in society.

Indeed, Taylor believes the central epistemic challenge faced by liberal-democracies is how to instigate transitions between distorted frameworks of understanding regarding different worldviews towards frameworks which facilitate genuine dialogical learning of different cultural, ethnic, or religious worldviews. (Taylor, 2002b, pg 138) Taylor's conception of civil discourse suggests that citizens can address this challenge via extending a “presumption of equal worth” to different cultural claims and frameworks.

This means rejecting positions that deny distinctions of worth and value between different cultures and positions that reduce different cultural frameworks to certain essentialist characteristics or standards. (Taylor, 1994, pg 66) Instead, it is a process which demands that individuals be prepared to be “transformed” through “the study of the other, so that we are not simply judging by our original familiar standards” (Taylor 1992, 70).

The extension of this presumption, as part of a process of civil discourse, can eventually culminate in a potential “fusion of horizons” where people expand their interpretive horizons, questioning the background assumptions that they

had previously taken for granted. (Taylor, 1994, pg 67) The fusion of horizons invariably requires a transformation in our self-understandings as a consequence as people develop an understanding of the values, norms and beliefs of a different culture.

Taylor argues, therefore, that an integral feature of civil discourse is avoiding the judgement of different cultural frameworks by interpreting them exclusively from the perspective of our own traditions and norms of epistemic and moral evaluation, interpretation and inquiry. As he further argues:

“The “fusion of horizons” operates through our developing new vocabularies of comparison, by means of which we can articulate these contrasts. So that if and when we ultimately find substantive support for our initial presumption, it is on the basis of an understanding of what constitutes worth that we couldn’t possibly have had at the beginning. We have reached the judgement partly through transforming our standards...what the presumption requires of us is not peremptory and inauthentic judgements of equal value, but a willingness to be open to comparative cultural study of the kind that must displace our horizons in the resulting fusions”. (Taylor, 1994, pgs 67; 73)

Ultimately, it is by presuming, *prima facie*, that other cultures and different worldviews have potential epistemic and moral value to offer which opens the possibility to develop a “language of perspicuous contrast” between communities who share different cultural beliefs and values. Taylor defends the importance of this idea in a recent interview with Chris Bloor:

“I think that’s what we have to aim at if we want to get these differences out into a sphere where there can be a rational and calm discussion of how to live together with tension between different groups. It’s only by coming to such a language that we can have a discussion that doesn’t degenerate into a kind of stigmatising of the other. It’s not just important in the classroom or the anthropology monograph, it’s tremendously important in our public debate. We need it very badly in our diverse societies.” (Taylor, 2015, no page number available)

This is an important point as Taylor argues that civil discourse fundamentally constitutes a *comparative* activity which not only requires participants to place

their own self-understandings into question and to learn from different worldviews, but it also demands co-operation to develop an appropriate language or vocabulary which is the essential pre-condition for this exchange to occur in the first place. (Taylor, 1995c; 1995e; 1995f)

Given that Taylor rejects what he terms the cultural “incommensurability thesis”, he argues that an important aspect of civil discourse is the development of languages of comparison which will allow members from different communities to appreciate the “human constants” which animate their competing worldviews. (Taylor, 1985c, pg 125) Importantly, though, this process of contrast can also enable social criticism of different worldviews by generating new “possibilities of reinterpretation and reappropriation”. (Taylor, 2011f, pg 122)

Accordingly, the fusion of horizons is possible for Taylor as all cultures reflect a set of universal human values, aspirations and ideals albeit their justification in practice differs from historical and cultural context. Moreover, it is also possible because human societies face a common set of social and political problems, difficulties and dilemmas. The task of civil discourse, therefore, is to elucidate the universalistic aspects of different worldviews.

Taylor argues though that these commonalities can be obscured from people by virtue of people's immersion in a set of complex background understandings that are not quite articulate and which are often implicitly or unconsciously held. Indeed, these background understandings can effectively obscure certain questions from being posed and which responses can be articulated in response.

In addition, Taylor also acknowledges that this process of civil discourse can sometimes be immensely confronting because it inevitably generates significant cognitive and affective resistance that reflects our deep investments in our “distorted images of others”. (Taylor, 2002) It can often be extremely painful to acknowledge and come to value new perspectives to our own.

Furthermore, Taylor suggests that this extending a presumption of equal worth is often problematic and “involves something like an act of faith”. Nevertheless, it is worthwhile as a starting point for intercultural dialogue as he claims that all

human cultures have universal insights into the human condition which are worthy of consideration. (Taylor, 1994, pg 66)

Moreover, Taylor also suggests that a willingness to accord this presumption might be animated by recognizing our own culture's limitations. (Taylor, 1994, pg 73) Ultimately, the extension of an initial presumption of equal worth is essential if citizens are to fairly assess conflicting world-views and if they are to recognize their connection to different languages of expression- as he stresses:

“The rather different understandings of the good which we see in different cultures are the correlative of the different languages which have evolved in those cultures. A vision of the good becomes available for the people of a given culture through being given expression in some manner. Consequently we need to recognise a plurality of goods, and the conflicts that arise from these, and not mask the conflict by de-legitimising one or other of the contested goods.”
(Taylor, 1989, pg 518).

In conclusion, therefore, Taylor argues that democratic societies are obliged to share identity space that involves the negotiation and compromise between different personal and group identities through practices of civil discourse in order to articulate a commonly acceptable sense of collective political identity. Taylor argues though that there will be certain limitations on the nature of the compromise as key democratic principles cannot be negotiated or bargained in exchange for other social purposes or goods.

Consequently, as he further suggests, civil discourse is a problematic activity because liberal-democracies are in a constant “standing dilemma” with respect to the political negotiation of diverse identities and claims. This dilemma stems from their need for a sense of deep cohesion around a shared political identity. However, this requirement precisely fuels the temptation to exclude communities and groups that supposedly fail to conform to majoritarian identities.

Obviously, from a moral standpoint this is deeply problematic. However, Taylor also notes that this temptation constantly risks undermining the principle of popular sovereignty while breeding social alienation and division. Taylor suggests that one means via which this dilemma can be reconciled is the open,

public acknowledgement of its existence. He argues that this acknowledgement might foster creative and critical articulations of a political community's sense of collective identity. (Taylor, 2004b, pg 38)

Taylor, therefore, argues for the importance of the idea of 'sharing identity space' which refers to the process of political identities being continually publicly re-negotiated. (Taylor, 2004b, pg 39) Indeed, Taylor argues that this form of co-existence has to be "discovered or invented anew by succeeding generations." (1999, pg 281)

Taylor suggests that civil discourse can facilitate this process by encouraging references to the shared historical-cultural conceptions and ideals of the good life via which citizens define their personal identities. Ongoing identity negotiations, according to Taylor, will never work simply by referencing individual rights and democratic procedures.

Taylor argues that this process might help to alleviate experiences of "identity fright" felt by individuals who feel threatened by cultural, religious or ethnic diversity. This sense of threat can only be combated, he claims, by demonstrating how one's polity has elements of historical continuity and elements of historical change. It will allow citizens to reject an understanding of collective identity premised on a notion of a "leitkultur". It might help frustrate a politics that demands the assimilation of difference into an imagined, homogenous mold.

In addition, he also claims that this process of civil discourse can allow individuals to critically question their "implicit assumptions" about members from different social groups and communities. However, how can this ambition be achieved precisely? Taylor suggests it can occur via two principal mechanisms.

First of all, one might begin to see our peculiarities as "facts about us, and not simply as taken-for-granted features of the general human condition". (Taylor, 2002) This involves the acknowledgement that 'our way of being' is not natural but rather constitutes one among multiple possibilities. It is in this regard that it becomes vital to relate to our cultural practices with greater reflexiveness by challenging those aspects of our traditions which were 'too obvious to mention'. (Taylor, 2002)

Secondly, one might begin to perceive 'without distorting, corresponding features in the lives of others'. (Taylor, 2002) Importantly, this implies that a change in our evaluations of individuals from different cultural, ethnic or religious backgrounds requires a change in our interpretations of our own identifications. As he suggests, it entails:

“...an identity shift that alters our understanding of ourselves, our goals, and our values.” (Taylor, 2002) This change of sensibility, he suggests, occurs if perceived differences become reinterpreted as “a challenge posed by a viable human alternative.” (Taylor, 2002)

This process of self-change inevitably generates significant resistance that reflects our deep investment in our “distorted images of others”. (Taylor, 2002) He stresses that it can often be extremely painful to learn from different worldviews as it requires a shift in our own self-interpretations.

Indeed, Taylor emphasises that our understanding of others from different cultural, religious and ethnic worldviews will always remain imperfect and distorted. However, he argues it might be possible to improve our knowledge through a series of corrections and revisions in response to learning through mutual dialogue.

This process requires a certain measure of goodwill. It requires a recognition that we can be enriched by understanding of different worldviews and a willingness to accept that “other societies present us with different and often disconcerting ways of being human”. (Taylor, 2002) This is an important point as this reflects the influence of the work of Hans-Georg Gadamer and the hermeneutic tradition on Taylor's conception of civil discourse. He particularly develops the idea of “moral frameworks” or “horizons” from Gadamer and places it as a central concept which his account of civil discourse.

Ruth Abbey (2000) notes that Taylor believes that these frameworks or horizons serve to “shape and meaning to individuals' lives and provide answers, no matter how tacitly, to existential questions that he believes face all individuals about the purposes, conduct and direction of their lives”. (Abbey, 2000, pg 34) This is an important point because Taylor believes that such frameworks are essential to understanding human agency and identity, as he argues:

“I want to defend the strong thesis that doing without frameworks is utterly impossible for us; otherwise put that the horizons within which we live our lives and which make sense of them have to include these strong qualitative discriminations. Moreover, this is not meant just as a contingently true psychological fact about human beings...Rather the claim is that living within such strongly qualified horizons is constitutive of human agency, that stepping outside these limits would be tantamount to stepping outside what we would recognise as integral, that is, undamaged personhood”. (Taylor IN Abbey, 2000, pg 34)

More recently, Taylor in a recent interview with Ulf Bohmann and Dario Montero explains the concept of a “horizon” thus:

“‘*Horizon*’ is when you want to talk about the whole understanding of one culture regardless of what the issue is. Supposing I’m into anthropology, and I find people are doing a sacrifice. Is this their religion? At first, I don’t know; so you have to get over a too easy familiarity with religion and only then can you see the ‘horizons’: the whole surrounding understanding within which distinctions of religion/non-religion could figure, and then you have to try to find a way for building bridges in a language of perspicuous contrasts. ‘Horizons’ figure in that kind of broad context, but they don’t focus on particular issues, like how political society actually works. “(Taylor IN Bohmann & Montero, 2014, pg 5)

Taylor suggests that frameworks or horizons are interpreted within individual and social narratives which provide meaning to the past and direction to the future. Remember that Taylor defends the proposition that human beings are ‘self-interpreting animals’; our understandings- self and collective- play a crucial role in shaping who we are and what we do.

Consequently, Taylor poses a fundamentally important yet problematic question: “If our tacit sense of the human condition can block our understanding of others, and yet we cannot neutralise it at the outset, then how can we come to know others? Are we utterly imprisoned in our unreflecting outlook?” (Taylor, 2002b, pg 132)

Taylor suggests that Gadamer offers us an avenue from this impasse via the principle that mutual understanding can occur “through the patient identification

and undoing of those facets of our implicit understanding that distort the reality of the other". (Taylor, 2002b, pg 132) This process of 'undoing' occurs when one realizes that differences of perspective between individuals reflect the influence of a deeper set of background understandings. (Taylor, 2002b, pg 132)

He argues, therefore, that if individuals question their background understandings they will be able to appreciate how they had taken the "naturalness" of our own perspectives for granted. (Taylor, 2002b, pg 132)

Taylor notes however that our understanding can only be improved with the correction of previous 'distortions' albeit only likely imperfectly. Horizons, as he stresses, are often initially distinct and divisive, but they are also movable and can be altered and extended. Indeed, as he argues:

"Gadamer's concept of "horizon" has an inner complexity that is essential to it. On one hand, horizons can be identified and distinguished; it is through such distinctions that we come to grasp what is distorting understanding and impeding communication. But, on the other hand, horizons evolve, change. There is no such thing as a fixed horizon". (Taylor, 2002b, pg 136)

Taylor argues that Gadamer's account is highly germane to our attempts to understand "quite alien societies and epochs". It articulates the necessity of changes in one's own self-understandings as we recognise that different others "present us different and often disconcerting ways of being human". (Taylor, 2002b, pg 142)

The challenge faced by individuals in diverse liberal-democracies, Taylor therefore suggests, is how to "acknowledge the humanity" of different worldviews while continuing to practice our own. (Taylor, 2002b, pg 142) Accordingly, Taylor suggests that the metaphor of an interpretive horizon is important. It reflects the need to acknowledge "systematic differences in construal" between different cultures "without either reifying them or branding them as ineradicable". (Taylor, 2002b, pg 138)

Moreover, Taylor stresses, in light with his claim that understanding different cultures is not redolent of scientific modes of understanding, that our comparative efforts will constantly be an ongoing and ever incomplete process as it is impossible to form a complete and objective understanding of different

worldviews. But this sounds rather abstract- does Taylor offer any political examples of this fusion of horizon in practice?

Although not directly implied, Taylor argues that the collective narrative which defines Canadian multiculturalism since the 60s was defined by the dethroning of an Anglo-normative understanding of national identity. This story, he suggests, was not appealing to the Quebec situation given its demographic composition as well as a historical legacy and threat of cultural assimilation by the Anglophone majority.

Accordingly, Taylor suggests that one significant policy difference between Quebec and Canada is the fact that its political history has attempted to integrate new immigrants in French rather than English. The challenge for Quebec, from Taylor's point of view, is to encourage a process of 'decentering' its sense of historical ethnic identity.

This process requires that all citizens have the voice and stake in the evolution of this traditional identity with no particular group's input privileged. This is an important point because Taylor argues that Quebecois model of "interculturalism" is often confused with a dogmatic refusal to recognise diversity whereas, in fact "it can be part of a different way of opening to difference". (Taylor, 2013, no page number available.)

This is an important aspect of civil discourse because Taylor suggests that it has the capacity to de-construct pejorative stereotypes and prejudicial attitudes. For instance, Taylor is particular concerned about the social portrayal of Islam in many "Western" liberal-democracies following the events of September the 11th with the entrenchment of negative social impressions. He categorizes this development under the umbrella term "block-thinking" and he maintains that it has been manifested in two particular social circumstances. (Gaonkar & Taylor, 2006; Taylor, 2007)

The first circumstance is the tendency for even relatively simple requests for cultural and religious accommodation by Muslim communities- for instance demands for schoolgirls to be given permission to wear headscarves in class- to become sites of immense public opprobrium and hostility. This trend has been exemplified by the rise of far right, reactionary parties which deem Islam to be

an inherently violent religion incompatible with the perceived values of 'Western' liberal-democracy. (Taylor, 2007)

Taylor argues that this tendency to treat Muslim citizens as if they belong uncritically to a singular homogeneous entity is profoundly problematic. Not only does it encourage discriminatory attitudes and policies but it actually becomes a self-fulfilling prophecy as Muslims become increasingly alienated from mainstream society and internally factionalized.

From this viewpoint, ignorance constitutes a powerful contributor to what he terms 'block-thinking'. Consequently, the viability of a multicultural state requires profound mutual learning between different cultural groups and communities. According to Taylor, while block-thinking is inescapable and is an 'age-old phenomenon' it has become profoundly dangerous within the contemporary social context. (Taylor, 2007)

Indeed, block-thinking can serve as a self-fulfilling prophecy as the tendency to treat Islam as one homogeneous, unvaried block renders it difficult for Muslim activists to engage in internal criticism of their block thinkers and traditions. (Taylor, 2007) Accordingly, Taylor advocates the proliferation of social spaces where people from differing social backgrounds can discuss public issues with civility. This will allow members from different communities to slowly de-stabilize the faulty preconceptions about each other.

In conclusion, this section has attempted to articulate Taylor's understanding of civility. It is differentiated from Rawls and Habermas' approach in that it insists that robust, substantive discussions in regards to competing ideas of the good is an essential aspect of contemporary life in pluralist societies.

However, Taylor is optimistic that these discussions can help foster a sense of collective identity that is inclusive and which can command the assent of its minority groups. This is particularly important given Taylor's strong emphasis on the importance of robust solidarity and cohesion in order to maintain the vitality and viability of liberal-democratic regimes.

More importantly, civil discourse constitutes an important means of expressing recognition for cultural, religious, moral and ethnic differences. It involves an appreciation of the historically and culturally specific values, interests, ideals

and standards which renders different cultures unique and distinctive. Civility, therefore, in the context of cultural differences demands a presumption of equal worth which paves the way for citizens to develop a new sense of shared identity space and a more inclusive sense of collective identity.

Importantly, this kind of recognition also seems to involve an awareness of how stereotypical pre-judgements or pre-conceptions can distort one's perceptions of individuals and groups from different cultural, ethnic and religious backgrounds. Taylor recognises how these pre-conceptions and pre-judgements have constituted a powerful mean of exclusion and marginalisation.

This awareness is dependent on our ability to articulate our own background presuppositions about different cultural practices or people from different social backgrounds. It requires a willingness to allow others to explain their practices through their vocabularies and semantic frameworks. In particular, this activity is possible if people engaged in dialogue come to note the nature of the 'conspicuous contrasts' which emerge during the course of discussion(s).

Finally, there a sense in which Taylor's work highlights how mutual understanding is contingent upon people's abilities, opportunities and motivations to learn new vocabularies and background understandings during the course of dialogue. This learning process is essential as particular disputes cannot be divorced from the deeper set of values, norms, ideals and appeals which animate differing world-views. From this perspective, civil kinds of dialogue involve inviting those from different cultural, ethnic and religious backgrounds to articulate their claims in their vocabularies.

Ultimately, Taylor stresses the difficulties involved in this project, he also underscores its inevitability and even the desirability of these risky, decentering dialogues. Civil kinds of dialogue can allow us to question the implicitly held negative evaluations held by people towards those from different social locations and backgrounds. It also allows people to de-centre their sense of identity rather than construing it as the manifestation of a singular and generalizable human condition.

However, as it shall be noted, Taylor's approach suffers from a number of significant limitations which are worth exploring in further detail below,

particularly in terms of his failure to acknowledge the powerful influence of hermeneutical and testimonial injustices as well as his potentially essentialist understanding of identity.

The Problems with Taylor's account:

The first major problem which emerges with respect to Taylor's interpretation of civility is his conception of our group or communal identities. While Taylor stresses that civil discourse allows us to develop a sense of self more capable of accepting and learning from different worldviews, his account of this learning process seems to be in tension with his rather rigid account of group-based recognition as a number of critics have noted. (Abbey, 2000; Baumeister, 2003; Dick, 2011; Lehman, 2006; Lyshaug, 2004; Redhead, 2002; Smith, 2002; Wolff, 1992)

Indeed, in particular, as Andrew Schapp suggests, Taylor's understanding of recognition “tends to trade on an ambiguous account of identity as both constituted through dialogue with others but also somehow fundamental and non-negotiable”. (Schapp, 2004, pg 38) This tension is demonstrated by Taylor's discussions of individual and group-based identities.

On the one hand, Taylor is keen to stress the dialogical nature of personal identity as well as the manner in which people can self-reflexively question, critique and revise their worldviews. However, Taylor also occasionally advocates a rather static conceptualization of group-based identity which sits in tension with his inclusive, dialogical account of identity formation. This tension, Andrea Baumeister (2003) argues, creates the following problem for Taylor's philosophical framework:

“For Taylor the members of a cultural community share meanings and values and are collectively committed to the promotion of their particular conception of the good. Such an emphasis upon shared meanings and goals, however, appears to underestimate the extent to which cultural identity will always remain internally contested”. (Baumeister, 2003, pg 404)

Nowhere is this problem more apparent than his discussion of the cultural politics of Quebec and his defence of 'cultural survivalism'. Remember that

Taylor argues that it is possible to reject exclusionary interpretations of Quebecois political identity while continuing to advocate for special provisions designed to protect the social dominance of its Francophone culture.

Unfortunately, Taylor's framework grants insufficient attention to the problem that such a stance might be potentially exclusionary of minority groups and communities as any project aimed at protecting a majority culture will invariably require the assimilation of minority group members.

Taylor's defence of cultural preservation consequently ignores that minority groups and communities frequently not only seek particular social accommodations which recognize aspects of their cultural and religious distinctiveness but that they also desire to alter dominant, collective conceptions of identity which they believe unjustly marginalize them in their society's "imagined community".

There is a serious potential tension, therefore, between Taylor's account of civil discourse, which entails a "fusion of horizons" between different cultural, religious and ethnic traditions, and his attempt to justify practices of accommodation which ultimately would restrict changes in a dominant majority's culture.

Indeed, Taylor seems particularly insensitive to the danger that cultural survivalism can be animated by discourses of "paranoid nationalism" which construe minority cultures as inherently constituting an existential threat to dominant cultural norms and values. (Hage, 2003; Nicholson, 1995) Moreover, Taylor's account of multicultural recognition suffers from an interpretative bias which renders it incapable of appreciating important aspects of political contestation with respect to the relations between majority and minority groups.

This is because Taylor's account rests on an assumption that majority groups ought to confer recognition on minority groups, thereby raising significant questions as to whether his framework of recognition can adequately include the recognition of indigenous peoples given that the very legitimacy of the status of the colonial state to exercise power in name of non-indigenous people is deeply contested. (Coulthard, 2000)

In addition, Linda Nicholson suggests that Taylor's account of multiculturalism often problematically assumes that the values, norms, beliefs of cultural majorities constitute an unquestioned fixed backdrop against which the needs of minority groups ought to be accommodated. This is a problematic assumption, she notes, because many contemporary struggles for recognition are not reducible to demands by minority groups for majority groups to acknowledge the worth of their traditions, customs, beliefs, norms and values. (Nicholson, 1996)

Instead, Nicholson argues that many contemporary struggles are more animated by a desire to critique and revise dominant evaluative standards in the first place via making majority group member critically conscious of their operation. (Nicholson, 1996)

Nicholson's critique thereby implies that Taylor's account of recognition is asymmetrically focused on the claimants of recognition as opposed to focusing on the subjects receiving recognition claims, a concern which has been elaborated differently by Patchen Markell and Nikolas Kompridis. (Kompridis, 2007; 2013; Markell, 2003)

This asymmetry means that Taylor's approach evades important questions about the social composition of the dominant majority as his discussion of Quebec tends to articulate a rather static and homogenous depiction of Francophone society. This means that Taylor fails to adequately conceptualize the internal disagreements, contradictions and tensions within any group identity and how they shift in the face of ever-changing social circumstance.

From this perspective, as Patchen Markell points out, Taylor's account of recognition is limited by his insistence that "others recognise us as who we *already* really are" as opposed to acknowledging how our identities are revised during the "course of the ongoing and risky interactions through which we become who we are". (Markell, 2003, pg xxxi)

In addition, a further difficulty associated with Taylor's conception of cultural survivalism is that it seems insensitive to the claim that the advocacy of shared, collective goods, norms, and values might serve to disadvantage or socially alienate minority group members in a given political community. Indeed, in

particular, his approach ignores that the protection of majoritarian values might compromise the cultural rights of minority groups by virtue of the prevailing relations of power.

For instance, Quebec is currently experiencing social tension with respect to Muslim women wearing the niqab in public spaces. This tension has been exploited by nationalist political parties and associations to advocate significant state intrusion into individual freedoms of religious belief and conscience, particularly via the promotion of dress codes in public institutions which minority groups believe unfairly targets, stigmatizes and discriminates against them.

Of course, Taylor is fundamentally opposed to this kind of reactionary politics. Nevertheless, his account of recognition fails to accord significant attention to this potential problem. This failure of consideration is also problematic because while Taylor stresses the pains of misrecognition he underplays the social injuries that can result from a politics of cultural survivalism.

Where a cultural or religious majority is socially validated and supported by public policies that support its dominant status, minority groups might feel that their cultural identities are being systemically socially devalued. Indeed, they might believe that their cultural rights are compromised by systemic, institutional discrimination. For instance, Muslim women might legitimately feel aggrieved that they must effectively choose between wearing the niqab and refusing to accept a job in the public service that bans religious symbols.

In addition, Taylor does not seem to adequately appreciate how a politics of “cultural survivalism” might impede individual's political rights. A politics of cultural survivalism can circumscribe in advance the limitations of cultural, religious and social inclusion, in a manner slanted towards the interests of a cultural majority.

It thereby hinders a more agonistic approach to cultural negotiation that has been outlined variously by Joseph Carens, Jim Tully and Bhikhu Parekh. This approach stresses the contestability of norms of recognition, the need to fairly consider the interests of both majority and minority groups as well as the inevitable incomplete, provisional and revisable character of any agreements. (Carens, 2000; Parekh, 2002; Tully, 2008)

Taylor, as Kukathas suggests, does not reach such a position because he tends to treat group-based identities in a rather rigid fashion, failing to interpret our identities as “mutable social formations that change shape, size and character as society and circumstances vary”. (Kukathas, 1998, pg 693)

The pressing problem here is whether his advocacy of the politics of cultural survival is compatible with his defence of robust dialogical engagement across difference. It is questionable, therefore, whether Taylor's account of cultural survivalism is reconcilable with his idea that cross-cutting dialogue is essential for communities to negotiate an inclusive sense of collective identity.

Given that Taylor's defence of group-based survivalism is dependent upon an 'ethics of authenticity,' it might be argued that it overly concentrates on cultural identity at the expense of considering other valuable and inter-related influences on our identities. This point is made forcibly by Oksenberg-Rorty, who notes that the distinction between identifying what precisely constitutes a “cultural” group can be problematic given their relationship with other economic and political processes.

She stresses that the politics of recognition inevitably is interlinked with “determining public policy on a vast range of substantive issues”. (Oksenberg-Rorty, 1994b, pgs 155; 177) Indeed, she argues distinguishing between cultural identities can be profoundly contested, citing the following example:

“For instance, how far might the preservation of Irish-American culture commit us to subsidising the parochial schools of the Catholic population, recognising that Catholic schools typically attempt to develop specific attitudes to many morally and politically charged divisive issues (publicly supported abortion, euthanasia, etc.) In funding parochial schools, does the state become an active party in determining not only their curricular standards, but also the direction of teaching?” (Rorty, 1994b, pg 157)

A similar strident objection in this respect comes from Habermas (1994b). He argues that that Taylor's attempt to defend group-based rights- particularly in terms of advocating a right to cultural survival- is deeply flawed as it potentially undermines individual autonomy. Habermas stresses that the notion of rights is only attributable to individuals exclusively as opposed to social groups.

This argument stems from the claim that individuals have a fundamental right to criticise all historically inherited and culturally articulated values, norms, principles and beliefs. From Habermas' perspective, Taylor's defence of group-based rights is ultimately grounded on a naturalistic fallacy as it compares the survival of cultural entities as being analogous to the survival of entire animal species. (Habermas, 1994b, pg 130)

It is in this regard that his account of cultural survivalism seems problematic as it under-emphasises the principle that individuals must have the active capacities or opportunities to question and disassociate from their cultural memberships. It compromises the autonomy not only of groups who do not belong to a given cultural minority, but it also compromises members of cultural majorities to question the future evolution of their cultural inheritances.

Consequently, Habermas upholds that individual autonomy is a vital principle of human agency given the accelerated social change of contemporary societies. Modern relations of social change, he explains, serve to “explode” all “stationary forms of life”. (Habermas, 1994b, pg 132)

Cultural survivalism is, therefore, an atavistic form of political organization. Habermas fears that it encourages the coercive imposition of a singular model of identification. It ignores the complexities of our individual identities, and it could breed practices of social ostracism in cases where people refuse to conform to socially ascribed, group-based norms of behaviour. (Habermas, 1994b)

Similarly, other critics of Taylor's conceptualization of group rights raise the concern that it also potentially undermines the autonomy of future generations with respect to their social identification options. It serves to unjustly delimit the boundaries of collective political identity both for members of Quebec's non-Francophone minorities and individual members of Quebec's francophone population. (Appiah, 1994, pg 157)

This is because cultural survivalism could not only exclude minority groups but it could also exclude members of the dominant social group as it falsely construes its membership to be homogenous, thereby ignoring differences between

members of the dominant culture while ignoring facets of their identities which are not connected to their cultural and linguistic memberships.

Consequently, given this difficulty, a number of critics have stressed the importance of people's capacity to 'exit' from their inherited cultural attachments and values. (Benhabib, 2002; Green, 1998; Okin, 2002) Although this 'right of exit' is not a process of complete disassociation it seems vital for persons to have meaningful opportunities to criticise and disassociate from their cultural memberships and practices.

However, this is not to suggest that there is no legitimate scope for the protection of group rights in a diverse polity. There are many legitimate reasons to support cultural minorities whose collective way of life is threatened via practices of institutional accommodation. For instance, indigenous peoples might require compensation or land right grants in order to atone for colonial injustices. (Rorty, 1994b, pg 153)

Nevertheless, as Andrea Baumeister notes, Taylor's defence of cultural survivalism does present the concern that coercive political power- or even pressure from dominant social norms and values- might place undue pressure on individuals to define themselves "primarily in terms of their cultural membership rather than a whole host of alternative criteria that may shape their identity", including a person's membership in non-cultural communities and groups. (Baumeister, 2003, pg 404)

Another issue with Taylor's account of group identity is that it seems to underplay the potentially destructive nature of group-based political claims. Indeed, in particular, Taylor could be accused in this regard of failing to appreciate how the very notion of collective 'identity' is implicated in destructive social conflicts. (Rorty, 1994b, pg 152) This point is also particularly emphasised by Bauman (1997):

"More often than not the 'survivance' postulate turns into an awesome weapon of subjugation and tyranny, exercised by the acclaimed or self-proclaimed guardians of the 'community' (ethnic, racial, religious) and its traditional values in order to exact obeisance from their hapless wards and to stamp out every inkling of autonomous choice." (Bauman, 1997, pg 197)

Taylor, from this viewpoint, has failed to consider the reality that struggles for recognition- rather than leading to reconciliation or deeper mutual understanding can exacerbate intractable political conflicts even further. Struggles for recognition, rather than leading to a “fusion of horizons”, might simply lead to an alienation of horizons. Indeed, as Chandran Kukathas argues, there is the real possibility that the politics of recognition can degenerate into the “politics of interest group conflict” (Kukathas, 1998, pgs 632-3)

From this point of view, by prioritising the survival of a majority, collective ethnic identity there is the danger that the “politics of survivalism” might encourage demagogic political actors to stoke inter-group tensions for their own vested interests. Obviously, such a situation would entail an attempt to impose a dominating degree of social conformism which would undermine individual autonomy and agency.

Ultimately, rather than the recognition of group-based rights leading to greater political legitimacy and reconciliation the politics of survivalism can deepen political conflicts by ossifying social identities and social distinctions of difference. Taylor’s account of political survivalism thereby inadequately considers the reality that even dominant social groups are internally fractured, thereby resulting in an illusionary and oppressive imposition of “shared” values and norms on minority and majority group members.

Another implication concern in this respect is the claim that Taylor suffers from a degree of inflated optimism regarding the capacity of civil discourse to decentre our identities and promote understanding across difference.

Taylor appears to defaultly assume that dialogue will foster deeper mutual tolerance of difference while promoting critical self-reflection with respect to our identities. However, a more sceptical perspective would argue that there can be no a priori guarantees that dialogue will promote such outcomes. Indeed, civil discourse might only foster deeper mutual alienation or estrangement, particularly concerning divisive subjects such as the distribution of economic and political power.

This is an especially vexing problem in deeply divided societies with legacies of political violence, intergroup mistrust, bitter institutional disagreements, broad

social and residential segregation and salient and hostile ethnic identities. From this point of view, under certain circumstances there might be a broad range of prudent reasons to avoid cross-cutting dialogue between members of different communities. For instance, in cases where such dialogues involve irresolvable predicaments or where the broader political climate is hostile and volatile.

Another problem with Taylor's hermeneutical emphasis is the awkward reality that certain groups within democratic societies might be unwilling to engage with political institutions that might impel some form of change in their identities and ways of life. For example, it is not clear whether Taylor's approach is compatible with communities that voluntarily desire to segregate themselves from broader society. While their motivations are often diverse, one possibility could be the fear that cross-cutting dialogue might compromise communal solidarity and cohesion.

In addition, Taylor's approach has little to say about individuals or groups that dogmatically attempt to impose their perspectives on other people or groups which advocate violence, the denial of basic democratic rights to certain groups and communities or which demonize, stigmatise or demean certain groups and communities.

Indeed, the only time Taylor seems to engage with the expression of dogmatic claims occurs in his recent book co-authored with Jocelyn Maclure where he briefly argues that legitimate restrictions can be placed on "flagrant cases of defamation or incitement to hatred". (Taylor & Maclure, 2011e, pg 108)

However, beyond this vague and brief remark, Taylor fails to develop a comprehensive account of how to politically treat dogmatic claims in the public sphere.

For instance, Springs (2012) insightfully critiques Taylor's account of cross-cutting dialogue with reference to recent controversies in the United States about fundamentalist Christian groups dogmatically attempting to impose their religious perspectives on the Texas School Board curriculum review. (Springs, 2012, pg 12)

The fundamental problem here, according to Springs, is that Taylor insufficiently takes into account the profound divisiveness of certain political conflicts. He

inadequately considers how particular groups in the public realm believe that their world-views are taken to be *the* only just framework. They construe all other viewpoints as being categorically morally bankrupt or socially deviant. (Springs, 2012, pg 14)

From this point of view, it is not only questionable to presume that a 'fusion of horizons' is possible. It is also politically naïve to presume that fundamentalist groups would motivate to engage in the cross-cutting dialogue Taylor models in the first place. Yet, Taylor's framework rests on a rather optimistic psychological assumption that individuals are easily motivated to engage in the critical self-questioning he advocates.

Indeed, as Linda Nicholson notes, Taylor fails to outline precisely how majority group members can develop a critical awareness that their standards of evaluation require revision in the face of normative demands for recognition by minority groups and communities. (Nicholson, 1996)

This optimism blinds him to the possibility that certain individuals might be animated by a kind of epistemic malevolence in their discursive interactions with others or might be fundamentally unwilling to critically question their viewpoints.

Epistemic malevolence is a wide-ranging phenomenon. It includes attempts to obstruct access to knowledge, to stake claims in a deceitful or misleading manner, to provide highly exaggerated information, to understate vitally important information or to furnish esoteric, contradictory or ambiguous information. (Baehr, 2010)

Irrespective of a particular agent's intentions and motivations, which can be complex, epistemic malevolence constitutes an abuse of epistemic power which leverages costs on other parties, typically to serve one's own vested interests and typically without consideration for another person's well-being.

The problem of epistemic malevolence, especially when practiced by members of privileged communities or social groups, is that it renders them fundamentally unwilling to renounce the privileges or advantages accorded to them by virtue of biases in dominant epistemic norms.

For instance, it is hard to appreciate how Taylor would conceptualize the position of powerful individuals who argue, contrary to scientifically accepted

standards of evidence, that climate change is not happening, that vaccinations cause auto-immune and psychological disorders or that it is possible- and desirable- to “treat” homosexuals via so-called “gay conversion therapy”.

This raises the question as to where to draw the boundaries of receptivity to different political persuasions and viewpoints. However, Taylor does not adequately address with the exception of the expression of sentiments that are clearly discriminatory, prejudiced or incite violence. For instance, a number of legitimate questions might be posed here:

To what extent is it legitimate to be hermeneutically receptive to viewpoints that one finds deeply morally offensive?

To what extent is it normatively desirable to open one's commitments, ideas, values and beliefs to the scrutiny of others, under conditions of asymmetrical power?

This problem also mirrors Taylor's failure to discuss what ought to happen if, following a process of prolonged inter-cultural dialogue in the realms of civil society and governmental institutions, particular cultural practices are deemed to be unacceptable given the commitments, values and principles of a liberal-democratic society.

Indeed, it is worthwhile in this regard to note the criticisms made by feminist scholars of ideas of 'open' and 'cross-cutting' kinds of communicative exchange. There is little acknowledgement of Taylor's work of how relations of power might negatively impact on the public reception of claims and justifications made by members of marginalised groups and communities and received by individuals from dominant groups and communities.

This seems to be a function of Taylor's implicit belief that partners in a dialogical exchange should be *equally* willing to question their background understandings and to learn from the worldviews of their interlocutors. Indeed, he stresses that citizens must continually strive to demonstrate “sensitivity or empathy toward core convictions that are an integral part of their fellow citizens’ moral identity”. (Taylor & Maclure, 2011e, pg 108)

Yet, as Kristie Dotson’s notion of “testimonial smothering” suggests, members of marginalised groups might have legitimate reasons not to disclose certain kinds

of information to non-group members. (Dotson, 2011) They might also feel obliged regulate their discursive behaviour in a highly taxing fashion to confirm or disconfirm social stereotypes about them.

For instance, Dotson cites Kimberlé Crenshaw's observation that African American women might feel reticence to discuss the issue of sexual violence within their communities in order to avoid re-producing the stereotype of the violent black male. (Crenshaw 1991 IN Dotson, 2011)

These criticisms suggest marginalised group-members might in practice have reasonable desires to "protect their lives from scrutiny" by those from more advantaged social groups. Public discourses can occasionally place them into moral dilemmas, risking the loss of self-respect and triggering fears that their communal solidarities and loyalties might be compromised. (Jaggar, 2004, pg 235)

From this perspective, as Allison Jaggar argues, the refusal to engage in "open" dialogue is not necessarily an attempt to foreclose critical scrutiny of their perspectives. Rather, it is an attempt to claim greater "discursive autonomy" on behalf of their social group. (Jaggar, 2004, pg 236) Alternatively, it could be an attempt to prevent the re-confirmation of prejudicial social attitudes about one's group or communities and to ensure that one's claims are not unfairly treated.

While practices of testimonial smothering are a rational response by individuals in the face of an inability or unwillingness by a receiving party to understand and fairly consider their testimony, Dotson implies that they can have significantly baleful consequences for society as a whole. It can reproduce continual factual ignorance about the circumstances of people from marginalised communities, thereby leading unfair and inaccurate assumptions about their lived realities and circumstances. (Dotson, 2011)

Secondly, practices of testimonial smothering also hinder the capacities for effective social criticism because it deprives epistemic communities of counter-hegemonic resources to critique potential flaws and distortions in dominant epistemic resources, thereby further solidifying their dominance. (Dotson, 2011)

Given Taylor's insensitivity to the problem of testimonial smothering, he fails to offer any account of what interpretive stances or institutional practices are

required to identify and mitigate, offset or eliminate the flaws in dominant epistemic norms which incentivize individuals from marginalized groups to restrict their testimonial claims in public.

Indeed, in this regard Taylor's conception of civil discourse could be accused of being overly sanguine about the willingness of members of privileged social communities to question their worldviews. This is an important point, as Nicholson notes, as Taylor's account of civility is premised on the key assumption that through learning about different cultural or religious worldviews one automatically becomes cognizant of the limitations of our own worldviews. (Nicholson, 1996)

However, as feminist epistemologists have comprehensively illustrated, there is often a tendency of people from privileged and advantaged communities to be wilfully ignorant of social injustices. While I shall explore this problem in greater depth in the next chapter, this wilful ignorance stems from a desire to avoid questioning their moral complicity in morally unjustified material and social benefits which accrue from their social positioning. Indeed, this ignorance can be so deeply rooted that people from privileged communities do not even consider the need for critical self-questioning in the first place.

The problem with wilful kinds of ignorance, as Applebaum (2010) notes, is that they impede the receptivity of members of privileged groups and communities towards the claims of individuals from less powerful social positions because it serves to "safeguard privilege", justifies "denials of complicity" and "shields unjust systems from being interrogated". (Applebaum, 2010, pgs 7; 38)

Ignorance, as Applebaum argues, involves an active and social process of knowledge creation which "generates specific types of delusion or wrong ways of perceiving the world", thereby breeding epistemically and morally corrupt practices of perception, evaluation and interpretation. (Applebaum, 2010, pg 37)

Importantly, from this perspective, ignorance should not be considered as involving a deficit or a simple lack of appropriate knowledge but as a social practice which privileges certain kinds of knowledge while marginalizing other kinds. (Applebaum, 2010, pg 37)

Practices of social ignorance, therefore, are profoundly connected with practices of epistemic marginalisation and exclusion. Taylor's failure to adequately consider the impacts of social ignorance is particularly frustrating given his keen understanding of the importance of "social imaginaries" in the construction of collective conceptions of identity.

Taylor argues that a social imaginary refers to the "ways people imagine their social existence, how they fit together with others, how things go on between them and their fellows, the expectations that are normally met, and the deeper normative notions and images that underlie these expectations". (Taylor, 2004, pg 23)

Nevertheless, Taylor's account of civil discourse simply does not consider how social imaginaries help to create and sustain epistemic rifts or gulfs between people who come from very different social backgrounds nor the impact of deeper social imaginaries which hinder the ability of privileged groups to acknowledge their social privileges.

This is to say that while Taylor stresses the importance of the connection between our identities and our conceptions of the good, he does not appreciate our identities, as Linda Alcoff notes, can render certain aspects of social life visible while rendering other aspects invisible. (Alcoff, 2006, pg 43) As a consequence, he does not properly acknowledge the importance of how our social identities profoundly influence our access to certain domains of knowledge and our capacities to judge different epistemic resources. (Applebaum, 2010, pg 40)

These epistemic gulfs can make it extremely difficult for people occupying privileged positions from being able to intellectually and emotionally relate to the material conditions and lived realities of oppressed people. This conceptual point has been supported recently by findings in empirical social psychological experiments.

For instance, the empirical psychological research of Dixon et al notes that dialogical contact between advantaged and disadvantaged social groups might facilitate the alleviation of prejudicial attitudes and pejorative stereotypes. (Dixon et al, 2012)

However, they also note that such communication is typically characterised by an unwillingness of privileged individuals to acknowledge the structural character of social injustices. (Dixon et al, 2012, pg 421) Conversely, they suggest, inter-group contact can even contingently *de-motivate* members from marginalised communities to engage in collective action to challenge structural inequalities! (Dixon et al, 2012)

Although Taylor clearly recognizes the impacts of prejudicial attitudes and pejorative stereotypes and how these factors breed practices of economic and social discrimination, he fails to connect these attitudes and stereotypes to the re-production dominant epistemic norms of credibility, trustworthiness and reliability. Given that dominant epistemic norms accord epistemic privilege or marginalisation to certain actors, it can be extremely difficult to challenge these norms through dialogical means given that people from marginalised actors suffer from a lack of recognition as worthy knowers.

This lack of recognition means that they are not considered to be worthy knowers, thereby allowing individuals from more advantaged backgrounds to ignore, dismiss or trivialize their demands to alter the terms of dominant epistemic frameworks.

Of course, Taylor is absolutely correct to illustrate how practices of stereotyping and prejudicial social attitudes breed misunderstandings between members of different social groups and communities. However, it is also vitally important to appreciate how they are profoundly implicated in what kinds of discourses are deemed to be worthy of inclusion or exclusion, which kinds of communicative styles are socially validated or demeaned and whether the content of a given claim is intelligible or unintelligible by virtue of dominant social resources of interpretation.

On the face of it, it might seem strange to critique Taylor from the perspective of testimonial and hermeneutical injustice. After all, one of the most important insights of Taylor's work is how dominant social groups and institutions have historically refused to recognize the cultural practices and identities of marginalized communities.

In addition, Taylor is well aware of the moral costs associated with the internalization of pejorative social categorizations, discourses or prejudicial attitudes by oppressed minority groups.

Indeed, even his notion of a “social imaginary” has been used by some feminist critiques to deepen their insights into epistemic injustices. (See for example, Code, 2011b) And of course, as his famous critique of negative conceptions of liberty illustrates, Taylor is very much aware how freedom is meaningless if one is suffering from internal psychological or motivational barriers to exercising autonomous choice.

Nevertheless, Taylor's failure to adequately conceptualize the problem of epistemic injustice seems to stem from a number of problematic assumptions within his philosophical framework. Firstly, he only narrowly confines the problem of misrecognition to cultural practices and identities while failing to consider other kinds of social misrecognition.

Secondly, Taylor has a profound faith in the capacity of dialogue to instigate critical reflection regarding our own identities, a faith which blinds him to how epistemic kinds of injustices can profoundly distort or hinder the kind of dialogical engagement across difference he advocates.

Thirdly, perhaps Taylor's inability to conceptualize epistemic injustices stems from a deeper suspicion about critiques of power. Taylor, of course, is well known for rejecting Foucaultian analyses of power supposedly because they exclusively focus on relations of oppression and the conditions and practices necessary to subvert and challenge them.

Taylor argues that a stance is problematic because it ignores how individuals “previously related by modes of dominance” might instead “re-associate on a better basis”. (Taylor, 2001c, pg 94) Taylor seems to dismiss Foucaultian critiques of power because he believes that they narrowly reduce social relations to the machinations of dominant relations of power.

Consequently, Taylor presents a more teleological conceptualization of dialogue which suggests that individuals can enrich their self-interpretations via achieving mutual understanding with people from very different backgrounds. Indeed, he

claims that the dialogical constitution of our identities necessarily implies that human beings are orientated towards mutual understanding.

However, Taylor's stance is flawed because it is precisely the willingness to reach mutual understanding which is frustrated by asymmetrical power relationships which frequently involve a fundamental failure to be receptive to the claims and perspectives of different "others". The perspectives of marginalised individuals or communities are deemed epistemically unreliable, non-credible or untrustworthy by virtue of dominant relations of power.

Alternatively, their justifications are misunderstood or misinterpreted as being irrelevant or misguided as they are incompatible with dominant conceptual understandings or evaluative frameworks. Taylor's work therefore requires greater attention both to how our own identities are deeply permeated by relationships of power. (McNay, 2008; Weir, 2013)

Moreover, his framework also needs to consider under what conditions those in relatively superior positions of power and privileged social locations can become motivated to listen fairly to the claims of marginalised individuals, communities and social groups.

Consequently, Taylor's work suffers from a significant critical deficit. While he acknowledges the intersubjective and linguistic dimensions of our identities, he fails to adequately interrogate the connection between power, identity and language.

Taylor's approach particularly needs to articulate how relations of power profoundly influence the manner in which the contents of claims are validated or marginalised, the manner in which claims are expressed as well as the influence of broader social frameworks on the limitations of our knowledge resources.

Accordingly, given this outline of the limitations of Taylor's approach, it is worth now generally summarizing Taylor's contribution to this thesis and how some of his ideas interlink with the arguments which shall be presented in the next chapter.

Conclusion:

In conclusion, Taylor's philosophical framework is remarkable for its depth of insight and breadth of consideration. Taylor is particularly interesting as while he recognizes the importance of formal democratic procedures to adjudicate political conflict he also stresses the significance of deepening the relational ties between citizens via the cultivation of key political virtues and the promotion of shared goods worthy of collective affirmation.

Indeed, one of the most important insights Taylor's work offers is the idea that justice in diverse contemporary liberal-democratic regimes cannot be achieved by procedural rights guarantees alone. Rather, such guarantees need to be accompanied by an appropriate public recognition of our social identities.

In addition, Taylor's hermeneutical approach also stresses the importance of substantive and robust dialogue in cultivating connections of deeper solidarity, trust and respect across multiple lines of difference. From his perspective, the central challenge which liberal-democratic regimes have to negotiate is how "people can bond together in difference without abstracting from their differences" (Taylor, 1998, p 153).

My reading of Taylor's work explicitly stresses that his model of dialogue foregrounds the importance of civility as citizens re-assess their self-understandings as well as the preconceptions held by individuals from different communities and social groups. His work, therefore, provides an insightful normative account of how citizens should negotiate the deep disagreements characteristic of contemporary democracies.

In addition, Taylor's work also offers a number of empirical suggestions about how the robust model of dialogue he advocates could be institutionally cultivated. This is an important point because Taylor's work largely avoids the abstractness of Rawlsian and Habermasian accounts of public reasoning, offering us with a viable 'roadmap' for ethically negotiating political conflict.

Unfortunately, for all of its strengths, Taylor's understanding of civility has some central limitations. Taylor has an inadequate theorization of how relations of power shape the public credibility of individual claims and the perceived

competency, authority and sincerity of marginalized individuals, communities and social groups in social dialogue processes.

This is a rather unfortunate limitation given Taylor's insights into the baleful impacts of social misrecognition and how wider social forces can impact on individual's capacities to act autonomously. For instance, Taylor notes how individual vices such as "fear, sloth, {and} ignorance" and broader social forces such as "superstition", "tradition" and moral dictates from society can impede our capacities to act autonomously. (Taylor, 1985b, pg 197)

Moreover, it is also the case that his account of civility inadequately considers the moral and political difficulties that might be faced by marginalised individuals, groups and communities in public dialogue processes. For instance, in the face of fears of unethical appropriation of their knowledge or concerns that publicly sharing their claims might compromise their communal solidarity and loyalties.

In addition, it has also been clear that Taylor does not offer adequate criteria for how citizens and denizens should approach situations in which they are faced with the expression of 'uncivil' sentiments, viewpoints and attitudes- for example, the expression of racist sentiments- or instances where citizens are unwilling to partake in ethical kinds of communication.

The next chapter therefore shall attempt to wrestle with the issue of power and civility as well as outline some principled standards which might allow individuals partaking in cross-cutting dialogues to address circumstances in which they are faced with the expression of discriminatory viewpoints or where their fellow citizens are unwilling to respond to their attempts to engage in civil discourse.

I shall claim that feminist reflections on testimony and the political implications of our social positioning offer us with a more nuanced account of civil discourse which recognises its strengths and limitations in the face of power differentials.

This might seem to be an abrupt change in focus. Nevertheless, it is worth noting that there are a number of interesting similarities of concern between Taylor's philosophical framework and the field of feminist political theory which are worth emphasising.

Firstly, both are sceptical of dominant tendencies within Western epistemology to privilege an “atomistic” or highly individualised conceptualization of social knowledge production and exchange. (Grasswick, 2011; Taylor, 1992) Instead, both have consistently stressed the socially situated and historical character of knowledge and surveyed the baleful consequences of “possessive individualism”.

Both are further sceptical of liberal conceptions of person-hood which ignored the dialogical constitution and social embeddedness of our identities. As a result, both focus on the importance of social interdependencies and connections, rejecting “monological” understandings of consciousness and relationality. (Code, 2006; Grasswick 2011; Taylor, 1995a; Taylor, 1995b)

Secondly, Taylor's work shares deep intellectual affinities with feminist critiques of rationalist and empiricist epistemological frameworks which allegedly ignore the embodied character of human knowledge. (Jaggar, 1996; Taylor, 1992, 1995a, 1995b)

Both have also been critical of how traditional liberal accounts of personhood ignored the importance of emotion and affect by its misguided privileging of rational cognitivism. In addition, they have also explored how emotions and affect are connected to our interpretations of justice and how they mediate our relations with “significant others”. (Jaggar, 1996; Taylor, 1992, 1995a, 1995b)

Thirdly, both have expressed reservations about the narrow preoccupation of much of contemporary liberal political philosophy. They have expressed common dissatisfaction at attempts to develop universal accounts of justice which articulate fixed normative rules or obligations, as opposed to considering the importance of the human virtues and particularistic moral responsibilities, connections, obligations or duties or cares. (Porter, 2014; Sevenhuijsen, 1998; Taylor, 2011c)

Fourthly, both explore the conditions of possibility for realising human freedom in contexts of political domination and misrecognition, particularly in terms of how the public recognition and political accommodation of our social identities are deeply related to our capacities to act as autonomous agents.

Unsurprisingly, Taylor's work on recognition has been cited by feminist scholars

and his focus on questions of authenticity mirror feminist inquiries with respect to the impacts of patriarchal culture on the formation of our identities. (Orlie, 2004)

Finally, both are concerned with the problem of how democratic regimes can continually re-define themselves in order to accommodate historically excluded or marginalized identities and how contemporary polities can articulate a common sense of identity which can justly include diverse groups and communities. (Orlie, 2004) Accordingly, given this conceptual connection, it is important to unpack my arguments in greater depth in the next chapter where I attempt to develop an account of civil discourse informed by feminist epistemological theory.

Chapter Three: Rethinking Civil Discourse

The previous chapters have noted some problems with the accounts of civil discourse developed in the work of Rawls, Habermas and Taylor. It was argued that Rawls' and Habermas' conceptions of civil discourse were premised on an overly rigid distinction between the right and the good and the public and the private.

These rigid distinctions meant that their approaches obscured the contested nature of public claim-making and the depth of disagreement regarding the meaning(s) of justice and political legitimacy in contemporary democratic societies.

They also narrowly conflated civil discourse with the exchange of generalizable political claims orientated towards the political legitimation of coercive state power. As a result, they advocated a rather rigid conceptualization of civil discourse which might marginalise new political vocabularies.

Most importantly, though, their accounts inadequately considered the impacts of epistemic kinds of injustice, thereby raising significant concerns as to whether their accounts of civil discourse are sufficiently inclusive.

Consequently, I proposed that Taylor's dialogical or hermeneutical liberalism offered some advantages over the Rawlsian and Habermasian framework. It recognised the futility of a strong distinction between the right and the good, acknowledged the exclusionary impacts of defining civility as discursive self-restraint and proffered the possibility of a critical account of civil discourse which aims to question pejorative cultural, ethnic and religious stereotypes.

Nevertheless, I argued that Taylor's approach did not adequately consider how one's social location and position might potentiality render oneself unreceptive to claims staked by marginalized individuals, communities and social groups by virtue of dominant relations of power. This is to say that, like Rawls and Habermas, Taylor's approach failed to sufficiently consider epistemic kinds of injustice.

While Taylor is correct to focus on the problem of dismantling relations of misrecognition and the undermining of distorted understandings of minority

groups, he failed to adequately connect this problem to epistemic status inequalities. This failure, in turn, meant that his theory of civil discourse fails to be sensitive to asymmetries of discursive power, particularly in terms of practices of social ignorance which potentially limit people's receptivity to claims of injustice.

Moreover, it also did not adequately consider the moral and political difficulties faced by marginalised individuals, groups and communities in public dialogue processes. Taylor particularly fails to consider the ethical quandaries that marginalised groups face when staking their claims in public, difficulties that can lead to practices of self-censorship on the basis of fears that public dialogue processes might further entrench social hierarchies and inequalities.

Finally, it was suggested that Taylor failed to offer reasonable proposals how to tackle the problem of dogmatism and the expression of sentiments which might be loosely classified under the term "hate speech". This is an important point because any account of civil discourse must be prepared to clearly differentiate what constitutes "uncivil" discourse and how political institutions and actors should appropriately respond.

This chapter, therefore, shall attempt to wrestle with the issue of power and civility, mainly focusing on the problem of epistemic injustice. Given these connections, and the limitations of Taylor's philosophical framework, I develop an account of civil discourse inspired by feminist epistemological theory.

Firstly, I claim that a feminist approach towards civil discourse stresses that public discourse is inherently characterised by inequalities of epistemic status which track broader inequalities of political, economic and social power. These inequalities ensure that the testimony of powerful social groups and communities tends to be systematically privileged while the testimony of marginalised social groups and communities tend to be systematically marginalised or ignored in public discourses.

Secondly, I claim that a feminist approach toward civil discourse recognizes that the discursive frames of public discourse are shaped by broader relations of power that enable and constrain public knowledge of contested political subjects.

Indeed, in particular, as I shall explore later, a feminist epistemological approach inherently foregrounds the importance of social practices of ignorance and how they constrain the terms of public discourse in favour of dominant interests, perspectives and social actors while marginalising or ignoring non-hegemonic interests, perspectives and social actors.

Thirdly, I argue that a feminist understanding of civility acknowledges that public discourse is shaped by relations of power which influence the discursive behaviours of dialogue participants. Indeed, in particular, I argue that individuals from socially dominant communities or groups are often motivated to treat the political claims of marginalised communities with a variety of morally blameworthy stances, including callous indifference, arrogant dismissal or a wilful refusal to reconsider their own beliefs and values.

Fourthly, I argue that a feminist approach towards civil discourse acknowledges that human beings are inherently social knowers who form and revise their beliefs and values through their relations with others.

Consequently, a feminist approach foregrounds the importance of examining relationships of trust between individuals who come from different social backgrounds given our epistemic dependencies on others for knowledge about the world. From this perspective, it is vital to question how relations of power might lead us to inappropriately place our trust in some actors while neglecting to put warranted trust in others.

Accordingly, given these insights, in this chapter I shall attempt to re-conceptualize civility by connecting it with the normative concept of epistemic responsibility which is a central pillar of feminist epistemological theory.

My central claim is that civil discourse is a relationship of trust between interlocutors who mutually accept meeting certain epistemic responsibilities with respect to the connection between their public claim making activities and their worldviews. I argue that there are three key epistemic responsibilities integral to civility.

Firstly, individuals must be mutually willing to learn *about* each other's worldviews and to be particularly sensitive to how their social positioning influences the character of their claims. Secondly, I argue that individuals must

be mutually willing to question their own worldviews in order to effectively learn *from* other's testimonial claims and to appreciate their areas of ignorance.

Finally, I argue that individuals must be willing to question their own positioning in relations of power in order to develop a critical consciousness with respect to how the staking of their own claims and the reception of the claims of others might be unjustly distorted by dominant relations of power.

From this perspective, the purpose of civil discourse is to facilitate the fair yet critical hearing of other's testimonial claims and the self-reflective staking of one's claims. Accordingly, I understand civil discourse as a trust-building process between people who come from very different social backgrounds and who have diverse opinions on contested public issues. Civility entails a relationship of trust because fairly receiving one's claims is a duty others owe to us just as fairly staking our claims is a duty we owe to others.

Importantly, though, I stress that the exercise of our epistemic responsibilities are asymmetrical due to the operation of power asymmetries in certain contexts. On the one hand, it is clearly morally questionable to expect members from oppressed communities to learn about dominant worldviews which are deeply complicit in the justification and legitimation of injustice.

On the other hand, it might occasionally be inappropriate for members of privileged social groups and communities to expect individuals from marginalised communities to share their knowledge with them in the face of deep trust deficits.

Nevertheless, I argue that framing civility in terms of trust and epistemic responsibility affords a number of advantages. The first consideration is that it allows us to differentiate civil from uncivil discourse in a clearer fashion, not simply in terms of discursive or rhetorical techniques but also in terms of the epistemic motivations of participants in a given dialogue.

Civil discourse, I claim, involves giving other people a fair hearing. It involves a willingness to understand different worldviews, to be prepared to change one's perspectives and to appreciate the limitations of our knowledge and our areas of ignorance.

Uncivil discourse, by contrast, involves attempts by individuals to unjustly resist and avoid considering other people's claims fairly and to stake one's claims in a manipulative, deceptive or exploitative fashion.

Moreover, it allows us to interrogate the profound connection between relations of power and the manner in which political claims are staked and received.

Accordingly, it acknowledges that civil discourse is always dependent on the moral goodwill and good-faith of participants- something which cannot always be assured in the face of oppressive social relations.

Consequently, civility in public discourse, I argue, is fundamentally dependent on our capacities to discriminate between trustworthy and untrustworthy testimony and trustworthy and untrustworthy interlocutors.

Civility requires that people have sufficient trust in others to share their knowledge and to be sufficiently willing to change our own perspectives when considering their claims, providing that they have epistemic merit. Unfortunately, though, dominant relations of power- especially defects in collective knowledge resources and biased norms of epistemic credibility- frequently undermine the development of relations of trust which civil discourse necessarily depend.

In addition, it provides an account of the limitations of civil discourse in the face of significant power asymmetries, particularly in terms of providing an account of where engaging in civil discourse is morally inappropriate or pragmatically futile.

This is important in the face of objections that rather than privileging civil discourse, democratic theorists should be prioritising political coercion and claims that civil discourse is merely a veil for guileful manipulation and exploitation by the powerful. But what is "epistemic responsibility" precisely and how is it connected to the idea of trust?

The central normative premise of epistemic responsibility is that social agents can be morally evaluated for their actions and inactions with respect to the formation, maintenance and revision of their beliefs and attitudes.

This is to note, as Michael Williams suggests, that individuals ought to *care* about the justifications for their beliefs and that they should understand themselves to be morally accountable for them to others. (Williams, 2014, pg

230) This accountability stems from judgements as to whether an agent is fulfilling socially recognized standards of epistemic responsibility, thereby rendering it possible to judge particular actors as being liable and culpable for holding epistemically irresponsible beliefs. (Williams, 2014, pg 230)

Indeed, as Linda Zagzebski explains, epistemic responsibility refers to the fact “that we *ought* to form beliefs in one way rather than another, to the fact that one way of believing is good, or at least better than some other”. (Zagzebski, 1996, pg xxi, emphasis original) Nevertheless, it is also clear that the idea has been interpreted in multiple directions.

Firstly, epistemic responsibility has connected to how epistemic agents should critically examine their beliefs to determine whether they should be retained, revised or abandoned in the face of the available evidence. (Grasswick, 2011; Mitova, 2011)

Secondly, epistemic responsibility has been connected to the need to provide justifications for one's beliefs to others- that is, one needs to publicly justify the reasons why one believes X to be correct or true. (Williams, 1999)

Thirdly, epistemic responsibility has been connected to questioning whether the formation of one's beliefs has been negatively influenced by certain perceptual or interpretive errors or flaws in one's reasoning. (Kornblith, 1983)

Moreover, as feminist epistemologists have stressed, epistemic responsibility might also require questioning the social influences which have informed our judgements regarding the soundness of our own beliefs, especially in terms of tracing how our beliefs are connected to asymmetries of power.

Fourthly, epistemic responsibility has also been connected to an agent's motivations during the formation, maintenance and revision of our beliefs. (Corlett, 2008; Greco, 2010) In addition, it has also been related to how an epistemic agent attempts to defend their beliefs in the face of critical and reasonable questioning. (MacArthur, 2006, pg 109)

Lastly, epistemic justification has been connected to how agents receive information from other persons, particularly in terms of whether an agent makes a fair evaluation of their epistemic trustworthiness, reliability and credibility. (Schweikard, 2013)

This insight is noteworthy as it signifies how individuals depend on forming their beliefs primarily via trusting other sources as opposed to forming them directly via our immediate perceptions and cognitive interpretations.

Accordingly, given this outline of epistemic responsibility, it is important to describe how it is connected to a feminist conception of civil discourse. Firstly, I argue that if citizens are to exercise epistemic responsibility through civil discourse they must critically self-question their positioning within relations of power. This kind of self-questioning is vital if epistemic inequalities are to be challenged.

I argue that this requirement is a necessary pre-condition to receiving other people's testimonial claims fairly and an essential pre-condition to staking one's claims with an appropriate degree of epistemic self-confidence and integrity. Without critically questioning one's positioning in relations of power, it will be difficult to understand how one's assessments of the credibility, trustworthiness and reliability of other knowers might be distorted by relations of epistemic injustice. As a result, it will be impossible to appropriately re-adjust one's credibility assessments to ensure that one accords appropriate epistemic validity to the perspectives of others.

Secondly, without questioning our own position in relations of power it will also be impossible to develop a critical awareness of how one's evaluations of other's claims might be distorted by virtue of negative or positive assumptions about their particular communicative styles and by collective deficiencies and blind spots within collective social resources of interpretation.

Conversely, without questioning our own position within relations of power one might either suffer from inappropriate deficits in epistemic confidence or an inappropriately inflated abundance of confidence in them by virtue of one's social position.

This lack of self-confidence stems from the operation of oppressive social categorizations, stereotypes and prejudicial attitudes. This kind of self-questioning particularly involves questioning social identity scripts that can lead us to suppress or distort our testimonial claims in public. The operation of these

scripts constitutes a serious discursive injustice as they necessarily entail that one's claims are not being considered on an equal basis with other claims.

Another important facet of epistemic responsibility, I argue, is a willingness to critically reflect on epistemic strengths and weaknesses of our claims. I particularly suggest that this kind of self-questioning is essential in preventing tendencies to stake one's claims in a highly dogmatic, misleading or manipulative fashion.

While this epistemic virtue is incumbent on all participations in a dialogue, this critical activity seems particularly important if individuals come from socially dominant or powerful groups or communities. In addition, I also maintain that a failure to critically self-question one's beliefs can be a significant indication of disrespect towards others, and it also undermines the possibilities for critical public discussion.

Thirdly, I also claim that if epistemic responsibility is to be exercised through civil discourse it is vital that individuals appropriately question the validity of other people's perspectives and scrutinise their motivations as to whether they are worthy of one's epistemic trust.

I argue that it is important to critically question other people's epistemic benevolence towards oneself, especially in terms of their motivations and intentions when considering one's claims. Other-questioning is vital if one is not to be manipulated or deceived by other people's testimonial claims or if one is to accept other people's epistemically faulty justifications.

I believe such a stance of suspicion is appropriate- and more realistic than the framework offered by Rawls, Habermas and Taylor- in light of the reality that people engage in political dialogue with a broad range of moral motivations and intentions. Sometimes these motives and intentions will, unfortunately, be morally blameworthy, especially given that relations of epistemic injustices can breed malicious epistemic and communicative behaviours.

Ultimately, therefore, I hope that by connecting civility to epistemic responsibility I will be able to develop an account of civil discourse that facilitates the fair yet critical hearing of others testimonial claims and which promotes the fair and critical staking of one's claims.

In addition, as my emphasis on other-questioning illustrates, I argue that framing civility with respect to epistemic responsibility allows us to appreciate some important limitations of the concept of civil discourse in the face of significant power asymmetries.

This is the problem I identified in the chapter on Taylor when I raised the problem of people holding faulty epistemic and morally blameworthy beliefs or values. For example, it is morally obligatory to respectfully consider the claims of violent, discriminatory hate groups? I argue that apprising signs of our interlocutor's benevolence are important in assessing when respectful engagement with other's viewpoints is not morally appropriate.

Accordingly, given this outline of the normative agenda, it is important to describe how this chapter shall proceed sequentially. Firstly, I shall discuss the literature connecting trust and testimony, focusing on the vexed epistemic and normative problem of how to place responsible trust in other's testimonial claims for the purposes of civil discourse.

Secondly, I shall critically survey the feminist literature on the politics of our epistemic location and positioning and defend why it is vital to consider this literature when theorizing civil discourse.

Finally, I shall then develop my account of civil discourse which builds on the insights garnered from my line of argument thus far, arguing that it centrally involves learning about and learning from other people's worldviews while critically questioning our own beliefs and our positioning in broader relations of power. Accordingly, given this very brief outline, let us explore the relationship between trust and testimony.

Understanding the connection between Trust and Testimony

What does the idea of trust mean and what does it mean to *appropriately* trust other's testimony in the first place? It is clear, as Maj Tuomela notes, that the concept of trust has been developed in a broad range of directions, with some theorists defining it in terms of a normative disposition or attitude, a social sentiment or as a process of cognitive evaluation. (Tuomela, 2006, pg 6) In

addition, there has also been a wide range of interpretations in terms of its social pre-conditions and terms of its social functions or merits.

However, Jack Barbalet (2009) argues that it is vital to acknowledge that trust should be characterised in terms of the *expectations* of confidence held regarding other people's behaviour towards oneself and other parties. In addition, he claims that it should also be understood with respect to an individual's faith in the integrity of their judgements and their estimations of other people's attributes. (Barbalet, 2009) For instance, their competency or reliability as knowers in a particular knowledge domain. As he stresses:

“A person's trust of another will always be interactively generated not only in terms of perceptions of trustworthiness that might support a feeling of acceptance of dependence but principally in terms of feelings of confidence in the actor's own capacities to form judgements or assessments of another and their future actions.” (2009, pg 376)

In addition, he also notes that some of the essential pre-conditions for trust include situations defined by their uncertainty and incomplete knowledge regarding a subject matter and the intentions and motivations of other persons, particularly in terms of their future actions. Trust is characterised by *asymmetries of dependency* between different parties that potentially renders us vulnerable to negative consequences. (2009, pgs 367-368)

Trust is, therefore, *anticipatory* in that it involves a willingness not to subject another party to vigorous suspicion and scrutiny as it is dependent upon assuming that other parties will act with a degree of benevolence towards oneself. Indeed, as McLeod (2011) stresses: “When we trust people, we are optimistic not only that they are competent to do what we trust them to do, but also that they are committed to doing it”. (McLeod, 2001, no page numbers available)

However, as Barbalet stresses, trust should not be conflated with an appreciation of another person's qualities as it is precisely given before another person's actions “can be known or appraised”. (2009, pg 376)

Importantly, Barbalet also stresses that trust constitutes an “anticipation of a future outcome that, if successful, it creates” itself- that is to say, trust “facilitates

and realises outcomes that could not occur without the giving of trust”, thereby rendering trust a creative and generative vehicle of new possibilities in our social relationships. (2009, pg 369)

It is also important to stress that the basis on which trust is extended is pluralistic as it is simultaneously mediated via agent-dependent qualities (for instance, past experiences of another person) as well as broader social considerations (for example, cues of social status or social reputation).

However, how can one trust in other’s testimony appropriately?

On the one hand, trust is an essential aspect of acquiring, developing, revising or rejecting our testimonial-derived beliefs. It is simply an impossibility to validate all information received by consulting non-testimonial sources- for instance, due to a lack of time, a lack of expertise or a lack of epistemic confidence. Trust functions as an important vehicle for informational exchange as it increases both the willingness of people to render themselves vulnerable to receiving knowledge and to share knowledge with others. Indeed, as Broncano & Encabo (2008) stress in this regard:

“Testimony seems to inherit a kind of rational responsiveness from this attitude of trust that is constitutive of our sociality. It is even the fact of creating a situation of vulnerability for the trusting person that constitutes the special reason to be trustworthy and cooperate. That means again that testimonial contexts cannot be understood without taking into account our character as persons engaged in a cooperative epistemic task. So testimony exhibits necessarily a moral dimension. In some epistemic practices, one cannot be dispensed from viewing them as ethically constrained. On the one hand, testimony creates obligations and responsibilities in the participants that are both epistemic and ethical”. (pg 8)

Accordingly, the centrality of relations of trust in the context of testimonial exchange foregrounds our mutual dependencies as knowers as people must often defer to the judgements of sources perceived to be more authoritative, credible or reliable. However, as Robert Talisse (2013) notes, this relationship can be risky in that “one may defer to the wrong persons to the wrong extent”,

thereby rendering us vulnerable to “developing beliefs and epistemic habits” that “engender and sustain falsehood”. (Talissee, 2013, pg 137)

In addition, relations of trust can also be distorted by the operation of epistemic injustices that constrict access to or undermine the intelligibility of conceptual resources necessary to reasonably consider other people's claims and justifications. Indeed, relations of epistemic injustice serve to significantly constrict and bias our interpretive resources as well as our intellectual and affective responsiveness.

Indeed, as Louise Antony (2013) notes, it is often not simply the case that members of advantaged groups possess “defective conceptions of knowledge and employ ineffective norms”. Rather, they “fail to learn” because they fundamentally do not *care*. Their epistemic *methods* of inquiry are not flawed. It is more the case that their epistemic *goals* are morally blameworthy. (Antony, 2013, no page numbers available)

Conversely, members of oppressed communities are frequently placed in positions of epistemic vulnerability. For instance, attempts to empathetically understand the life experiences and viewpoints of members of advantaged groups can result in moral injuries or even symptoms of physical harm.

This process can potentially compromise the self-trust, self-worth and self-respect of marginalised individuals if they engage with epistemic resources that justify, rationalize or legitimate their political marginalisation and exploitation. Alternatively, as Townley notes, certain kinds of oppression significantly compromise our capacities to trust others. (Townley, 2011)

This issue is particularly pressing in circumstances where marginalised individuals internalise dominant, negative social perceptions and assumptions about themselves. Alternatively, they might experience a sense of pressure to alter their social routines and behaviours to conform to dominant social perceptions and assumptions. This problem has been extensively highlighted by the literature regarding “adaptive preferences” and “internalised oppression”.

In addition, as Louise Antony (2013) further notes, relations of epistemic injustice can also severely compromise the capacities of marginalised

individuals to understand the broader structural and institutional forces that shape one's life. For instance, as she notes:

“Having the leisure time to read a newspaper every day, three or four journals a week, and a couple of books a month is an enormous privilege not available to people working two jobs while caring for small children” (Antony, 2013, no page numbers available)

In conclusion, relations of injustice between social groups and communities can significantly impact upon relations of trust between them, thereby rendering it difficult to foster and sustain civil discourse across profound disagreement and difference.

This is particularly important given that evaluations of trustworthiness regarding other persons and their testimony often occur automatically and unconsciously. Our judgements of trustworthiness are likely always to be influenced, to varying degrees, by prejudicial social discourses, categorizations, ideological constructs and prejudicial attitudes.

Furthermore, research also highlights that trust is mediated by social category memberships. For instance, people tend to accord greater trust to perceived members of in-groups as opposed to out-groups. (Foddy & Yamagishi, 2009; Williams, 2001) However, what are the implications precisely of this discussion for the fair evaluation of people's testimonial claims? I argue that feminist discussions of testimony can offer us significant insights here.

Indeed, feminist epistemological theory has made vital contributions to the rejuvenation of the concept of testimony as a site of political inquiry. Feminist conceptions of testimony have particularly stressed how deeply dependent people are on trusting the testimony of others in a myriad of fashions without necessarily having the opportunities, abilities or willingness to subject their trusting to critical, rational reflection.

This problematic occurs, as McLeod notes, because it seems practically impossible to submit “all of our trust to rational reflection” as it is simply unavoidable to ensuring the efficient functioning of social processes or to further develop social relationships. (McLeod, 2011)

Accordingly, feminist epistemologists have stressed how the exchange of testimonial knowledge is a *primary* source of knowledge in addition to non-testimonial sources such as logical inference, memory and acculturation.

Consequently, as they have argued that all persons invariably depend upon testimonial knowledge feminist inquiry has maintained that it is vital to explore the conditions under which it is appropriate or inappropriate to trust testimonial claims. But what constitutes 'testimony' precisely and on what grounds ought one to accept another person's testimony? The first question is relatively uncontroversial to answer.

The notion of testimony, Elizabeth Fricker notes, can be defined as a process of communicative exchange in which knowledge is acquired from trusting the spoken or written reports of other people. (Fricker, 2004, pg 109)

However, the second question has constituted one of the most divisive problems in social epistemology with two broad schools emerging with divergent conceptualizations of the grounds of justification for accepting other's testimony.

The first school of thought outlines a reductionist account of testimony that stresses that any beliefs acquired via testimony should only be taken as being epistemically valid if they were verified through non-testimonial sources of knowledge as well. For instance, through our faculties of perception, memory and logical inference. (Gelfert, 2014; Green, 2008; Lackey, 2008)

Reductionist accounts of testimony, therefore, stress the importance of listeners evaluating whether there are positive justifications for accepting the reliability, credibility and trustworthiness of other people's testimony. It argues that one should adopt a default stance of distrust toward testimony until one has positive justification to accept its epistemic reliability. (Adler, 2012; Lackey, 2006)

It further foregrounds the importance of those receiving testimony to question its credibility and trustworthiness by probing its justificatory merits or demerits. It argues that one needs to assess all relevant information to judge the reliability of the person staking a claim and to judge whether, on the balance of the available evidence, whether their testimony is epistemically reliable and sound. (Shogenji, 2006)

The Reliabilist School, therefore, arguably reflects a more long-standing suspicion within “western” philosophy about the epistemic merits of testimony. This historical lineage links non-liberal and liberal philosophers, including the work of Plato, Descartes and Locke, who were profoundly suspicious about depending on other people's testimony as a source of knowledge. (Zagzebski, 2012)

Indeed, as Sperber et al (2010) note, it is often the case within that (so-called) “classical” epistemological theory that the “uncritical acceptance of the claims of others” was a fundamental illustration of a “failure to meet rationality requirements imposed on genuine knowledge”. (pg 361) This point, in turn, reflects the concern that forming, revising or rejecting beliefs merely on the perceived authority of a speaker is deeply epistemically flawed.

Firstly, from the perspective of transparency, it often seems difficult to discern a person's motivations and intentions in a communicative exchange- a point that has been well illustrated by research in social psychology. Secondly, from the perspective of exploitation, it is feared that testimony can render oneself vulnerable to manipulation and exploitation by people with morally dubious motivations and intentions towards oneself.

Thirdly, from the perspective of epistemic accuracy, it is questioned how one can avoid being epistemically duped by deceptive, erroneous or vague testimony. This problem is especially vexing where people lack the epistemic resources to assess accurately a speaker's reliability, credibility and trustworthiness or where they face pressing situational factors.

Finally, it is feared that relying on testimony will undermine our capacities to hold our beliefs in a rational fashion; that is, being able to justify our beliefs with epistemically sound reasons.

However, a wide range of critics, particularly stemming from feminist critiques of classical epistemology, have rejected reductionist accounts of testimony. These critiques have argued that this picture ignores the reality that human agents are fundamentally dependent on other people's testimony for our basic knowledge about the world and that this dependency can be rationally justified. From this

perspective, people are prima facie entitled to trust the testimony of others on a default basis. (Coady, 1992; Fricker, 2005; Goldberg, 2007)

Accordingly, an anti-reductionist position emerged which criticised reductionism on the basis that it ignored these considerations by unfairly- and inaccurately- placing exclusive emphasis on a hearer to justify the claims of a speaker. (Lackey, 2006)

This position also argued that it is an essential communicative pre-condition for listeners to accept testimony as being reliable on a provisional basis. In addition, they stressed that it is often profoundly difficult for individuals to confirm the reliability of testimony by using their non-testimonial resources. Indeed, anti-reductionists emphasise that there are often excellent epistemic reasons to accept a speaker's testimony on a default basis. (McMyler, 2011; Sperber et al, 2010)

One should accept testimony until one has strong reasons to question it. This advocacy of epistemic deference stems from the anti-reductionist claim that people often recognize others as being in more epistemically authoritative position than oneself with respect to certain kinds of knowledge. It is through deferring to others testimony that one can save significant cognitive energy, allowing people to access the benefits of diverse, collective epistemic resources with minimal cognitive effort. (Adler, 2012)

Moreover, they argue that without occasionally deferring to other's testimonial claims it can be extremely difficult to develop new beliefs or to revise them in the face of different epistemic resources. Anti-reductionists, therefore, stress that testimony does not require prima facie positive reasons for its acceptance. (Lackey, 2006; McMyler, 2011)

Finally, given the large scale nature of contemporary societies, anti-reductionists claim that epistemic deference serves an important functional role in facilitating social co-operation. Epistemic deference to testimony is premised upon a listener trusting the authority of a speaker. Elizabeth Fricker defines the notion of testimonial deference quite concisely thus:

"...it is rational to accept another's word on a topic, and even to allow her expressed judgement to override one's prior opinion, when one knows that she

is firmly placed epistemically, and better placed than oneself, regarding the matter in question. For each of us, her appreciation of her own circumscribed and feeble epistemic powers and small position in the larger scheme of things, together with her grasp of folk psychology, including where applicable appreciation of others' superior expertise and epistemically more advantageous position, entails that deference to others' opinions is rational in these circumstances. Lack of such appreciation of one's limited powers and others' superior ones, and an accompanying refusal to bow to others' judgement or advice even when they are clearly relatively expert, is pig-headed irrationality, not epistemic virtue or strength. (Fricker, 2006, pg 239)

In conclusion, the central problem with the reductionist approach is that it seems to be profoundly cognitive and affectively taxing. This problem is particularly manifested where the testimony concerned is particularly complex in nature.

Another problem with the reductionist approach, as Miranda Fricker notes, is that it is only quite rarely that people consciously reflect on the credibility of a speaker and the epistemic merits or demerits of their claims. Instead, the acceptance or rejection of testimony is often an unconscious and automatic process- that is, it occurs without critical reflection. (Fricker, 2007)

The central problem of course with the anti-reductionist perspective is that a stance of default trust might lead us to accept the testimony of other people inappropriately as we failure to sufficiently question the justificatory merits of a given claim.

This problem is particularly problematic given that the reality that people frequently engage in communicative exchanges with deeply malicious intentions and purposes. Critics of the anti-reductionist position, therefore, correctly fear that it does not adequately account the possibility of deception, manipulation or trickery.

Moreover, as Miranda Fricker also notes, the anti-reductionist approach seems to lack critical purchase- how is it possible for people to critically question a viewpoint if one provisionally accepts it as being trustworthy? (Fricker, 2007)

Given the problems associated with both positions, therefore, perhaps it is more insightful to emphasize that dialogical exchanges are dependent on all parties exercising an appropriate kind of epistemic responsibility towards each other.

On the one hand, it is vital not to irresponsibly accord undue epistemic weight to other people's claims as this would leave us vulnerable to manipulation, exploitation and the acquisition of distorted and false beliefs. On the other hand, if one is overly suspicious towards someone's testimony one can prevent oneself from acquiring epistemically sounder beliefs or unjustly marginalize, ignore or exclude valid testimonial claims.

It seems, therefore, that given this requirement the distinction between reductionist and non-reductionist accounts of testimony is not particularly helpful. On some occasions, there might be excellent epistemic and social reasons merely to accept someone's testimony on the basis of their epistemic authority. In other circumstances, people will need to use a full range of epistemic resources, including knowledge derived from non-testimonial resources, to critically evaluate people's claims and justifications.

From this point of view, people must continually negotiate a precarious tension that incorporates insights from both the reductionist and anti-reductionist schools. While human beings are fundamentally dependent on other's people testimony for valid epistemic and social reasons it is also vital to ensure that one develops capacities to discriminate between testimony which is worthy of one's beliefs or not. However, how is this discriminatory faculty possible?

It is clear that there has been a wide range of responses to this problem. Firstly, it has been noted that people can use contextual and situational knowledge to assist them as to whether testimony is worthy of their acceptance or not. (Faulkner, 2003; Gelfert, 2014; Origgi, 2012)

Secondly, one can use intuitions regarding the psychological state of a speaker, especially in terms of indicators from their verbal and non-verbal body language. (Faulkner, 2003; O'Brien, 2006; Origgi, 2012)

Thirdly, one can use historically based knowledge of a person to guide whether their testimony should be deemed reliable or unreliable- for instance, the nature of one's previous experiences with another person. (Jones, 1996; Origgi, 2012)

Fourthly, one can rely on testimonies of testimonies- that is, the testimony of other people as to whether another person's testimony should be deemed reliable or not. (Faulkner, 2003; Gelfert, 2014)

Fifthly, one can use information derived from social roles that can allow us to judge a person's reliability, trustworthiness and credibility. (Gelfert, 2014) For instance, it seems more epistemically responsible to defer to the medical opinion of a trained medical doctor rather than an herbalist to treat a severe viral infection in most circumstances.

Sixthly, as reductionists note, one can attempt to verify testimony via non-testimonial resources such as logical inference, memory and perceptive observations.

Lastly, as Daukas argues, one can develop skills of discernment by developing individual character traits over time and by dialogically engaging with others in daily social practices. She argues that one can cultivate a more discerning epistemic character through gradual practice and habituation. (Daukas, 2006)

In conclusion, it is evident that communicative exchange is not possible without interlocutors according each other a minimal, prima facie element of trust. (Origg, 2004; 2008) This prima facie trust, as Haslanger notes, involves an initial presumption that communicative partners accord one another "a threshold degree of first-order epistemic credibility". (Haslanger, 2012, pg 5) Indeed, as Wittgenstein pointed famously out, even the act of doubting is dependent upon trusting certain background principles to be true. (Wittgenstein, 1969)

Unsurprisingly, therefore, as feminist critics have noted our pre-conceived notions of people who are worthy or unworthy of our testimonial trust will inevitably be shaped by asymmetries of power that also profoundly influence the manner in which one interprets and responds to the testimony of others.

Accordingly, it is vital to stress that while reliance on others' testimony is an inevitable aspect of communicative exchange- and often immensely beneficial from an epistemic perspective- it also renders people vulnerable to certain risks. It is vital that participants in dialogical exchange are capable of discerning when trust is warranted or unwarranted in other people and their testimony.

While human beings are capable of using some of the tools I have just outlined to assess the trustworthiness of others testimony, I argue that such an approach needs to be complemented by people developing a greater awareness of the political implications of our epistemic location and positioning. This is because our epistemic location and positioning profoundly shape our worldviews, which in turn, shape how we stake and receive other people's claims.

Fortunately, though, feminist epistemological theories have considered this problem in depth and so it is worthwhile to explore their understanding of the political dimensions of knowledge before explicating my account of civil discourse in greater depth.

The Politics of Epistemic Location and Positioning:

It is clear that one of the most fruitful avenues to interrogate the political and moral implications of knowledge and ignorance stem from feminist critiques of dominant epistemological frameworks of the 'western' philosophical canon.

These critiques, as Elizabeth Anderson (2011) insightfully notes, have comprehensively demonstrated how women were excluded from certain areas of knowledge inquiry, denied women appropriate epistemic authority, credibility and trustworthiness in particular knowledge domains and ignored concerns central to women's lived realities and experiences. (Anderson, 2011)

Moreover, they also typically positioned women as being inherently flawed knowers by virtue of their alleged deficiencies and limitations in their reasoning and affective styles, treating them as inherently inferior knowers by virtue of essentialized characteristics while positioning men as being innately superior knowers. (Anderson, 2011; Bordo 1999; Harding, 1991; Lloyd, 1986)

Consequently, feminist epistemologists have engaged in a fundamental re-thinking of traditional epistemic assumptions within the "western" philosophical canon. Indeed, in particular, feminist critiques of dominant western epistemologies have ferociously questioned its ontological assumptions about human nature. These assumptions typically suggested that human knowers' were atomistically individual, rationalistic and dis-embedded from their broader

social context and relationships. (Code, 1991; Grasswick, 2011, pg xvii; Narayan, 1989; Shuford, 2011)

In addition, feminist epistemologists fundamentally stress the social character of knowledge, developing accounts of epistemic dependence and relationality that countered individualistic accounts of knowing. (Code, 1991)

Importantly, acquiring more objective knowledge is also understood to involve negotiating one's social relations with others. As a consequence, feminist theories of epistemology have particularly defended the proposition human beings are profoundly reliant on trusting the testimony of other people to acquire social knowledge. (Grasswick, 2012; Scheman, 2011, pg 214)

In addition, feminist epistemological theory has also stressed how all knowledge is social in that it is inherently situated within a given location at a given time and within a broader social imaginary that obscures certain types of knowledge while socially privileging others. (Code, 1991)

Moreover, feminist epistemological theories generally stress that the social location or positioning of a knower has fundamentally important epistemic implications, particularly in terms of its capacity in contexts of power asymmetries to afford or limit access to knowledge and to privilege or marginalise certain claims. (Alcoff, 1991; Lennon & Whitford; 2002, pg 1)

From a feminist epistemological perspective, therefore, knowledge inquiry is inherently a relational and intersubjective process. It is mediated by historical, cultural and social factors, particularly in terms of sets of implicit background understandings, social discourses and categorizations as well as social imaginaries. (Code, 2006; Code 2011)

Another key focus of feminist epistemological theories concerns the idea that dominant standards of epistemic credibility are often disguised as being neutral or 'natural'. These processes occur by virtue of the operation of background ideologies, social discourses and social categorizations which position individuals from different communities and social groups as being credible/non-credible, trustworthy/untrustworthy or reliable/non-reliable knowers and claim-makers. (Fricker, 2007)

These norms foreground the profound connection between knowledge and power relations- indeed, as Harding notes, feminist epistemological theory is profoundly committed to the view that power and knowledge inherently “co-constitute and co-maintain each other”. (Harding, 2004, pg 67) This is because, as Nancy Potter further notes, knowledge is “caused by social, economic and political interests”. (Potter, 1996, pg 239)

Unsurprisingly, feminist epistemologists have investigated how power relations impact upon practices of knowledge production and exchange. They have notably explored which social groups and communities are accorded or denied epistemic authority, trustworthiness and credibility. They have also focused on how certain background assumptions or political commitments encourage certain kinds of knowledge inquiry while de-legitimizing other kinds.

Consequently, feminist epistemological accounts are particularly interested in analysing how epistemic norms are biased towards the viewpoints and interests of dominant social groups and communities. Importantly though, these accounts have also stressed the possibilities for resisting dominant epistemic frameworks. This interest means, as Tuana notes, that feminist epistemological theory “{is} concerned not simply with descriptive analyses of our current knowledge practices, they are also committed to developing accounts of how our knowledge practices can be improved”. (Tuana, 2001, pg 16)

A feminist epistemological perspective not only aims to evaluate critically dominant epistemic norms, but it also seeks to identify how these norms can be contested and transformed. Unsurprisingly, as Tuana continues, feminist theories of epistemology frequently note the moral importance of individuals properly fulfilling their epistemic responsibilities if dominant regimes of knowledge are to be resisted. This claim entails a:

“...belief that we have a responsibility to consider how social structures impact the generation of knowledge... as individuals and members of social orders {people} must take responsibility for how cognitive authority is established, for the values that knowledge practices embrace, and for those values that are rejected or rendered invisible.” (Tuana, 2001, pg 16)

In addition, it is also important to stress how feminist epistemological frameworks have closely connected patterns of social knowledge and ignorance to our social identities. This is to say that our social identities simultaneously serve to enable and frustrate knowledge production and exchange. For instance, as Linda Alcoff (2001) argues:

“Social identities are relevant variables by which available interpretive processes regrouped and distinguished. This is not of course to say that differently identified individuals live in different worlds or experience globally different perceptions, but that prevalent narratives and concepts are often correlated to particular social identities...Social identity matters because experience and perception matter for the possibility of knowledge. No individual is capable of knowing from every experiential location...and our social identities are in some cases relevant to our experiential locations, though certainly not the most or only relevant feature.” (Alcoff, 2001, pgs 73-74)

Accordingly, our social locations and social identities simultaneously afford *and* hinder access to certain epistemic resources, thereby simultaneously facilitating and inhibiting the critique of dominant relations of power. However, how do these epistemic inheritances and relationships frustrate and facilitate social criticism precisely?

If one considers the first aspect of the question, feminist epistemologists have frequently stressed the importance of re-thinking the political significance of ignorance. Ignorance, as a number of critics have noted, has historically been defined as merely a process or a state of being deficient in one's knowledge of a particular subject or domain. (Applebaum, 2010; Proctor, 2008; Smithson, 2008)

However, feminist epistemological theories have countered that patterns of social ignorance in unequal societies do not reflect mere a lack or an omission of knowledge. (Proctor, 2008) Ignorance is not merely a function of cognitive imperfections of knowledge acquisition or contingent failings in institutional design rather it involves an active process of social construction. This is to say that patterns of ignorance in society produced and maintained via the operation

of asymmetrical relationships of power. (Applebaum, 2010; Code, 2014; Proctor, 2008; Smithson, 2008; Tuana & Sullivan, 2009)

Feminist epistemologists have argued, therefore, that members from dominant social groups or communities are often motivated to cultivate ignorance about the lived experiences of marginalised groups to legitimate their social advantages. Patterns of social ignorance are never morally innocent as they serve to silence, neglect, overlook, distort, devalue and delegitimize the interpretive resources of marginalised communities.

This point has further developed by Pohlhaus (2012) who stresses the morally blameworthy aspects of situations where “dominantly situated knowers refuse to acknowledge epistemic tools developed from the experienced world of those situated marginally.” (Pohlhaus, 2012, pg 715) Consequently, this misrecognition allows relatively privileged individuals to “misunderstand, misinterpret and/or ignore whole parts of the world”. (Pohlhaus, 2012, pg 715)

It constitutes both a moral failing as well as an epistemic failing as social relations of ignorance serve to unjustly privilege certain kinds of epistemic actors or knowledge forms while unjustly marginalising other types. (Bergin, 2002)

Importantly, practices of social ignorance are profoundly connected to the operation of epistemic injustices in society. Tuana (2008), for example, emphasises that “because ignorance is frequently constructed and actively preserved” it is inherently connected to “issues of cognitive authority, doubt, trust, silencing, and uncertainty”. (pg 109) Indeed, as McGoey further suggests, ignorance must be understood as an epistemic resource which can be deployed to deflect, obscure, conceal or magnify certain kinds of knowledge precisely to increase the “scope of what remains unintelligible”. (2012, pg 1)

Accordingly, ignorance involves wilful self-deception by individuals in privileged social positions. This self-deception ultimately serves to deny, ignore and obscure how one is morally implicated in relations and practices of oppression. Unsurprisingly, both epistemologists of gender and race argue that it is in the material interests of dominant groups to maintain practices of ignorance. (Mills, 1997; Mills & Pateman, 2013)

Importantly, there are domains of knowledge that members of privileged communities are simply encouraged or even rewarded *not* to consider. Dominant epistemic norms and resources serve to foster distorted social interpretations of the lived experiences of marginalised groups, thereby allowing advantaged groups and institutions to justify and rationalize policies which entrench their domination.

Indeed, they might even allow such groups to maintain that these inequalities are for the benefit or well-being of the oppressed. This kind of culpable ignorance is particularly deleterious because it breeds “arrogant” patterns of social perception that serve to reproduce the legitimation of unjust social arrangements. (Lugones, 1987)

For instance, the work of Guy Standing (2011) and Owen Jones (2012) has outlined how moralistic discourses regarding the “undeserving poor” have positioned members of economically disadvantaged groups as being morally responsible for their impoverishment.

These discourses cast such individuals as being social deviants who suffer from pathological personality defects, particularly sloth or mindless consumerism. This discourse of poverty thereby deliberately and intentionally ignores the structural factors and governmental policy decisions which create and maintain their disadvantaged status.

Instead, such individuals are treated with contempt, pity and derision and are reduced to supplicating for ever-dwindling support from the state or are coerced into low-paid jobs with no opportunities for career development or social mobility. (Jones, 2012; Standing 2011)

Tuana’s comprehensive taxonomy of ignorance further allows us to survey the political implications of this problem in further detail. (Tuana, 2006) The first kind of culpable ignorance, she argues, is “knowing that we do not know, but not caring to know”. (2006, pg 4) This kind of ignorance inhibits knowledge production and exchange because it positions certain types of knowledge as not being worthy of exploration and development due to their perceived social unimportance or irrelevancy.

Practices of social ignorance, therefore, can result in structural deficiencies in collective knowledge production and exchange. For instance, Tuana cites the historical lack of research into female ejaculation and menopause which was animated by morally and epistemically flawed assumptions about female sexuality. (Tuana, 2006; 2008)

Tuana's second kind of ignorance is "not even knowing that we do not know". (2006, pg 6) This type of ignorance is cultivated because "our current interests, beliefs and theories" marginalise key areas of social knowledge. (2006, pg 6) Significantly, this kind of ignorance is particularly implicated in epistemic types of injustice as it breeds the conditions for hermeneutical marginalisation, thereby rendering the contestation of areas of culpable ignorance extremely difficult.

The third kind of ignorance occurs when "the ignorance of certain groups is systematically cultivated". (2006, pg 9) This type of ignorance is often cultivated deliberately by social actors with vested interests and significant economic, political and social power.

Tuana cites the example of tobacco companies attempting to withhold knowledge about the damaging health impacts of smoking as an exemplar of this kind of manufactured ignorance. (See Proctor (2008) for a further discussion of this issue)

The final kind of ignorance is what Tuana terms "wilful ignorance" and it occurs when people do not know and do not *want* to know about something. This type of ignorance is motivated as it serves to protect one's interests, particularly in terms of how it allows people from advantaged and privileged backgrounds to deny their moral implication in relations of injustice. Indeed, as she stresses wilful ignorance constitutes a:

"...systematic process of self-deception, a wilful embrace of ignorance that infects those who are in positions of privilege, an active ignoring of the oppression of others and one's role in that exploitation" (2006, pg 11)

Similarly, Nancy M Williams differentiates between four different kinds of ignorance. The first kind of ignorance occurs when individuals deny the causal

connection between a given action and the ensuing suffering inflicted on its victims.

Williams suggests that this type of ignorance is particularly manifested in the choice of language that perpetrators of injustices use to cognitively and affectively disassociate themselves from their immoral actions. (Williams, 2008)

The second kind of ignorance involves requests not to be informed about a particular practice. Williams cites the example of a military commander who claims ignorance about the abuse of prisoners of war after ordering to use all means possible to extract information from them.

This kind of ignorance, she argues, is morally culpable in that an agent has a “compelling reason”- and likely the capacities- to “carefully monitor or investigate” a phenomenon yet one neglects or refuses to do so. (Williams, 2008, pg 373)

The third form of ignorance, according to Williams, occurs in situations where individuals are motivated not to ask certain questions in order to avoid investigating a particular phenomenon. Williams cites the example of a mother who represses her suspicions that her husband is sexually abusing their daughter in the face of observations she makes about their behaviour. (Williams, 2008)

Lastly, Williams argues that affected ignorance occurs when individuals “uncritically accept the dictates of custom and ideological constructions”. (Williams, 2008, pg 373) Indeed, as she stresses, this kind of ignorance particularly involves a “dogmatic adherence to conventional rationalizations” as well as a vested refusal to acknowledge that “majority opinions” or “widespread practices” are morally wrong. (Williams, 2008, pg 373)

It constitutes a kind of “cultural and moral arrogance” which motivates people to remain blind to any justifications or evidence that would necessitate rigorous moral inquiry. (Williams, 2008, pg 373) Williams cites the work of Hoagland (1993) who notes situations where members of privileged groups narrowly interpret the behaviours of disadvantaged individuals via pejorative stereotypes as opposed to questioning the validity of these stereotypes in the first place.

The particularly pernicious aspect of this form of ignorance, Williams notes, is that it allows members from dominant social groups and communities to perceive their actions as being legitimate or morally exempt even if they are directly implicated in oppressive social relations and institutions. (Williams, 2008, pg 373)

In conclusion, therefore, one can draw a number of conclusions with respect to practices of ignorance. Firstly, such practices are inherently social in character and cannot be reduced to individual personality failings or practical limitations in accessing relevant social information.

Secondly, practices of ignorance are profoundly connected to the re-production of unjust social relations and institutions as they hinder a critical examination of their functioning. Indeed, practices of ignorance often contribute to their social legitimation, rationalization and justification.

Finally, practices of ignorance frequently serve to marginalise, ignore or exclude victims of oppression by creating an epistemic climate where it is extremely difficult for injustices to be publicly conceptualised or for members of advantaged communities to take their claims seriously. Indeed, feminist epistemology of ignorance stress that members of advantaged groups often have material or psychological investments in the status quo which can severely distort their epistemic practices. (Harding, 1998, pg 151)

Consequently, this lack of interest and concern means that such individuals might be entirely ignorant that their knowledge procedures and resources might significantly distort and misrepresent the lived experiences of victims of oppression. There might be no appreciation that collective forms of ignorance play a role in the social legitimation, rationalization and justification of relations of domination. Practices of ignorance, therefore, function by presenting selective perceptions of reality as 'natural' while actively denying their myopic character.

Importantly though, as Alison Bailey has demonstrated, “strategic” kinds of ignorance can also be a site of political *resistance*. For instance, Bailey argues that feigning ignorance can be an important means for oppressed communities

to acquire information, to sabotage their work, to avoid or delay harm or to preserve the dignity of their sense of self. (Bailey, 2007, pg 77; 88)

It is also important to stress as well that while practices of ignorance are profoundly connected to the reproduction of oppressive social relations they can also “contribute positively to epistemic responsibility”. (Townley, 2006, pg 37)

This is because recognising our ignorance can be an essential means via which our knowledge can be improved or increased. (Townley, 2006, pg 37)

Accordingly, having outlined some of the voluminous feminist literature on ignorance, it is appropriate now to turn to the next significant insight afforded by feminist epistemologists of knowledge- namely the importance of standpoint in developing a critical consciousness.

This emphasis is important as it is vital to explore the parallel facet of the connection between power and access to epistemic resources- namely, the reality that members of marginalised communities might be able to counter the operation of practices of ignorance by virtue of the epistemic insights afforded by their social positioning and location.

The importance of standpoint in the development of critical consciousness:

It is also vital to note that beyond discussing practices of social ignorance, feminist epistemologists have also argued that people who occupy relatively disadvantaged social locations can contingently have a more objective understanding of oppressive social relations in a given society.

This insight stems from the fact that members of oppressed groups are excluded or marginalized by dominant epistemic frameworks while simultaneously having to negotiate them strategically in their quotidian routines. (Collins, 1991)

Some theorists argue that the principle of “epistemic advantage” stems from the dialectical movement negotiated by individuals from marginalised social backgrounds between dominant, hegemonic social interpretations and their lived experiences of injustice. (Bowell, 2011; Pohlhaus, 2012, pg 720)

This movement produces a kind of epistemic tension or friction which enables people who come from comparatively disadvantaged social backgrounds to form more objective knowledge about the realities of oppression in given situational contexts. It allows them to understand the epistemically flawed nature of dominant interpretive resources.

For instance, marginalised individuals might have a greater appreciation of the internal contradictions of dominant ideologies or how dominant epistemic resources ignore, marginalise or exclude their social knowledge and lived experiences. Consequently, Allison Wylie argues that members from oppressed groups can know different things or can be better knowers “by virtue of what they typically experience and how they understand their experience”. (Wylie, 2004, pg 339)

Indeed, as Harding suggests, feminist standpoint theory stresses that the social locations of marginalized social groups and communities are “better places from which to start asking causal and critical questions about the social order” given that these questions are typically obscured by dominant epistemic norms and frameworks. (Harding, 2004b, pg 130)

Alternatively, epistemic advantage can stem from lived experiences of negotiating unjust power relations in their daily lived routines to achieve their social goals. It is in this sense that epistemic advantage is a social process of knowledge creation as oppressed individuals share certain common experiences and perspectives with respect to the operation of power. (Collins, 2004, pg 249)

Indeed, members of such groups and communities often respond by developing counter-hegemonic epistemic resources to understand and critique their lived experiences and realities. Moreover, it has also been argued that members of oppressed communities also can possess significant insight into how relations of oppression inform their interactions with members of more privileged communities. (Collins, 1991)

This is to say that such individuals can contingently possess a greater understanding of asymmetries of power. Harding (2004) attempts to explain the notion of epistemic advantage thus:

“Thus, to the extent that an oppressed group's situation is different from that of the dominant group, its dominated situation enables the production of distinctive kinds of knowledge...Each oppressed group can learn to identify its distinctive opportunities to turn an oppressive feature of the group's conditions into a source of critical insight about how the dominant society thinks and is structured”. (Harding, 2004, pg 7)

This is an important point as a critical standpoint for Harding constitutes an achievement- it is “something for which oppressed groups must struggle”. (Harding, 2004, pg 8) Epistemic advantage does not occur automatically and universally simply by being a member of a disadvantaged community or social group or by virtue of the insights offered by one's social location. (Wylie, 2004, pg 343)

Contemporary feminist standpoint theory is not committed to the simplistic formula that the deeper the degree of oppression the stronger the level of epistemic advantage. The thesis of epistemic advantage does not presuppose that marginally positioned individuals inherently possess more privileged or objective knowledge simply due to their occupation of a given social position. Instead, it argues that some locations and standpoints can contingently cultivate greater epistemic objectivity.

Moreover, it is also emphasised how achieving a more critical standpoint is a consequence of political contestation and/or consciousness-raising practices. It constitutes an acquired capacity to understand relations and structures of power. (Harding, 2004; Wylie, 2004)

Moreover, achieving a critical standpoint is inherently a difficult and confronting process as it requires critically questioning- and even altering- our identities given that dominant epistemic norms and frameworks have often been deeply internalized; it frequently involves what Selgas terms “painful self-transformations”. (Selgas, 2004, pg 302)

Consequently, the thesis of epistemic advantage remains open to the possibility of what various theorists have described as the problem of 'adaptive preferences' or 'internalized oppression'. (Alcoff, 2001; Cudd, 2006; David & Derthick, 2014; Nussbaum, 2001)

Now let us consider the second aspect of the question outlined above- namely “how inherited frameworks and epistemic relationships foster social criticism”? Pohlhaus offers us an interesting account of how this process can occur, suggesting that “recalibrations” in collective epistemic resources can occur in the face of experiencing tension between the “world of experience” and the “resources that we use to make sense of our experiences”. (Pohlhaus, 2012, pg 719)

Indeed, beyond mere re-calibrations she argues that people can collaboratively *create* new epistemic resources that can abnegate the tension between our current epistemic resources and our lived social experiences. She suggests that this process “can result in new possibilities for knowing, providing new tools for organizing and making sense of experience”. (Pohlhaus, 2012, pg 719)

This opens the possibility that people who occupy more privileged and advantaged social locations can eventually “recognize and learn to use epistemic resources calibrated from marginalised positions”. (Pohlhaus, 2012, pg 721) For instance, Harding suggests that members from advantaged groups can develop “traitorous identities” as they develop a critical appreciation of their privileges and learn how to become effective allies to marginalised communities. (Harding, 1991)

It is this capacity to learn new and different epistemic resources which allows for people from advantaged and disadvantaged groups to develop a more critical standpoint vis-à-vis oppressive social relations and institutions, albeit this recognition and knowledge will inevitably be partial, flawed and extremely difficult to achieve.

In conclusion, developing a critical standpoint is understood to constitute an achievement that requires significant consciousness raising and the development of what Jane Mansbridge and Aldon Morris have termed an “oppositional consciousness”. (Mansbridge & Morris, 2001)

However, as Uma Narayan warns us, it is always important to stress that in context of power asymmetries the understandings developed by individuals from more advantaged backgrounds are likely to be “incomplete or limited” even in the face of “great effort and interest” (Narayan, 1989, pg 265).

Conversely, Wylie also warns us that oppressive social relations create inequalities of access to anti-hegemonic epistemic and material resources. This means that while members of oppressed communities might have significant insight into local manifestations of injustice, this might not necessarily translate into a more systemic understanding of how oppressive social relations are maintained and re-produced. (Wylie, 2004, pg 348)

Rather, as Uma Narayan contends, standpoint theory maintains that it is both easier and more *probable* that members of oppressed groups to develop a critical consciousness as opposed to individuals from advantaged communities. (Narayan, 2004, pg 220) Indeed, as she insists:

“The view that such an understanding, despite great effort and interest, is likely to be incomplete or limited, provides us with the ground for denying total parity to members of a dominant group in their ability to understand our situation”. (Narayan, 2004, pg 221)

In addition, recent feminist theory stresses that epistemic communities are highly heterogeneous in their internal composition. While there might be fundamental similarities between the lived realities of marginalized people, their experiences of oppression can vary widely given other facets of their social identities.

Finally, feminist epistemologists argue that while oppressed persons contingently can develop superior epistemic insight this does not entail that all positions are of equal epistemic insight. There will inevitably be limitations and flaws given the partiality of different epistemic vantage points. (Selgas, 2004)

In conclusion, this section has foregrounded a number of important points about civil discourse and epistemic responsibility. Firstly, while I am to suggest that civility constitutes a trust-building epistemic practice, it is also vital for interlocutors to fairly and accurately judge between trustworthy testimony and non-trustworthy testimony.

This need is vital given the reality that individuals occasionally participate in political affairs on the basis of morally blameworthy motivations and intentions and because dominant epistemic norms can negatively distort interlocutors' epistemic motivations.

In addition, I have been suggesting that there is a need for accounts of civil discourse to recognize the impacts of epistemic exclusion and how our knowledge is fundamentally socially situated- that is, our social locations can contingently limit or afford privileged access to particular kinds of knowledge resources. The question therefore becomes how can accounts of civil discourse offer insight into how epistemic norms in society can be *improved* and what are the limitations of civil discourse in challenging oppressive epistemic norms.

Accordingly, in the next section, I argue that civil discourse can contribute to challenging oppressive epistemic norms and vested practices of ignorance if it is re-framed through the prism of epistemic responsibility. Firstly, if civil discourse is interpreted to require the need to learn *from* different worldviews then it can be an important practice of recognizing the limitations of our knowledge, especially in terms of our taken-for-granted areas of ignorance.

I understand learning from different worldviews to entail critical reflection about the epistemic grounds of our own beliefs, thereby facilitating the dialogical transformation of our preferences, interests, viewpoints and self-understandings in the face of experiencing epistemic tension between their pre-existing knowledge sets and new knowledge claims.

From this perspective, questioning our own worldviews is an important vehicle of trust-building between people with very different beliefs, values and social backgrounds because it encourages careful consideration of their epistemic contributions.

This is an important point because members of oppressed communities, as I pointed out in my criticisms of Taylor's account of civility, frequently feel justified reluctance to share their knowledge with members of more privileged communities by virtue of dominant epistemic norms which discredit their knowledge claims.

Of course, it might seem strange to argue to fairly consider the claims of others one must question oneself. Yet, as the previous section on testimony established, is important to understand that there is a relationship of deep dependency between a testifier and their listener whereby meaning is co-interpreted and co-evaluated in a complex fashion.

Secondly, if civil discourse is interpreted to require interlocutors to question their positioning in broader relations of power, it can be an important means to develop a critical consciousness with respect to the distribution of norms of epistemic credibility, trustworthiness and reliability which unjustly marginalize the knowledge contributions certain individuals or social groups while unjustly privileging the knowledge contributions of other individuals or social groups.

Accordingly, in this respect, I argue that it is imperative for individuals to develop a critical awareness of how stereotypes and prejudicial attitudes influence their social epistemic climates if they are able to fairly consider the claims of their fellow citizens.

In addition, it is imperative for individuals to question their own privileges if they are to develop an understanding of how they might be unjustly resistant to epistemic contributions which question their own worldviews or their own self-understandings more broadly. Questioning our privileges can de-stabilize dominant epistemic norms because it requires confrontation with our own moral implication in relations of oppression.

Furthermore, it is also important for individuals to question whether dominant social categorizations or discourses are re-producing dominant epistemic norms which are excluding, marginalizing or stifling the expression of our own viewpoints publicly. This requirement is important because practices of social ignorance and hermeneutical injustices can be occasionally extremely difficult to discern by virtue of their social invisibility.

The danger here is that individuals from marginalized social communities might uncritically support viewpoints which serve the interests of more advantaged groups while encouraging them to epistemically defer to their viewpoints in a manner which breeds epistemic diffidence.

Finally, I argue that a willingness to learn about different worldviews allows interlocutors to extend appropriate respect to each other's argumentative positions and to treat them with the respect they deserve as moral persons. In addition, learning about different worldviews can facilitate the entry of new epistemic resources into public discourse which can challenge vested forms of

ignorance while allowing for critical social viewpoints to be considered for the purposes of public decision-making.

Civility as Epistemic Responsibility:

This account of civil discourse, following my arguments in chapter one, presupposes that there is an intimate connection between our worldviews and the staking and reception of political claim-making. There I insisted that any discussion over contested public issues will invariably involve people making appeals or claims which explicitly or implicitly reference particularistic notions of the good and how these conceptions are intimately linked with our social identities.

Indeed, I insisted that constricting public argumentation to “generally accessible” arguments will likely be highly insufficient to learning from and about non-dominant perspectives while also serving to marginalise individuals who cannot divorce their political claims from their broader worldviews.

Subsequently, I insisted that public policies inescapably reference particularistic conceptions of the good, it is imperative for public decision-making processes to possess fair opportunities for negotiating claims animated by a diversity of worldviews. For instance, proposals to build a nuclear waste dump on indigenous land is clearly inseparable from fairly considering the cultural, spiritual and historical importance of the location to indigenous peoples in addition to any adverse environmental impacts or legal complications.

Furthermore, as the chapter on Taylor illustrated, our worldviews have a moral urgency, gravity and import because they *matter* to us- they are an integral aspect of our identities and they serve as an explanatory and interpretive device for human beings to understand their social world. This point is also important given how our differing social positions and locations afford particular epistemic insights and perspectives which need to be explored in any public policy making process as they might offer unique and important contributions.

Thirdly, as Taylor has further demonstrated, any attempt to understand other worldviews will invariably be shaped and delimited by our own worldviews. If civil discourse involves meeting our epistemic responsibilities with respect to

other people's claims, it will necessarily entail critically questioning our own worldviews and to be willing to learn *new* epistemic resources from different worldviews. This process, Taylor notes, might allow participants to reach an overlapping consensus on contested political issues in spite of their divergent- and occasionally conflicting- worldviews.

Of course, this discussion begs the question of what I mean precisely by a worldview. Accordingly, before I outline my account of learning from and learning about different worldviews, it is important to specify my understanding of the concept.

It is clear that the notion of a worldview has been interpreted in a variety of different fashions via a number of academic disciplines. Consequently, while there is no generally accepted definition of the concept, there are a number of recurrent themes throughout the literature.

Firstly, there is the sense that worldviews have an explanatory function in terms of articulating the purpose, meaning and value of a particular individual's existence. They constitute a rather coherent cognitive and affective framework of intelligibility, allowing for the articulation of meaningful ontological, axiological and normative scheme which helps explain reality. (Aerts et al, 2007; Koltko-Rivera, 2004; Vidal, 2008)

For instance, Mary Clarke suggests that a worldview refers to the "beliefs and assumptions by which an individual makes sense of experiences that are hidden deep within the language and traditions of surrounding society". (Clark, 2002, pg 5)

Unsurprisingly, they are also frequently believed to have an existential reassurance function, promoting psychological wellbeing in the face of omnipresent human suffering. They allow individuals to create a narrative which explains their *raison d'être*. (Gutierrez & Park, 2015; Vidal, 2008)

Secondly, worldviews frequently have a justificatory ambition, serving to explain and legitimate prevailing social and political arrangements. (Jost et al, 2009) Importantly, worldviews therefore serve to profoundly influence how individuals process and respond to the political claims of others. (De Zavala & Van Bergh, 2007)

Accordingly, worldviews allow individuals to process information without having to subject it to rational interrogation as it provides a set of habitual, automatic and unconscious cognitive and affective heuristics of judgement. (Lodge et al, 2010; Wagner et al, 2014) Significantly, worldviews also deeply influence how individuals frame their claims with respect to their choice of language. (Lakoff & Johnson, 2008)

Worldviews, therefore, profoundly shape individuals, social groups and communities' perceptions of reality given that they encompass a broad range of ontological, epistemological and axiological assumptions that inform social evaluation and interpretation. (Docherty, 2001; Nudler, 1990)

Thirdly, worldviews have a motivational or volitional character which ensures conformity to dominant social norms, values and beliefs- it articulates a schedule of prohibited and approved social conduct. They serve to shape our social actions, even if we are unaware of being guided by their influence. (Koltko-Rivera, 2004). From this point of view, worldviews play an essential role in socialization and identity formation processes while also allowing members of a society to interact and co-construct social reality together. (Krakowski, 2013)

Importantly though, while conflicting world-views can occasionally impede and frustrate effective communication, it is also worth stressing that they do not constitute a static, monolithic framework where there is no interchange with other worldviews and it is important to emphasise the dynamic nature of worldviews and the capacities of individuals to critically question their inherited worldviews and the worldviews of others.

Indeed, I claim that there are two key methods which allow individuals to question their own worldviews. The first occurs by reflecting on the nature of their social experiences and the nature of their worldviews via examining whether there are any latent tensions, contradictions or gaps of understanding present. Secondly, I argue that one can question one's own worldviews by dialogically engaging with people who come from different social backgrounds.

In addition, I argue that questioning our worldviews is dependent on our capacities to perceive how their formation is profoundly influenced by our social positioning and location. This is to say that our worldviews simultaneously

enable and limit our understandings of different worldviews and, by extension, the claims of our interlocutors.

This is because our worldviews profoundly influence our *attentiveness* to certain kinds of knowledge, encouraging us to seek and development kinds of information while also encouraging us to disavow, ignore or marginalise other kinds of information which does not conform to our prevailing worldviews.

This is a particularly important point because given that our worldviews are acquired via processes of socialization and shaped by our quotidian social experiences, they profoundly shape whether we are granted opportunities to acquire certain kinds of knowledge or whether we are denied access to certain kinds of knowledge altogether.

Moreover, our worldviews also profoundly influence our *perception* of particular claims as they influence how certain kinds of knowledge will be interpreted and evaluated. This is to say that our worldviews can place limits on our capacities to know about certain things while also enabling the development and sharing of knowledge about other things.

Nevertheless, it is also important to stress that is because our worldviews undergo constant evolution over time and because they are open to revision by virtue of the fact that they are inherently partial and defined by their own internal contradictions and inconsistencies. Accordingly, the manner in which our worldviews mediate our attentiveness and perceptiveness of certain kinds of knowledge is never static or unchangeable. (Aerts et al, 2007; Vidal, 2008)

Unsurprisingly, therefore, if people are able to question their worldviews they must develop a critical awareness how their social experiences and upbringing have contributed to their development of their worldviews, especially in terms of how they might have biased their areas of knowledge and ignorance in particular fashions.

Accordingly, given this brief outline, it is important to specify what I mean by learning from different worldviews as an integral aspect of fulfilling the epistemic responsibilities of civil discourse.

Learning from different worldviews

I argue that learning from different worldviews involves three different epistemic practices which enable us to critically appraise the limitations of our knowledge and to learn from different worldviews as they generate epistemic tension with our own pre-existing knowledge resources.

The first epistemic practice refers to the need to reflect whether our worldviews are distorting our epistemic agendas in an unjust fashion. This is to say that it is vital to question whether one is motivated to fairly consider other people's claims or whether one is motivated simply to distort or misinterpret their testimony in order to simply re-confirm one's own pre-existing beliefs and values.

This is an important point because, as a broad range of research in social psychology has established, it is clear that a wide variety of biases influence the manner in which one gathers evidence in favour or against a proposition as well as the way in which one interprets the available evidence. For instance, there is a growing empirical literature on the phenomenon of motivated reasoning. Redlawsk notes (2002, pg 1201) that this literature counters an influential conception of political reasoning which maintains that individuals are essentially "Bayesian updaters".

Indeed, as Mendelberg summarizes this line of research, motivated reasoning occurs at every step of the information processing process, from setting epistemic goals to gathering and evaluating evidence and even to constructing inferences and judgements. (2002, pg 168)

Accordingly, learning from different worldviews requires a capacity to be self-aware towards our resistances- cognitive and affective- towards questioning and altering our worldviews in the face of disconfirming knowledge claims.

From this perspective, questioning our own worldviews is an important aspect of epistemic responsibility because a refusal or an unwillingness to do so might lead to us hold and defend our beliefs in a highly dogmatic fashion.

Dogmatism, of course, is a profoundly difficult problem for liberal-democratic regimes to address as it reflects people rigidly and unjustifiably defending their convictions in a manner contrary to alternative, reliable and valid evidence. It demonstrates a fundamental indifference- if not outright contempt and

intolerance- towards those who hold differing viewpoints, especially if these viewpoints constitute a core challenge to one's perspectives.

This tendency, of course, means that one cannot be appropriately responsive and accountable to others for our beliefs. Moreover, dogmatic views are especially problematic if such viewpoints serve to justify, rationalize and legitimate bigoted and prejudicial attitudes and viewpoints towards certain individuals on the basis of their group or community memberships. But how it is it possible to develop a critical sensitivity to the possibility of dogmatic closure?

I argue that it is profoundly important to monitor whether one is motivated to *deny* or *repress* the epistemic contributions of others as being valid and relevant, especially when these insights demand a revision in aspects of one's own worldview. In addition, it is also important to question whether one is attempting to *compartmentalize* the implications of other people's claims by refusing to accept that other's knowledge claims have broader implications for one's own worldview.

Furthermore, it is also important to question whether we are motivated to grant our own worldviews an unwarranted degree of *privileged treatment* when defending our own claims by refusing to consider the importance of alternative epistemic resources.

Without this kind of critical questioning of our worldviews, the manner in which we process other's testimonial claims- and how we understand their broader worldviews- will likely be distorted in a manner which serves to unreasonably defend or bolster our existing areas of knowledge and ignorance. This is a particularly problematic scenario where our worldviews serve to justify, legitimate and rationalize social inequalities.

Accordingly, given knowledge is inherently social in character and given that all reasoning must inherently occur vis-a-vis a background of our pre-existing worldviews, it is vital to question whether worldviews are unjustly motivating us to avoid exploring new and different viewpoints. Without critically evaluating how our social location and background have simultaneously enabled and restricted knowledge in particular domains, it will be extremely difficult to appreciate the limitations and flaws of our knowledge.

A failure to integrate this connection will mean that one might be blind with respect to how our social locations and worldviews might narrow our perspectives, particularly in terms of how they foster vested interests in affirming, denying or ignoring particular kinds and sources of knowledge.

As a result, it is important to question whether our beliefs have been tainted by epistemic motivations which impede critical social inquiry- for instance, by unfairly privileging particular kinds of knowledge, ignoring certain types of knowledge on the assumption that it is in our best interests or by denying certain types of knowledge exist in order to maintain the stability of our current beliefs.

Ultimately, if one cannot accept that our knowledge has significant blind-spots it will be difficult to appreciate that one can learn something valuable from people who come from different social backgrounds and it will likely demotivate any attempt to seek out alternative and opposing viewpoints to our own.

Importantly, an awareness of our social background and location can prevent us from making claims in situations where we are epistemically incompetent by virtue of a lack of appropriate knowledge. Epistemic responsibility requires us only to make claims which appropriately reflect the available knowledge one reliably has to hand as opposed to making pre-judgements about topics where one lacks adequate knowledge.

Secondly, it is also vital to consider one's worldviews might be informed by selective exposure to certain kinds of knowledge and whether one's interpretations of a given social phenomena are biased as a result. This is vitally important in order to avoid cases where one might make knowledge claims which rely on epistemically mistaken or flawed stereotypes, generalizations or prejudicial attitudes.

This is to suggest that if one is to exercise epistemic responsibility and to consider other people's claims fairly, one needs to exercise caution with respect to both our evidential source as well as our methods of inquiry. Without this critical scrutiny it will be extremely difficult to understand how our worldviews serve to distort our patterns of attentiveness and inattentiveness to certain kinds of knowledge sources.

Indeed, it is vital to question whether one is dismissing or selectively misrepresenting evidence that contradicts our own perspectives. Without this kind of critical self-questioning, it is extremely difficult to access and consider evidence which might challenge our own beliefs and to fairly hear the claims of other people, especially in cases where they are presenting epistemically sound counter-arguments and claims to our beliefs.

Moreover, critically considering the limitations of our sources of information and our methods of inquiry is essential if one is not to draw illicit conclusions on the basis of incomplete, irrelevant and inaccurate information and ignore potentially relevant sources of information from other people's testimonial claims.

In addition, a failure to question our worldviews might encourage us to use manipulative discursive techniques and strategies in order to bolster our own arguments. It is an essential feature of civil discourse that people refrain from using manipulative techniques to secure the deference of other persons towards our opinions. Instead, civility requires that people use *reasoned* persuasion to convince others of the merits of their views. However, what precisely constitutes the difference between manipulation and persuasion?

It is clear while there are slippages conceptually and behaviourally between these terms there are some ways to distinguish them. Perloff suggests that manipulation requires a testifier to disguise their epistemic goals, via misleading the receiver “by delivering an overt message that belies its true intent”. (Perloff, 2010, pg 24)

By contrast, persuasion depends on whether the motivations of testifiers are transparent and honest. (Perloff, 2010, pg 24) This is to suggest that manipulation is inherently characterised by insincere, ulterior intention that aim to control another party's thoughts or actions to the interests of the manipulator. Indeed, as Klemp notes, it fundamentally uses “hidden or irrational force” to influence people's “actions, beliefs or choices”. (Klemp, 2012, pgs 47- 48)

Consequently, manipulative communicative behaviours do not treat our interlocutor's as autonomous subjects given that it deliberately aims to manipulate their will on the basis that they constitute merely an object whose interests and needs are subservient to one's own. Klemp suggests that three

key communicative practices of manipulation are lying, concealment and distraction as they serve to unduly limit the parameters of other people's autonomous decisions or cause them to make uninformed decisions. (Klemp, 2012)

Ultimately, the concept of manipulation, therefore, as Harre notes, necessarily implies an “asymmetrical direction of influence”. (Harre, 1985, pg 126) Indeed, it is typically the case that the victim of a manipulative communication situation is “unaware of the influences exerted” on them, thereby rendering it essential that people self-question their motivations if they are to be epistemically responsible and to act civilly towards others in a discursive interaction. (Harre, 1985, pg 127)

This is because civil discourse inherently involves participants engaging each other in a dialogue where the motivations of participants are relatively transparent. (Harre, 1985; Klemp, 2012) This is to say, following Klemp, that it allows people to change each other’s “beliefs or actions in ways that both parties understand”. (Klemp, 2012, pg 59)

This process of critical inquiry can help us to develop a more self-reflexive relationship to the taken-for-granted background assumptions that shape our beliefs and how these background assumptions place limitations or constraints on the depth and breadth of our knowledge.

Lastly, questioning our worldviews can occur by reflecting whether there are any areas of dissonance between our social experiences, our observations of the life experiences of others and our current worldviews. This requires interrogating whether there are any latent tensions, contradictions or gaps between our experiences and observations and our current worldviews.

For instance, people might experience a disconnect between their rationalizations of social inequalities and their awareness that their living standards are suffering as a result of these inequalities.

Accordingly, via questioning these connections, it might be possible to see whether we are striving to unjustly maintain the epistemic integrity of our worldviews in the face of better epistemic resources which would entail a revision of our own perspectives.

In conclusion, therefore, critically self-questioning the epistemic merits of our viewpoints is essential if one is able to place appropriate self-trust with respect to our viewpoints and perspectives. Of course, these different aspects of self-questioning, of course, raise important questions of moral responsibility as it presupposes that one has meaningful opportunities to access countervailing social discourses and ideological constructs, to have the requisite motivation to critically appraise our own beliefs and to have sufficient cognitive skills.

However, while it can be extremely difficult and taxing to question our own beliefs the costs and impacts of *not* questioning our beliefs are simply too important to be ignored. Nevertheless, at the same time, it is also worth acknowledging that self-questioning should not entail a paralysing scepticism or cynicism that would completely undermine our confidence in our beliefs.

For instance, as Cheshire Calhoun in her discussion of the virtue of integrity, it is often epistemically and morally appropriate that people “treat their own endorsements as ones that matter, or ought to matter, to fellow deliberators”- that is one often has good reasons to “regard one's judgement as one that should matter to others”. (Calhoun, 1995, pg 258)

Unsurprisingly, she also notes that in the absence of particular circumstances, concealing, deceiving, unjustly recanting or 'selling out' of or own beliefs and values is often morally blameworthy. Consequently, there are therefore appropriate limitations to the act of self-questioning as it is often vital to defend and/or refuse to alter one's worldviews in certain contexts.

In conclusion, therefore, questioning our own worldviews is an important aspect of epistemic responsibility. It is an especially vital epistemic practice given that our worldviews are often so profoundly normalized that it is difficult to develop a critical stance with respect to our socialization into particular epistemic communities. This normalization renders it difficult to be aware of our areas of ignorance, especially if we are being asked to assess issues which are distant or alien from our own quotidian social experiences.

This point is particularly poignant in light of the implications of the previous section where individuals can fail to question their viewpoints by virtue of practices of social ignorance that breed epistemic vices.

From this perspective, it is important to question our own viewpoints given people's vulnerability to actively avoid scrutinizing their own perspectives and to deliberately and intentionally avoid, dismiss or ignore counter-confirming knowledge.

Without critically reflecting on the epistemic merits or demerits of our viewpoints it is impossible to test our beliefs to rational inquiry or to appreciate the fallible and partial nature of our beliefs. We thereby risk engendering a serious blindness regarding how our own worldviews profoundly shape not just the content of our political claims but also our communicative conduct when considering positions which do not conform to our pre-existing viewpoints.

Unsurprisingly, without being prepared to learn from different worldviews, it can be difficult to develop sounder knowledge from different epistemic resources of our interlocutors. Indeed, an unwillingness to learn from different worldviews can be an important manifestation of perceiving others claims with an “arrogant eye” as Lugones terms it. (Lugones, 1987)

This is a vital point to emphasize as it is clear that a failure to question our own interpretive horizons often leads to people rushing to unwarranted judgements about other people's claims, thereby breeding unproductive misunderstandings while eroding relations of epistemic trust.

Nevertheless, while an emphasis on learn from different worldviews is a necessary condition to being receptive to the political claims of others it is insufficient in light of epistemic injustices and practices of social ignorance.

This is because only through questioning our positioning in broader relations of power is it possible for us to develop a greater critical awareness of how dominant epistemic norms marginalize, deny or suppress our access to the knowledge contributions of marginalized communities while unjustly privileging the contributions of members from more advantaged communities.

It is for this reason that it is vital to question our positioning in relations of power if we are to develop a critical sensitivity to how dominant epistemic norms bias the formation, maintenance and revision of our epistemic judgements.

Self-questioning one's position within relations of power:

This section shall argue that if we exercise epistemic responsibility it is vital for individuals to engage in an intersectional analysis regarding the connection between their social positioning and broader relations of power in two key senses.

Firstly, it requires people to examine how this connection informs both how one interprets other people's claims as well as how one responds to them. Indeed, in particular, it is vital to question how relations of power might lead one to unjustly deflate or inflate the testimony of other people by virtue of dominant, unjust epistemic norms.

This account thereby acknowledges the feminist epistemological insight that epistemic injustices frequently arise from a *motivated* unwillingness to recognize the limitations of one's own viewpoints or to acknowledge different epistemic resources. This motivation is enabled by broader patterns of inattention and indifference which serve to reproduce relations of oppression via implicit social agreements to actively "misinterpret the world" in Charles Mills's words. (Mills, 1997, pg 19)

This tacit social agreement allows members of advantaged communities to ignore their moral and political complicity in social injustices. As a consequence, practices of ignorance are morally blameworthy in that they allow social actors to evade testimonial claims that have moral import and urgency. Without critically examining one's own moral implication in social injustices, fairly considering the testimonial claims of individuals from oppressed communities will be extremely difficult.

Accordingly, an ongoing critical analysis of power relations is vital to appreciating how power asymmetries might cause one and others to unjustly deflate the credibility, reliability and trustworthiness of other people and their testimonial claims.

Secondly, this account also demands that people intersectionally question their identities with respect to how their social upbringing has been influenced by asymmetries of power. This is important as all individuals will invariably have internalized prejudicial or approbatory attitudes, social discourses and

categorizations to varying degrees and in varying kinds during the course of their socialization, thereby influencing their interpretive horizons.

This complex of internalized frameworks of social interpretation is profoundly connected to the influence of dominant epistemic norms. These epistemic norms typically mean that the contributions of marginalised communities tend to be unjustly diminished as their claims are ignored, dismissed or misinterpreted while the contributions of advantaged communities tend to be epistemically privileged, accorded a degree of credibility that does not necessarily track a more critical assessment of their validity.

Accordingly, in the following section I shall argue that if dominant epistemic norms are to be challenged it is vital for individuals to develop a critical awareness of stereotypes, social categorizations and prejudicial attitudes might have informed their interpretative faculties of judgement.

This emphasis is warranted because epistemic kinds of injustices are a form of identity-based discrimination which is grounded in epistemically flawed, biased and distorted pre-judgements. These pre-judgements typically draw illicit associations or inferences between aspects of an individual's social identity and morally praiseworthy or morally blameworthy characteristics, qualities or properties, thereby validating or invalidating their testimonial claims.

But what is the connection precisely between social stereotypes, social categorizations, prejudicial attitudes and epistemic injustices? In addition, if we assume that it is vital for individuals to develop a critical awareness with respect to the operation of stereotypes and prejudicial attitudes if relations of epistemic injustice are to be challenged, how can this critical sensitivity be developed? The following section shall attempt to address these questions in depth.

The Epistemic Impacts of Social Stereotypes, Social Categorizations and Prejudicial Attitudes:

The first noteworthy aspect of stereotypes and social categorizations is that they provide a cognitive structure that outline particular social characteristics and features of other social groups and communities, providing a framework through which social information can be rendered intelligible.

Practices of stereotyping and categorization ultimately stem from the psychological need of human beings to adequately understand their environment without suffering from cognitive and emotional overload given its inevitable complexities and uncertainties. (Hinton, 2000; Wilder & Simon, 1996)

It therefore broadly refers to the process of forming generalizations and simplifications from one's interpreted perceptions of reality. Unsurprisingly, because stereotypes constitute a relatively rigid and unconscious heuristic device of interpretation and evaluation, it can be particularly difficult to deconstruct them. (Hinton, 2000) Stereotypical impressions of other social groups and communities are often resistant to new, counter-confirming information.

It is also important to stress that processes of stereotypical and categorical judgement occur in an automatic fashion and that their operation in social circumstances is often unconscious. Moreover, stereotypes and categorizations also serve as devices of social sorting in that they minimize perceptions of difference between members of a particular in-group while exaggerating perceived social differences between different social groups. (Hogg & Terry 2000; Terry & Hogg, 1996)

These two inter-related processes, as Dovidio et al note (2008, pg 229) result in people having more positive affective experiences toward members of their in-group compared to out-group members. Importantly, from the perspective of epistemic injustice, it can also encourage individuals to cognitively process more detailed information about in-group members rather than out-group members. (Dovidio et al, 2008)

Accordingly, once social categorization processes become entrenched, individuals are often motivated to defend and bolster in/out-group distinctions due to the desire to maintain in-group cohesiveness and co-operation- as Dovidio et al note, this desire becomes “tantamount to protecting one's existence as well as one's positive sense of self”. (2008, pg 229)

The motivation, therefore, to preserve one's self-esteem means that people are also motivated to enhance the “positive distinctiveness” of the social groups to which one belongs. This can foster practices of in-group favouritism, outgroup

derogation, out-group competition and discrimination to advance the status and power of one's own social groups. (Dovidio et al, 2008; Spears, 2008)

This tendency is particularly manifested both in contexts where people experience a threat to cherished values, goals, beliefs and norms and/or their access and control over limited material resources. (Dovidio et al, 2008; Spears, 2008) Processes of social stereotyping and categorization, therefore, are potent exercises of social power and status differentiation. Importantly, given that their operation is automatic and unconscious, dominant social groups are often coded in terms that serve to obscure their advantaged social position.

For example, as Conover (2009) notes, it is commonly presumed in the United States that white, young and heterosexual people constitute the "cultural norm" against which other people are "marked" as being inferior- that is, "default categories have priority or are "marked," so that those individuals who seem to belong to them are judged more rapidly and marked linguistically". (Conover, 2009, pg 183)

However, as some empirical research on inter-group contact illustrates, it is possible to counter the operation of stereotypical pre-judgements via two different strategies. Firstly, through prolonged dialogue it is possible for people to re-frame their stereotypical interpretive resources by the appreciation of individual differences and particularities within particular social groups and communities. (Voci, 2010)

Stereotypical assumptions and categorical constructs can be challenged through processes of decategorization which aim to demonstrate the complexities of our social identities. This allows for rigid conceptualizations of social difference to be challenged and rendered more nuanced, particularly in terms of allowing people to appreciate the internal differences within particular groups and communities.

This is an important process in cases where dominant epistemic serve to devalue the contributions of members of oppressed communities on the basis of assumptions that they are unreliable, untrustworthy and non-credible knowers.

Importantly though, this process of decategorization does not just permit the appreciation of the internal differences between members of other social groups

and communities. It can also allow people to question the supposed similarities of identity within one's social groups and communities.

This means that it is vital not simply to examine our stereotypical assumptions about members of other social groups and communities. It is also vital to critically examine the manner in which our social group identities are socially constructed, particularly in respect to whether collective interpretations of our in-group identities are implicated in social injustices.

The development of this critical awareness, in term, can allow us to discern whether dominant epistemic norms are according us overly inflated testimonial credibility to the exclusion of equally worthy epistemic contributions.

Secondly, it is possible to counter stereotypical pre-judgements through extended social interaction as it can allow for areas of commonality to be perceived by people from different social groups and communities. This strategy involves re-categorizing perceived group-based identity differences by emphasising particular commonalities between the various social groups or communities or by highlighting mutual membership in a different group-based category. (Gaertner & Dovidio, 2011)

Accordingly, it can serve to alter perceptions of alterity, dissemblance and distinction between people from different communities. It can allow them to understand their shared overlapping and subordinate social identities or enable them to appreciate their sharing of common interests, goals, preferences, values and beliefs. (Gaertner & Dovidio, 2011)

Although this process is extremely cognitively and emotionally difficult, it seems to be an essential pre-condition for the critical interrogation of stereotypes and categorizations as well as enabling the critical evaluation of whether they foster relations of epistemic injustices. Processes of re-categorization can challenge unjust epistemic norms because they expose the contingent matter in which members of marginalized communities were constructed as deficit knowers in comparison to members of more privileged communities.

The second aspect of critical engagement is the self-questioning of our prejudiced beliefs- something that is more difficult, I suggest, than critically questioning our stereotypical and categorical preconceptions. Following Allport's

(1954) classic definition prejudice can be defined as an “aversive or hostile attitude toward a person who belongs to a group, only because he belongs to that group and is therefore presumed to have the objectionable qualities ascribed to a group.” (Allport, 1954, pgs 7-8)

Stephan & Stephan (1993, pg 37) also influentially define prejudice as involving “a negative affective response, which includes both cognitive evaluations and emotional reactions” (Stephan & Stephan, 1993, p. 37). From this point of view, prejudice differs from stereotypes and social categorizations in the sense that it refers to *irrationally* held prejudgements that favour or disfavour particular individuals on the basis of certain perceived social characteristics with respect to their group or community membership. (Fleras, 2014)

Prejudicial attitudes are, therefore, reflect much more global negative attitude towards particular social groups and communities as opposed to stereotypes and social categorizations that often references only particular sets of characteristics or qualities of a particular group or community.

Moreover, while stereotypes clearly function with respect to practices of discrimination, there are arguably less motivationally powerful than prejudicial attitudes that animate the discriminatory social treatment of particular groups or communities.

Accordingly, critically apprising prejudicial attitudes is particularly challenging as they can be difficult to control by virtue of their implicit and automatic operation. The operation of prejudicial attitudes can be “impervious to conscious control, and it is relatively stable” as Henry and Hardin note. (Henry & Hardin, 2006, pg 862)

Given the difficulties associated with confronting prejudices how is it possible to challenge their operation? It is clear that there have been some suggestions in this regard. Firstly, it is vital to critically interrogate interpretations of social identity differences as prejudicial attitudes are based upon epistemically faulty perceptions about oppressed social groups and communities. (Robinson et al, 1995)

This interrogation is essential if people are to develop a critical understanding that these differences are socially constructed, historically variable and

intertwined with power-laden ideologies. Indeed, in particular, it is of particular importance to challenge and critically reflect upon dehumanizing, demonizing and exclusionary imagery, metaphors and mythologies that express prejudicial attitudes, and to appreciate the harmful impacts such discourses have upon their victims.

These rhetorical mechanisms include negative trait ascriptions, social outcasting and pejorative political labelling and delegitimation by virtue of pejorative group-based comparisons. (Bandura, 1999, 2002; Bar-Tal, 1990; Volpato et al, 2010)

Without critically evaluating the discourses in which difference is socially constructed it can be difficult to challenge prejudicial attitudes premised on the assumption that certain individual's identities reflect negative essential, immutable and group-inherited characteristics.

This task is particularly urgent in contexts where certain prejudicial attitudes facilitate practices of "moral exclusion" that serve to justify, legitimate and rationalize oppressive practices as being morally acceptable, desirable and even inevitable by virtue of the negative qualities of stigmatised group members. Practices of moral exclusion also serve to impede or even punish the elicitation of compassion, sympathy and empathy for them. (Opatow, 2001)

Finally, it is possible to challenge the strength of prejudicial attitudes by encouraging mutual perspective taking between people who come from different social groups and communities. This process is particularly important as it can allow people from relatively advantaged social groups and communities to develop a sense of identification with people from less advantaged backgrounds.

It might enable them to re-evaluate the interpretive and evaluative assumptions through one has previously judged their behaviour or made assumptions about their lived experiences and realities. (Todd & Galinsky, 2012)

Of course, there are limitations with respect to the extent to which this perspective-taking activity is symmetrical and reciprocal. After all, it would seem strange to expect members of marginalised communities to emphatically

engage with viewpoints and worldviews held by dominant communities that justify their marginalization and exploitation.

Ultimately, if oppressive epistemic norms are to be challenged, it is imperative that citizens develop a critical awareness of the manner in which prejudicial attitudes are discursively constructed because they attach a set of negative associations with members of marginalized groups which subsequently translates into their epistemic marginalization.

In addition, attempts to empathically engage with members of oppressed communities can also serve to disrupt unjust epistemic norms because it is a crucial pre-condition for attentiveness to their epistemic contributions in public discourses.

However, while critically engaging stereotypical preconceptions and prejudicial attitudes is a necessary condition of fairly hearing other people's testimony it only addresses one facet of epistemic injustice: namely credibility deficits. Moreover, an account of self-questioning must also address the problem of credibility excesses as well. Indeed, one of the insidious aspects of epistemic injustices is that members from socially advantaged groups and communities or individuals in positions of institutional power tend to be accorded an unjust level of presumptive credibility when staking their claims. This unjust level of credibility is frequently disproportionate to a more objective appraisal of the epistemic merits of their claims.

Moreover, it is often profoundly difficult for such individuals to appreciate that by virtue of their social identities, their choice of communicative idioms or by their use of particular social vocabularies, discourses and frames that they are epistemically advantaged in any testimonial exchange. Indeed, any attempt to indicate their privileges might backfire as individuals defensively deny that they are beneficiaries of oppressive social arrangements.

Consequently, processes of self-questioning, as feminist epistemologists indicate, can be profoundly painful as people from advantaged groups and communities can be motivated to remain wilfully ignorant of social injustices. This is particularly significant with respect to the unearned advantages that are

bestowed on people by virtue of facets of their social identities- that is, their social privileges.

Privilege, as Bailey (1998, pg 109) notes, refers to the “systematically conferred advantages individuals enjoy by virtue of their membership in dominant groups with access to resources and institutional power that are beyond the common advantages of marginalised citizens”. Crucially, these advantages are morally unearned and undeserved. (Superson, 2004, pg 36)

Anita Superson argues that privilege is problematic from a social justice perspective as it can cultivate dominant group habits of “arrogance, self-centeredness, and a refusal to accept responsibility”. (Superson, 2004, pg 35)

Moreover, as José Medina (2013) has suggested, the habits associated with privilege are extremely difficult to challenge given the social advantages associated with them are often so taken-for-granted that it is difficult for members of dominant communities to perceive a need for self-critique and questioning in the first place. (Medina, 2013)

There are a number of suggestions with respect to why individuals from advantaged social groups and communities struggle to understand their own privileged position. Pratto and Stewart (2012) suggest that members of advantaged groups often cannot conceptualize their privileged status as they lack adequate “social comparison information” which would allow them to identify with the lived circumstances of disadvantaged groups. (Pratto & Stewart, 2012; see also Sidanius & Pratto, 1999)

Or, as Allison Bailey suggests, “one of the functions of privilege is to structure the world so that mechanisms of privileges are invisible – in the sense that they are unexamined – to those who benefit from them” (Bailey 1998, pg 112)

Alternatively, Superson argues that the systemic nature of privilege allows advantaged group members to “believe that their unearned advantages are earned- through their “native” intelligence, strength and hard work- and to see their privilege as owed to them.” (2004, pg 37)

Bob Pease (2013) further proposes that the social invisibility of privilege stems from the motivational difficulties associated with challenging one's own unearned advantages. He suggests that even if people from advantaged

backgrounds are in principle motivated to question their own privileges the outcome of this questioning might demand considerable resources of courage. Confronting one's privilege can be a distressing- and disorientating- experience as it involves acknowledging one's own moral implication in relations of oppression. (Pease, 2013) This is a function of the reality that individuals who occupy advantaged social positions are often ignorant of how their identities are connected to unjust relations and institutions of power- indeed, as Loewe (2013, pg 126) notes: "One of the effects of having social power, of having privilege, is the ability to live without questioning one's identity".

This is because people who experience privilege in some aspect of their lives perceive their superior social status as being entirely normal. Indeed, as Rosenblum and Travis (1996) stress, people occupying privileged positions are afforded an "unmarked status" which reflects "what a society takes for granted", constituting a hegemonic norm against which unprivileged people are deemed to be deficient, incomplete and deviant. (Rosenblum & Travis, 1996)

The lived experiences of dominant groups, therefore, are conflated as being *the* norm of an entire society and the ideological constructions that legitimate group dominance are constructed as being culturally neutral and politically inevitable.

In addition, people's lack of awareness regarding their privilege can also particularly frustrate dialogue processes because, as Rosenblum and Travis (1996) note, people who occupy privileged positions can hold a sense of entitlement that "...one has a right to be respected, acknowledged, protected and rewarded ", a feeling of entitlement "...so much taken for granted by those of us in non-stigmatised statuses, that they are often shocked and angered when it is denied them". (pg 141)

Moreover, it also worth emphasizing again the difficulties faced by people who occupy more privileged positions to intellectually and emotionally relate to the material conditions and lived realities of less privileged people's lives.

This imaginative deficit can translate into an incapacity or motivated unwillingness to accept that their inferior social and economic status is a function of economic, social and political inequalities; indeed, it can foster

attempts to rationalize, justify and legitimate inequalities by asserting that they are an outcome of individual personality defects.

Ultimately, therefore, questioning privilege seems to be a vital means for epistemic injustices to be challenged in society as it can disrupt patterns of discursive arrogance and to encourage a critical awareness of our flawed and biased epistemic assumptions of marginalized communities has skewed our interpretive horizons.

However, it is important to note that there can be no guarantees, that all individuals will be willing to critique their social identities, even if they have the relevant opportunities and intellectual abilities, across all dialogical situations.

Nevertheless, if we assume that our identities are intersectional, it is always possible that people might be able to engage in self-reflexive social criticism in a given dialogue context. Indeed, in particular if we assume that our identities are intersectional people might be able to critically reflect on their privileges by virtue of being able to identify with aspects of their lives where they experience oppression.

Furthermore, Goodman (2000) also argues that people from relatively advantaged social positions can be motivated to challenge oppression for three additional reasons. First of all, individuals can experience “response empathy” which tracks an individual's personal relationship with someone from an oppressed group and one's capacity to identify with their experiences of injustice. (2000, pg 1062) Secondly, people can be motivated by key moral principles and spiritual values to critique and challenge relations of oppression. (2000, pg 1062)

Finally, she argues that individuals can be motivated to challenge oppression due to their own sense of their self-interests. Self-interest, for Goodman, is a broad category as it includes reflection on how oppressive social relationships affect oneself negatively as a member of a dominant group. For instance, one might realize how one's life could potentially benefit from greater social equality or how one could cultivate more authentic relationships with people from oppressed communities. (2000, pg 1062)

Ultimately, if practices of civil discourse are to foster self-criticism they must necessarily involve the development of an ability to critique one's own implication within oppressive social relations and institutions.

This self-reflexive stance is essential given that members of privilege groups lack the epistemic resources to understand the experiences of oppressed people and their privileges are rendered invisible, especially in circumstances where certain aspects of social identities are constructed as being universally normative- for instance, the experiences of white, male, heterosexual and relatively affluent men.

This kind of reflection is dependent upon engaging with a number of contingent and first-person historical experiences, including one's past engagement with critical and non-hegemonic social discourses and ideologies, observations of other people suffering from injustice, personal memories of suffering or other experiences of insight into oppressive relations and institutions.

In addition, the kind of self-criticism I am also advocating involves an ability to critically survey how oppressive social relations have informed one's own socialization and acculturation, particularly in terms of becoming aware of the ways one's own social background and positioning is connected to hierarchies of material and social advantage or disadvantage.

This task will inevitably be incomplete and partial and would require ongoing critical dialogues with members of oppressed communities if individuals are able, in Bailey's words to "put our privileged identities at risk by traveling to worlds where we often feel ill at ease or off-centre." (Bailey, 1998b, pg 40)

In addition, as Miranda Fricker notes, our effective capacities and opportunities to engage in such critique shall inevitably be differential and might be vulnerable to circumstances of epistemic luck- for instance, in cases where people lack adequate conceptual resources to engage in social criticism by virtue of their social positioning. (Fricker, 2007)

Moreover, it is also important to emphasize that this process of self-questioning shall be extremely taxing given that one's privileges and advantages can be extremely difficult to acknowledge as it will inevitably involve negotiating uncomfortable emotions.

This problem can also be compounded by the strength of deeply internalized oppressive social discourses, ideologies and categorizations that serve to render one's privileged status invisible and taken-for-granted. Indeed, in practice it might be suggested that this process of self-critique and questioning will often not occur voluntarily but will come in response to challenges and provocations by victims of oppression. (Curry-Stevens, 2007)

However, given the inter-sectional nature of our identities it is possible that self-critique can allow us to appreciate how social discourses, ideological constructs, stereotypes and our prejudices influence our consideration and treatment of other people's claims.

Importantly, it must be noted that this critical sensitivity cannot culminate in renouncing or rejecting one's privileges altogether. Rather, I argue that individuals from epistemically privileged groups and communities must learn to become "epistemic allies", strategically using their unearned epistemic privileges to subvert dominant imaginaries and to possibly assist the testimonial claims of members of marginalised communities as they stake their claims publicly. However, what does the notion of becoming an ally imply precisely?

Firstly, it should be understood as a process or a journey as opposed to constituting a final, achieved status. It requires an ongoing critical examination of our position in relations of power, particularly in terms of how these relations have influenced our life biography and how others might interpret our claims. Obviously, such a process can be extremely confronting from a cognitive and affective point of view, demanding qualities such as courage, persistence and self-honesty.

Secondly, being an epistemic ally demands acknowledging the difficulties involved in developing a more critical perspective in face of deeply internalised habits of domination. It demands an orientation of patience and humility.

In addition, it also requires a degree of sensitivity to how dominant epistemic norms can undermine relations of trust between marginalised communities and privileged communities. As a result, one should expect that earning the trust of marginalised communities will invariably take time.

Thirdly, as José Medina notes, it might also be necessary to seek out alternative perspectives if one is to challenge our deeply internalized interpretive frameworks. It means acknowledging the limitations and biases of our epistemic frameworks and seeking alternative, counter-hegemonic resources. This activity is particularly important if one is to disrupt the social invisibility of epistemic privileges, especially if one devotes time to learning about oppressed groups and communities. (Medina, 2011; 2013)

Fourthly, it requires that one speaks out against any situations where people from oppressed communities are unjustly being epistemically marginalised, excluded or ignored in any discursive context. This is a significant problem given that members of oppressed communities might lack the epistemic confidence to challenge unjust epistemic norms or they might fear the practical consequences of any contestation.

Fifthly, it might require on occasion using one's privileges strategically to express counter-hegemonic viewpoints that otherwise would have been marginalised, ignored or dismissed unjustly. This situation, of course, raises peculiar moral difficulties. Indeed, as Linda Martin Alcoff notes, some feminist theorists have argued that any attempt to speak on behalf of or for others is an "arrogant, vain, unethical and politically illegitimate" exercise. (Alcoff, 1991, pg 6)

The concern in this regard is that any attempt by privileged persons to speak on behalf of more marginalised individuals serves to reinforce relations of oppression as it "does nothing to disrupt the discursive hierarchies that operate in public spaces". (Alcoff, 1995, pg 99)

While recognizing that such critiques have a degree of merit, Alcoff argues that given the intersectionality and fluidity of our identities the alternative of confining our claims exclusively to our social group membership is also profoundly unsatisfactory. (Alcoff, 1991)

Instead, she argues that in practice there have been multiple historical instances of "speaking for others" which have served politically progressive ends. She argues therefore that speaking for others can constitute an

appropriate means of challenging unjust power relations under certain conditions. (Alcoff, 1991)

This stance is also supported by Lorraine Code, who cautiously advocates the importance of “advocacy practices” as a means of subverting or unsettling the inertia of dominant social imaginaries. (Code, 2010, pg 47) She argues that practices of advocacy require “ongoing vigilance, negotiation, openness to the need for corroboration, contestation and revision”, especially if the advocates are members of privileged social groups or communities. (pg 47) However, what might this look like precisely?

Alcoff outlines some useful normative conditions in this regard. Her first condition requires that individuals from privileged communities must carefully analyse their impetus to speak in the first place. This is essential to prevent any act of speaking serving desires for “mastery and domination”, particularly in terms of avoiding the tendency for individuals from privileged communities to “educate” members from marginalised groups as opposed to carefully listening to their testimony. (Alcoff, 1991, pg 24)

The second condition requires that individuals from privileged communities “interrogate the bearing of our location and context on what it is we are saying”. The third condition demands that one always assumes accountability and responsibility when one speaks. Alcoff argues that the question to whom one is accountable in a given situation will invariably be contestable, contingent and “constructed through the process of discursive action” itself. (Alcoff, 1991, pg 25) Indeed, as she subsequently explains:

“What this entails in practice is a serious commitment to remain open to criticism and to attempt actively, attentively, and sensitively to “hear” the criticism (understand it). A quick impulse to reject criticism must make one wary.” (Alcoff, 1991, pg 26)

Finally, individuals from privileged backgrounds must always “analyse the probable or actual effects of the words on the discursive and material context”. (Alcoff, 1991, pg 26) This requires a continual evaluation of prevailing relations of power between the speaker and their audience. Without this critical engagement, it is highly possible that a speaker could reinforce dominant

prejudicial and stereotypical ideas unconsciously even if they intend to improve the epistemic and political standing of oppressed communities.

There is one final aspect that must be considered when considering the need for critical self-questioning- namely the problem of internalized oppression. This emphasis is important as negative evaluations might translate into inappropriately deferential behaviour towards members of more advantaged groups in dialogical exchanges or might lead one to uncritically support claims, viewpoints and justifications which serve the interests of more advantaged social groups, institutions or individuals.

The realities of internalized oppression are also particularly pernicious as it might lead oppressed people to erroneously believe that their viewpoints are not epistemically worthy or valid. Their self-confidence qua knowers can be distorted by prejudicial attitudes as well as oppressive social categorizations and discourses.

Indeed, in a tragic case of self-fulfilling prophecies, members from marginalised groups and communities can communicatively act in a manner that seems to confirm that negative stereotypical evaluations about them are true. Their actions can serve to reproduce these negative social assessments, thereby reinforcing power asymmetries. For instance, people from marginalised backgrounds might refrain from speaking in public because they fear that their contributions will be deemed irrelevant or epistemically faulty.

It is in this regard that Lau (2010) has highlighted the importance of Appiah's notion of "identity scripts" in public discursive processes. Identity scripts refer to the social "expectations imposed on individuals based on their perceived identities". (Lau, 2010, pg 902) These scripts serve to compromise the fair assessment of people's claims in three fashions, according to Lau.

Firstly, ascribed and prejudicial identity scripts can serve as barriers to entry into deliberative processes as they are used to inflict certain asymmetrical costs or hindrances to people's equal right to political participation. (2010, 916)

This is because certain individuals might have to exert significant energy to 'regulate' their public performances- for instance, women might have to act in a fashion which confirms or disconfirms gender-based expectations about their

communicative behaviour, acting in a deferential manner or act highly assertively in order to gain attention for their claims.

Secondly, ascribed and prejudicial identity scripts can serve to “distort {communicative} output via regulating the manner in which certain individuals stake claims.

Lau, for instance, cites the example of Hilary Clinton's 2008 presidential bid in which she was forced to negotiate gendered identity scripts that portrayed women as being “inherently weak”, thereby raising doubts as to whether Clinton could be an effective commander-in-chief. According to this analysis, Clinton was forced to adopt a more “hawkish” position on foreign affairs issues to “disprove assumptions of weakness”. (2010, pg 920)

Identity scripts, Lau further explains, can also further serve to distort discursive processes via pressuring individuals to self-censor their public claims as well as distort the manner in which their claims are received by others. For instance, he suggests that Hilary Clinton might have personally opposed the war in Iraq yet felt obliged to publicly support it for fear of being criticised the basis that such a response was a characteristically 'weak' feminine one.

Moreover, Lau hypothetically suggests that if Obama had made such an answer he would not have received the same treatment as Clinton might have on the basis of socially ascribed traits of “black hyper-masculinity”. (2010, 927)

Lastly, it is also possible for people from disadvantaged groups to develop what have variously been termed “adaptive preferences” and “deformed desires” whereby people's opportunities, motivations and abilities are limited by a psychological adjustment to their current (disadvantaged) status.

Indeed, as Ann Cudd notes, adaptive preferences are partially maintained by the operation of inter-group comparisons and the reliance on interpreting information from fellow disadvantaged in-group members, thereby leading to a situation in which systemic injustices are misattributed to the 'personal failings' of individual group members and where people lack sufficient information to perceive their relative deprivation, marginalization and exclusion. (Cudd, 2006)

In addition, adaptive or deformed desires are also maintained and reproduced via process of internalization of dominant values, myths, beliefs, values and

norms which cast disadvantaged groups in a pejorative light. Processes of socialization encourage people to act as if the pejorative categorizations and associations cultivated about their group memberships are valid and correct. (Cudd, 2006)

The motivation to accept negative stereotypes might be animated by various reasons, including a desire to belong to a coherent in-group, to protect oneself from the pain of one's suffering due to institutionalized discrimination and prejudice and to prevent social isolation and ostracizing by more dominant groups or individuals.

Obviously though, it should not be assumed that all persons from a marginalised group or community will suffer from internalized oppression and it is also important to note the inherent diversity of experiences and means of resistance available to individuals who are differently socially positioned. (Medina, 2013)

Yet it seems that questioning how our own identities are connected to practices of epistemic marginalization is an important practice of generating opposition to norms which serve to silence one's own contributions in public forums.

Questioning our own identities, therefore, can be an important practice of epistemic confidence-building which can contest oppressive epistemic norms.

Nevertheless, developing such a sense of critical awareness is incredibly difficult for a variety of reasons. Firstly, there is the problem of oppressed individuals lacking the opportunities to access counter-hegemonic epistemic resources.

This is often a consequence of the fact that dominant epistemic communities can coercively use psychological or even physical force to suppress information which would challenge the unjust status quo or to actively support information exchanges which advance the interests of ruling elites.

In addition, given that our interpretive resources are dependent upon countless negotiations with processes of acculturation and socialization it can be extremely difficult for individuals alone to develop critiques of the prevailing status quo, even in cases where they have first-personal experiences of suffering as a consequence of unjust regimes of power.

Without being able to participate in epistemic communities which value and facilitate critical inquiry it can be extremely difficult to challenge deeply internalized preconceptions about social relations and social institutions- especially in contexts where dissent is dangerous to one's personal safety or to one's ability to interact with one's social peers.

Secondly, and relatedly, it can be extremely difficult to challenge one's positioning within relations of power as it requires perceptive capacities that oppressive regimes might actively attempt to restrict or restrain. Moreover, it is often the case that confronting the influence of prejudicial requires significant historical knowledge of the ideological discourses that constructed oppressed people as being inherently inferior or worthy of social mistreatment and opprobrium.

Without this historical awareness, it can be difficult to expose the contingency of these constructs and to re-frame pejorative social categorizations or to de-construct them altogether.

Finally, it can be extremely difficult to question our social positioning within relations of power on a motivational basis given that the operation of ideological constructs can serve to render oppressive relations socially invisible or difficult to appreciate given that the status quo is often presented as being natural and inevitable dominant ideologies.

Nevertheless, despite these difficulties, I have argued that if one is to stake one's claims in an epistemically responsible manner and to fairly consider other people's testimonial claims it is a necessity to critically appraise one's relationship in broader relations of power.

Yet there is one further aspect of my account of civility which is also important to stress- namely the need to learn *about* different worldviews if one is to appropriately respond to other's testimony. This is an epistemically fraught area because in the face of power disparities there is a need to simultaneously avoid unjustly appropriating other's knowledge or treating others' merely as an instrument of knowledge acquisition. (Townley, 2011)

Accordingly, in the next section, I stress that without being willing to learn about different worldviews one is likely to treat other persons and their knowledge claims as simply being less worthy of one's attention and consideration.

Learning about different worldviews:

This section shall argue that learning about our interlocutor's worldviews compromises a fundamental pillar of civility for a number of reasons. Firstly, I claim that in the face of power differentials a willingness to learn about different worldviews is an important demonstration of one's benevolence towards other people and their claims. Without being confident in others willingness to fairly consider one's claims, civil discourse is simply not possible.

Secondly, learning about different worldviews is an important because civil discourse aims to engender an epistemic climate of trust where people are encouraged to share their knowledge. If one is willing to try to understanding how other people's testimonial claims are shaped by their worldviews one is more likely to form a more accurate understanding of their claims.

Thirdly, learning about different worldviews is an important means to challenge epistemic injustices and practices of social ignorance as it can allow space for counter-hegemonic discourses to disrupt biased knowledge practices. This is a particularly important point, I argue, given the possibility that the knowledge of marginalised communities can actually be epistemically superior with respect to the particular social issues which affect them.

Accordingly, given these justifications, I particularly argue that about different worldviews requires sensitivity towards people's social positioning. If civil discourse is to be an instrument for social criticism, it is vital that interlocutors develop a critical understanding of how people's worldviews have been shaped by their social locations.

In addition, I also argue that members from privileged groups and communities have to exercise particularly sensitivity when people from oppressed communities are describing their experiences of oppression by assuming on a default basis that their claims are true.

Finally, I also claim that learning about different worldviews requires interlocutors to be accepting of a wide range of communicative and

argumentative styles if the contributions of marginalised groups and communities are to receive a fair hearing. Accordingly, it is important to start by explaining what is entailed in learning about learning from different worldviews.

It is clear that learning about different worldviews raises a number of vexed issues in the face of power disparities between individuals who come from very different backgrounds. This is because it is essential to learn about others' worldviews without treating them in an instrumental fashion- that is, using them purely as a knowledge informant for one's own interests and purposes or appropriating their knowledge without their permission.

Accordingly, there is an acute danger that members from privileged communities might embrace a voyeuristic or imperialistic approach towards the subjugated knowledge claims of marginalised groups and communities.

Furthermore, it can obviously be extremely different to learn about different worldviews given the normalization of our own worldviews and given how different social positions might enable or constrain our access to different kinds of knowledge.

This means that being receptive to other people's worldviews can be inhibited by a lack of knowledge, an unwillingness to question our own taken-for-granted frameworks and by the operation of power asymmetries which marginalise or privilege certain kinds of social knowledge.

Unsurprisingly, in such contexts, unproductive communicative practices- such as adversarial and competitive discursive behaviours- can dominate any interaction, frustrating the achievement of mutual understanding. Consequently, given these issues, I argue that there are seven principles are important if we are to ethically learn about different worldviews.

Firstly, learning about different worldviews requires people to acknowledge the prima facie epistemic validity of other's knowledge contributions. This requires people to suspend their judgements about the merits or demerits of other people's claims until they are confident that they have formed a reasonably accurate understanding of their claims through a process of attentive listening.

This requires a capacity to acknowledge the potential strength of other people's claims, particularly in terms of how they might influence the maintenance and

revision of different aspects of our own worldviews. In addition, it also implies a willingness to communicatively act in a way which illustrates that we are willing to learn from others. Indeed, it is particularly important to be willing to pose questions of clarification in cases where one does not fully understand the viewpoints of others.

This stance is particularly important in cases where people are staking claims which criticise or illustrate the limitations, biases, blind spots and flaws in our own worldviews. It demands that one avoids considering all aspects of their claims as opposed to trying to filter their claims according to one's own pre-conceived interpretations of them.

Accordingly, it is important to be tolerant towards the tension produced by any interaction between different worldviews. This tension occurs when we experience a sense of disconnect or dissonance between our own worldviews and the challenges presented to them by different worldviews.

This is to say that one should be prepared to tolerate the lack of controllability and predictability which occurs when we experience a rupture between our previously taken-for-granted views and our encounter with unexpected and unfamiliar kinds of knowledge claims.

This can be particularly difficult in cases where members from relatively privileged communities and groups are interacting with members from oppressed communities and groups as it might require processing very difficult emotional reactions to the latter's claims, especially where their claims morally implicate oneself in relations of oppression. Of course, this can be particularly difficult given that dominant epistemic norms typically position members of privileged communities as being superior knowers.

However, at the same, it is important for interlocutors to assume that this process of learning cannot result in a complete grasp of different world-views as this would be an epistemic impossibility. Instead, it is a process of continual discovery that shall always be partial and incomplete.

In addition, I also stress that considering other people's worldviews does not entail, following Jonathan Quong's argument, that one has to accept the comprehensive moral values and principles that underpin them. Instead, it

merely requires a recognition that these values and principles are of great importance to the identities of our fellow interlocutors and that one actively tries to understand their worldviews as accurately as possible. (Quong, 2002)

Secondly, learning about different worldviews requires people to acknowledge that their normative, epistemic, axiological and ontological assumptions are simply different to one's own and that these differences might be reasonable.

This is to recognise that even though these perspectives are incommensurable with one's own they are still worthy of one's consideration. It also entails an appreciation of why other people's worldviews are important to their own lived realities and how their worldviews are connected to their social experiences and their social practices.

Without such acknowledgement, it is tempting to conclude that other people's worldviews- and the claims which are framed with reference to them- must be intrinsically flawed, thereby rendering oneself intolerant to any disagreement between different worldviews and one's own.

Thirdly, it is also important to be sensitive to epistemic gulfs and to the limitations and flaws of our own knowledge sets when considering different worldviews. This sensitivity is essential if one is to avoid uncritically projecting one's own pre-conceptions on other individuals, social groups and communities when considering their viewpoints and claims.

This requires a sensitivity to how people's differing social backgrounds and experiences enables access to knowledge which one cannot access easily. Moreover, it also requires sensitivity to the limitations of our capacities to empathise with the lived experiences of people from very different social backgrounds or whose lived realities have been different to one's own.

For instance, Thomas Lawrence (1993) suggests that sometimes it be morally inappropriate for people from advantaged social groups and communities to express empathy with victims of injustice, citing the example of a male claiming to identify with the emotional suffering of a female rape survivor.

This is to suggest that one has to develop sensitivity to the limitations of our capacities to perceive other people's worldviews from their perspective via attempts of empathic projection. Accordingly, on occasion, it can be important

for people to acknowledge that they can never entirely understand the worldviews of other people or their lived realities and experiences in spite of their good-faith and good-will.

Importantly though, this involves not only an appreciation of how one's social positioning is different to other people's but it also entails developing an awareness of how other one's interlocutor's social positioning is rendered complex by various facets of their social identities. This awareness is critical if one is to avoid making presumptuous and erroneous assumptions about the connection between other people's social backgrounds and the nature of their claims.

Indeed, one powerful means of constricting critical public inquiry is by assuming that there is an essential connection between a person's social characteristics and their political claims. For instance, by labelling someone as a "tree hugger" one emotively connects this label to broader social discourses that might potentially delegitimize the valid claims of environmental protesters.

Accordingly, one should be critical both in terms of assuming that there are "essential" characteristics with respect to one's own social groups and communities or to assume that there are "essential" characteristics with respect to other social communities and groups.

For instance, if one is discussing issues surrounding poverty with people who are poorer than oneself, it seems important not merely to take into consideration the particularities of their unique individual experiences but also how different facets of their social positioning might inform their experiences of poverty in particular ways.

After all, the experiences of unemployment faced by a heterosexual, white and able-bodied man will be different to those of a homosexual, black and disabled woman in light differential patterns of social treatment and status.

This is because whilst there might be common overlaps of experience among people who are experiencing poverty and agreement over the causes and consequences of their predicaments, it is also important to note how other facets of their social positioning- such as their gender and sexuality

identifications or their ethnic group memberships- might mean that their experiences of poverty are different in significant ways.

This kind of critical questioning therefore is vital if one is avoid making hasty and unjust generalisations about individuals from particular communities or social groups as it allows one to appreciate the complexities of our social identities and how collective identity categories are in a state in constant flux and contestation.

Fourthly, when considering other people's worldviews, it is important to develop sensitivity to how asymmetries of power can negatively impact relations of trust between differentially socially positioned individuals and how these asymmetries' of power can distort the development and sharing of knowledge.

This is an essential capacity if interlocutors are to develop an appreciation whether there are any communicative boundaries which ought to be negotiated in any exchange. Indeed, as was discussed previously, members from marginalised groups might not be willing to share certain kinds of knowledge with non-group members for a variety of reasons.

Sometimes access to certain kinds of knowledge might be regulated by particular norms which stipulate the conditions of its public dissemination. Alternatively, members of oppressed communities might feel resentment at the idea that they are obliged to share their claims to illuminate or critique to improve the defective knowledge forms shared between members of relatively privileged communities.

This means that members of privileged communities need to empathise with the moral quandaries and dilemmas which arise when members of marginalised communities are asked to share their knowledge with relatively privileged communities and to respect their decisions not to share certain kinds of knowledge. This sensitivity is vital if members from privileged groups and communities are not to treat the knowledge claims of the oppressed with an imperialistic or instrumentalist attitude.

In addition, it is also vital for members from privileged groups in particular to develop sensitivity to situations where claims cannot be staked intelligibility by members of oppressed groups by virtue of flaws and gaps in dominant

epistemic norms. This is to suggest that claimants occasionally might only lack a coherent conceptual language in which to stake their claims, but recipients lack the epistemic resources to recognise a complaint of injustice as being worthy of their consideration and address.

Unsurprisingly, in cases of hermeneutical injustice, it can not only be extremely difficult to respond appropriately to other people's claims but it can also be extremely difficult for oppressed individuals to attempt to articulate their claims as there is uncertainty as to whether others are willing or capable of assisting the intelligibility of their claims.

Accordingly, as Miranda Fricker suggests, it is important for people to develop the virtue of "hermeneutical justice" which involves an "acquired alertness or sensitivity to the possibility that the difficulty one's interlocutor is having as she tries to render something communicatively intelligible... {due} to some sort of gap in collective hermeneutical resources". (2007, pg 169)

This sensitivity reflects taking other people's differences into account, especially in terms of recognising the connection between their social identities and asymmetries of power that foster relations of epistemic injustice.

In addition, it is also vital for people to develop a situational awareness of situations where the public expression and uptake of political claims are being frustrated or marginalised from public discussion by the operation of 'differends'- situations where people are staking their claims in vocabularies that are incommensurable with dominant interpretive resources and/or where dominant concepts are profoundly flawed as vehicles to accurately express particular claims. (Lyotard, 1983)

Accordingly, the development of this kind of critical sensitivity is dependent on our capacities to be attentive to not only what is explicitly claimed but also that which is inarticulate or only implicitly suggested by our interlocutors.

Fifthly, when learning about different worldviews it is important to exercise appropriate sensitivity when critically interrogating them. Indeed, as made clear by the ensuing public debate following the attack on the office of the French satirical magazine Charlie Hebdo, it is vital when engaging in criticism of different worldviews to be sensitive towards the social positioning of one's

interlocutor, particularly when such groups and communities are socially marginalised.

This sensitivity does not entail passivity or stifling self-censorship as it recognises that the viewpoints, interpretations and claims of those coming from marginalised social groups and communities might be epistemically and morally flawed. Indeed, it would be foolish to assume that a person's self-interpretations and understandings are entirely faultless given the complex connections between power and our social identities.

Instead, fair criticism entails being sensitive to how one's criticisms might cause offence to its targets prior to staking them. In addition, such criticism would be dependent on striving to form as accurate an understanding of different worldviews as possible prior to staking a criticism. These steps seem essential if one is to avoid staking criticisms on the basis of distorted and flawed assumptions about different worldviews and to avoid undermining a potentially constructive interchange of conflicting perspectives.

In addition, such criticism must be sufficiently nuanced and complex with respect to our social identities, recognising individual agency, considering the dynamics of power within particular groups and communities as well as the broader dynamics of power between different groups and communities within a given society, especially the historical relationships between dominant and non-dominant social groups and communities.

Without an appreciation of the complex and dynamic nature of our social identities, and the manner in which our social identities are connected to broader patterns of social and political contestation and interaction, criticism can merely degrade into a mechanism of derision, contempt and opprobrium against marginalised individuals and will inevitably rest on epistemically faulty grounds.

Ultimately, therefore, social criticism will often inevitably cause offence it is also important to note that causing offence might be essential in challenging oppressive facets of different social customs, traditions and identities. The ability to stake- and receive- fair criticism is therefore vital if people are to one to reject and revise one's prior viewpoints appropriately in the face of new

knowledge and information and to recognise our areas of ignorance different worldviews.

Finally, this point provides a useful segue to the second principle when learning about different worldviews- namely, the need for people to be tolerant of diverse communication styles. It has been noted previously how feminist theorists have consistently highlighted how accounts of civility which privilege particular forms of communication style or argumentative forms can be exclusionary to socially marginalised and excluded communities. (Sanders, 1997; Young, 2000)

Dominant communicative norms can privilege particular kinds of public articulation and expression- for instance, dispassionate and formal language use- in a manner which often tracks broader relations of domination. (Young, 2000)

This is a particular problem given how these accounts typically connect civil discourse to the legitimation of coercive political power via the claim that only generalizable political claims are acceptable for consideration in any public decision-making process.

Accordingly, I argue it is important to be tolerant of diverse communicative styles and communicative forms for two reasons: namely ensuring that communicative exchanges are genuinely inclusive and ensuring that people have the epistemic resources to fairly consider the perspectives of others.

The first reason why tolerating a wide range of communicative styles and argumentative types is an important mechanism of inclusion is that it recognises that public claim-making is never an exchange and evaluation of abstract claims as it inherently references important aspects of people's identities.

Indeed, our choice of communication styles and argumentative forms are profoundly influenced by our social background and socialization and their connection to our worldviews is often extremely strong. It is important, therefore, that any conception of civil discourse allows people to express themselves in the argumentative mode and style of their own choosing for two central reasons.

Firstly, it fosters a climate where people believe that their claims will be fairly considered as it does not require them to bracket important aspects of their

identities from their political claims. It creates the expectation that they can explain why their claims have an existential import to them and how their worldviews support the arguments they wish to stake.

Secondly, it mitigates the risk that public discourses will be biased towards particular communicative or argumentative styles, thereby not only excluding certain individuals but also negatively impacting the breadth and depth of the claims available for public discussion.

Accordingly, it avoids unnecessary conflict as it allows citizens to stake their claims in a manner of their own choosing without having to depend on a prior meta-consensus regarding which kind of reasons are acceptable or unacceptable for the purposes of collective decision-making. These points have been forcibly noted by Iris Marion Young, who foregrounds the importance of democratic institutions accepting diverse communication forms, including greeting, rhetoric, narrative, as well as rational argument. (Young, 2000)

The second reason to encourage a toleration of diverse communication styles and argumentative forms is because it can have important epistemic consequences. This is because tolerating such diversity can enlarge the scope and the depth of a public dialogue and encourage previously inaccessible insights via encouraging greater empathic perspective taking. (Black, 2008, pg 96).

This is important because diverse communication styles and argumentative forms can serve an important epistemic signalling device, articulating the moral gravity, urgency and import of a particular claim. This is a particularly important in cases where people are struggling to find common ground regarding a contested public issue or where dominant epistemic norms either serve to rationalize, legitimate or justify particular injustices or render certain injustices invisible.

For instance, Smith (1998) discusses the importance of story-telling as a device of political resistance in the 19th century Abolitionist movement. She argues that story-telling played not only played an informative role but it also served to humanize the victims of slavery in a way which abstract, rational claims could

not due to widespread moral difference and callousness towards the plight of African Americans. (Smith, 1998, pg 357)

Moreover, this diversity can not only increase our knowledge of the broader background worldviews which inform a particular claim but they can allow us to question our previously taken for granted interpretations of other people's lived realities and circumstances. Indeed, Young understands plural kinds of communication as a significant epistemic resource for public dialogue as they can facilitate the sharing and development of shared knowledge between people who are very differently socially positioned. (Young, 2000)

Young hopes therefore that by encouraging a broad range of communication forms and by understanding difference as an epistemic resource, dialogue processes can help to enlarge understanding and help people move beyond their own habitual frameworks and their "parochial interests". (Young, 2000, pg 109)

Her approach is therefore profoundly different from the model of Rawls and Habermas as she insists rather than attempting to fix the discursive parameters of dialogue in advance participants in a dialogue should aim to widen their understandings of the subject matter, the idioms in which the subject matter is discussed and to contest standards of evidence which are presented in defence of people's claims and justifications.

Accordingly, rather than pre-fixing the permissible kinds of discourse, this approach advocates welcoming a broad range of communication styles on the grounds that this is not only more inclusive but because such an approach might yield better epistemic insights as it encourages the exchange of a greater diversity of perspectives.

Importantly, just because a broad range of communicative styles are included in a dialogue situation does not inherently mean that such dialogues will be blighted by critical deficits. This is because, as I have previously suggested, all kinds of testimony should be scrutinised in terms of their epistemic merits and demerits as well as the trustworthiness of the testifier.

For instance, if people are exchanging factual claims one can critically evaluate their source or their manner of presentation to determine whether the facts are

being slanted or distorted by the ideological commitments of the testifier. If people are exchanging personal life narratives one can question whether a person has motivations to deceive others or interrogate whether there are any internal contradictions within their testimony.

Accordingly, the claim that public discourses should encourage a broad range of claim-making styles does not imply that qualitative distinctions cannot be made between different forms of argumentation and communicative style. Nor does it mean that there can be no principled standards in terms of what kinds of claims should be excluded from any public dialogue.

For instance, John Dryzek argues that the toleration of communicative diversity can reasonably be limited by the conditions that no claims should attempt to persuade others via coercive or manipulative techniques and that eventually these communicative claims should be able to articulated in a more generalizable fashion- that is, in a manner which is more broadly acceptable while still remaining faithful to its existential import. (Dryzek, 2000)

Alternatively, as Iris Marion Young suggests, one could also distinguish productive from non-productive kinds of communicative diversity with respect to their capacities to deepen- or weaken- mutual understanding. (Young, 2000, pg 66)

Accordingly, given this outline of the epistemic responsibilities associated with learning about different worldviews it is now important to critically reflect on some of the difficulties associated with advocating civil discourse in the face of significant disparities of power.

I argue in the next section, therefore, that on occasion if we are to meet our epistemic responsibilities it is also essential to critically survey the benevolency of our interlocutors towards ourselves, given that civil discourse depends on the good will and the good faith of all participants to consider each other's claims fairly and to fairly stake one's own in turn.

And yet, this good will and good faith is frequently distorted by relations of epistemic injustice which can breed morally blameworthy kinds of communicative behaviour. Accordingly, if one is to make appropriate judgements as to whether one ought to place one's trust in others' testimonial

claims, I argue that it is also simultaneously important for interlocutors to examine signs of each other's benevolency towards oneself. But what do I mean here precisely?

Questioning our interlocutor's benevolency:

It is clear that continually reflecting on the epistemic benevolency of other people is important for a number of reasons during any dialogical exchange. Firstly, questioning other's epistemic benevolence is important because it allows us to judge whether they are willing to critically question their own worldviews and their own positioning in relations of power.

This allows one to make a more informed judgement whether to risk sharing certain kinds of information with them, especially information that is deeply sensitive with respect to one's own life experiences. For instance, one can judge a person's benevolency by assessing the extent to which they demonstrate- or fail to demonstrate- appropriate consideration and sensitivity towards one's claims- that is, a person's "openness" to one's perspectives, feelings and behaviours.

Alternatively, one can assess their competency with respect to how they interpret one's claims and their consistency over time as to whether they will fairly consider one's claims. This need is pressing given diverse research in social psychology which illustrates the frequent resistance of individuals to incorporate new insights which contradict their established beliefs.

(Bodenhausen et al, 2012; Haidt, 2013, Mercier & Sperber 2011; Mendelberg, 2002; Richey, 2012)

These "motivated reasoning" biases can frustrate- in an automatic, implicit and unconscious fashion- an individual's capacity to appropriately revise, reject or embracing new beliefs and attitudes. This tendency, I argue, is a violation of the epistemic responsibilities characteristic of civil discourse.

Secondly, critically reflecting on other's benevolence is important because it allows us to discern whether they are willing to learn about our own worldviews. This is to say that it enables us to question whether they will grant our claims a fair hearing.

Thirdly, critically reflecting on other's benevolence provides us with an opportunity to critically scrutinize whether they are attempting to manipulate or deceive us via their testimonial claims, even their communicative behaviour seems "civil". Accordingly, through questioning another person's benevolency one can judge whether a person is reliable as a source of knowledge and that one can depend on them to provide epistemically sound information.

This problem is a pressing issue because, as I have been consistently stressing through this dissertation, relations of epistemic injustice can corrupt individual's epistemic *motives* while rendering certain subjects effectively un-discussable.

For instance, members from dominant groups might refuse to learn from different knowledge sources and refuse to recognise the limitations of their knowledge or their areas of ignorance on the basis that they do not *care* about the knowledge contributions of oppressed communities and groups.

Accordingly, because civil discourse demands a certain degree of self-vulnerability, it is important to question whether members of dominant groups are using civil discourse merely as a means to *pretend* that they are considering the claims of marginalised groups while actually continually refusing to examine their implication in relations of oppression.

Indeed, asymmetries of power often mean that people in dialogical situations can be animated by the desire to pursue certain benefits or to inflict certain sanctions against others and are willing to engage in deceptive or manipulative practices in order to secure their interests. Indeed, as Annette Baier (1997) notes:

"Where one depends on another's good will, one is necessarily vulnerable to the limits of that good will. One leaves others an opportunity to harm one when one trusts, and also shows ones' confidence that they will not take. Reasonable trust will require good grounds for such confidence in another's goodwill, or at least the absence of good grounds for expecting another's ill will or indifference. Trust, then, on this first approximation, is accepted vulnerability to another's possible but not expected ill will or lack of good will toward one. (Baier, 1997, pg 608)

Consequently, I argue that questioning other people's benevolence is crucial if one is to appropriately place one's trust in other's testimonial claims. This an important point given that deceptive rhetoric might lead one to abandon epistemically sound beliefs, prevent one from revising one's beliefs more legitimately or lead one to continue to hold beliefs which are epistemically flawed.

Of course, this activity of critical scrutiny is a profoundly difficult task both cognitively and affectively, especially in cases where people have limited information as to the reliability of an informant due to a lack of past interaction with them. As Gambetta and Hamill note:

"The trouble, in particular, is that the trustees' trust-warranting properties cannot be discovered from observation. One cannot 'see "self-interest", "honesty," or even "identity" as such". (2005, pg 7)

Potential trustees, therefore, must assess and evaluate observable signs of another person to discern whether these indicators can be "correlated with the unobservable trust-warranting properties". (Gambetta & Hamill, 2005, pg 7) This is to say, following Hoy & Tschannen-Moran, that one needs to develop the "confidence that one's well-being or something that one cares about will be protected by the trusted person or group". (Hoy & Tschannen-Moran, 1999, pg 187)

Finally, questioning other's benevolency is vital because manipulative and deceptive discourse can distort the epistemic climate of democratic institutions in favour of vested and partial interests. Indeed, this kind of rhetoric can compound the power of unjust epistemic norms because it can help re-produce the marginalization or neglect of the knowledge resources of marginalized groups.

In addition, manipulative and deceptive epistemic tactics can clearly have adverse impacts on democratic institutions, undermining relations of trust and potentially distorting the outcomes of political processes in favour of vested and partial interests. This means that the capacities of citizens to make autonomous and informed decisions can be significantly compromised via exposure to inaccurate, slanted, incomplete information. (Bok, 1978)

Accordingly, through questioning other people's benevolency we can judge whether their future behaviour augurs well for continued discussion. This is an important point as trust can only be cultivated by people, especially when they disagree intensely with each other or come from very different social backgrounds, through the public demonstration of continual good-will. Indications of their epistemic benevolence, therefore, serve to demonstrate whether a given dialogue will be productive or unproductive.

However, if one accepts that it is important to interrogate the benevolency of individuals as they stake their testimonial claims what precisely should one critically evaluate?

Firstly, I argue that it is vital for people to assess whether other parties are attempting to manipulate or exploit oneself through deception. This requires a capacity to discern whether people's testimony is characterised by the use of discursive equivocations-for instance, by the frequent use of ambiguous, contradictory or obtuse information- or discursive concealments where certain kinds of relevant and important information are intentionally or unintentionally not raised by a testifier.

The classic instance of this in political life is 'spinning' whereby information is presented in order to encourage the acceptance of certain claims or to discourage the acceptance of certain claims. Alternatively, it can also be used to avoid making particular admissions or to evade attributions of responsibility for one's actions.

Moreover, it is also important to assess whether a testifier is proffering highly exaggerated information or unduly understated information or whether the intelligibility of a claim has deliberately distorted or underpinned by the use of certain terms which are extremely vague, imprecise or ambiguous.

Another discursive indicator might be the use of euphemistic language in order to disguise the implications of a certain proposition or statement. The need to scrutinize euphemistic language is of particular importance given that it is often used to rationalize, deny, legitimate or justify social injustices.

Importantly, the need to question others testimony also extends to the need to discern whether a testifier is using implicature to promote a particular agenda or

line of argument which has not been explicitly raised. It is also necessary to monitor's other people's testimonial claims with respect to their use of allusions, particularly in cases where such allusions are being used to reference highly emotive topics, and whether the clarity of another person's testimony has been compromised by the use of confusing jargon or other kinds of technical language.

Fifthly, it is also important to question whether other people's testimonial claims are intended to pander via the expression of viewpoints which do not actually reflect a person's genuine beliefs but which rather stem from a desire to gain the support of targeted individuals and groups via appeals to their perceived values and beliefs.

Furthermore, it is also vital to question people's epistemic motivations and intentions with respect to the limitations of their knowledge and how their areas of ignorance are connected to asymmetries of power. There are a number of aspects to this kind of critical inquiry.

It seems vital to interrogate whether the testimonial claims of persons are unjustly neglecting, overlooking, devaluing and de-legitimizing the knowledge contributions made by oneself or others. This critical scrutiny is particularly warranted if the testifying party comes from relatively privileged social groups and communities.

In addition, one also needs to question whether the testimonial claims of others are animated by a desire to deny, ignore or obscure injustice, particularly in terms of whether their claims are justified with reference to oppressive stereotypes, social categorizations or prejudicial attitudes.

Lastly, as my criticisms of Charles Taylor's account of civil discourse stressed, it is particularly vital to maintain constant vigilance with respect to particular kinds of discursive strategies and techniques which engender manipulative and exploitative discourses. I therefore argue that some of the following kinds of discourses are intrinsically "uncivil" as they constitute a failing of our epistemic responsibilities towards each other and serve to reproduce relations of oppression:

Discursive strategy:

Discourses which deny or ignore claims that political, economic or social injustices are occurring or which rationalize injustices as being morally acceptable.

Discursive techniques:

1. Hypocritical justification- a claim that the infliction of certain kinds of harms is morally permissible for some communities or social groups but morally impermissible for other social groups and communities.
2. Euphemistic justification- framing justifications for harmful actions or inactions by using terms that neutralize, disguise or minimize their impacts, thereby encouraging others to accept these harmful actions or inactions as being morally acceptable or pragmatically necessary.
3. Dissembling justification- framing justifications in a manner that ignores, dismisses, mischaracterizes or belittles the adverse consequences of certain unjust actions or inactions on certain individuals.

Discursive strategy:

Discourses which justify or excuse the denial of equal inclusion to certain populations or which assert that certain individuals or communities are of unequal moral, civil and political status.

Discursive Techniques:

1. Derogatory, patronizing or condescending justifications- the framing of claims which labels targeted individuals or social groups in an inferior light, ascriptively assigning them with morally blameworthy characteristics or traits or assuming that they lack agency and individuality. Targeted individuals are viewed more as “moral patients” than “moral agents”. (Bastian et al, 2011).
2. Dehumanizing justifications- the staking of claims which position certain individuals or social groups as being beyond the boundaries of “humanity” via comparisons to non-human animals and objects or refusing to acknowledge their unique individuality as human beings. Alternatively, dehumanising justifications might reduce individuals to being mere objects to foster emotional distance or to breed sentiments of

opprobrium, contempt and derision for targeted groups. (Waller, 2007, Haslam, 2006). As a consequence, the lives of dehumanized individuals can be treated as expendable. (Bar-Tal 1990)

3. Objectifying justifications- the framing of claims which suggests that certain individuals or social groups lack autonomous agency or inherent subjectivity. Objectivizing justifications can also legitimate a person's instrumental treatment that disrespects their needs, purposes or wants via asserting that they are essentially items of property. (Nussbaum, 1995)
4. Othering justifications- the framing of claims which positions certain individuals or social groups as belonging to fixed, essentialized categories that present some social threat. Othering justifications can also assert the inherent superiority of particular social groups to legitimate injustices committed against stigmatised communities or individuals.

They serve to position some groups as being worthy of inclusion within the realm of legal and social protection while legitimating the institutional neglect and mistreatment of others on the basis that it is morally deserved or pragmatically necessary. (Opatow, 2001; 2002)

5. Distancing or contamination justifications- the framing of claims which encourage people to view certain individuals or social groups as not belonging to a particular society, especially in terms of suggesting that they are a social pollutant or disease. They aim to breed a sense of disconnection between different communities, thereby allowing people to deny any interdependencies or mutual moral and political obligations. (Opatow, 1990)
6. Violence normalising justifications- the staking of claims that position violence as being a morally acceptable "solution" to a social group or community viewed as a social problem.
7. Essentialist justifications- the staking of claims which suggests that certain groups possess fixed, biologically immutable traits or properties

which explain their social behaviour. These essentialist traits or properties are typically pejorative in nature. (Gelman, 2003).

Discursive strategy

Discourses that deny self or group implication in relations of oppression

Discursive techniques:

1. Victim blaming and shaming justifications- the staking of claims which distribute casual responsibility for social injustices to the actions and inactions of their victims and/or which seek to make certain individuals feel shame, self-loathing or self-contempt for behaviours that are deemed to be socially deviant. Victim blaming narratives serve to divert attention from the causal agents responsible for a particular injustice or the broader social structures and processes that facilitate oppression.
2. Disassociative justifications- the staking of claims that assert that one's actions or inactions are completely divorced from a particular social injustice or broader relations of oppression. Alternatively, disassociation can occur by partially admitting a degree of self-implication in injustice but rationalising this reality by suggesting that other agents are more responsible.
3. Self-inflating justifications- the staking of claims which suggest that one's own behaviour- or that of broader social groups- is inherently more morally virtuous and praiseworthy in comparison to others who are deemed to be morally vicious, irresponsible or blameworthy with respect to their actions or inactions.
4. Denial justifications- the staking of claims which either literally deny that an injustice is occurring, interpretively deny that an injustice is happening by rationalising their absolution of responsibility and blame and implicatively deny that an injustice has any relevance to one's actions or inactions. (Cohen, 2001)

In conclusion, I have claimed that it is deeply misguided for people to simply trust other's testimonial claims unconditionally as it cannot be assumed that all persons have benevolent intentions towards one and because one is at a

constant risk of being intentionally or unintentionally misinformed or deceived. Accordingly, it is important to continually question other people's epistemic benevolence towards oneself in any kind of discursive interaction. This critical surveillance is also important as it might facilitate individuals challenging the use of the discourses I have identified as being undesirable from a democratic point of view.

Nevertheless, at the same time, it would also be profoundly misguided for people to assume an attitude of complete suspicious distrust towards other people and their testimony. This is because it not merely would lead one to commit the injustice of unfairly considering the claims of others but it can also lead one to overlook important information and could result in the needless destruction of trusting social relationships.

Consequently, questioning other's epistemic benevolence can be a morally fraught and costly affair as the very act of scrutinizing other people's intentions and motivations can be corrosive of trust and might lead one to unjustly dismiss the merits of other people's point of view. Indeed, it might be said that such a stance is inherently dangerous given the epistemic limitations in accurately understanding other people's intentions and motivations.

Moreover, it might be objected that the very task of critically questioning other people's intentions or motivations might corrode a necessary "presumption of charity" when considering other people's viewpoints, especially if their views are in opposition to our own.

From this perspective, questioning other's intentions or motivations can lead to an unjust castigation of their credibility, trustworthiness or reliability as knowers and their equal political status as citizens. In addition, there are also good reasons to be cautious when attributing deception or manipulation to other persons given the possibility that others people's claims might be animated by a desire to be sincere, even though, their claims are epistemically false or flawed.

However, critical other-questioning is important to avoid being vulnerable to manipulative and deceptive testimonial claims. In addition, it is also an important regulatory principle which allows us to identify cases where engaging in civil discourse would be morally inappropriate.

For instance, it seems unreasonable for people to engage in public discourse when others refuse to reciprocate in kind, especially in cases where they advance beliefs, claims and interests that are animated by prejudicial, discriminatory and violent intentions and motivations.

This contextual position, therefore, maintains that there are no moral obligations for people, particularly from marginalized communities and social groups, to attempt to emphasise with the prejudicial or discriminatory viewpoints of members of advantaged communities and groups.

However, one might still be required to exercise a limited kind of civility that might govern one's public responses to their claims and perspectives. This limited kind of civility simply involves refraining from framing one's replies in a manner that would similarly degrade or question their moral status as equal citizens.

Conversely, it is also important to recognize that in contexts of asymmetries of power manipulative and deceptive tactics by members of marginalized social groups and communities might be necessary- and morally justifiable- if their equal status, influence and access is frustrated or denied by relations of social injustice.

This is particularly important in contexts of epistemic injustice where the claims of oppressed communities are systemically ignored, dismissed or misinterpreted by virtue of prejudicial attitudes and stereotypes. This situation justifies the use of manipulation and deception if such a strategy would improve the uptake of their claims or leverage dominant groups and institutions to take greater consideration of their interests.

Accordingly, judgements with respect to the permissibility of using manipulative or deceitful tactics must be contextually sensitive and involve a critical appraisal of power relationships. Ultimately, the decision to scrutinize another person with respect to their benevolence must occur on the basis of sound epistemic reasons and it must recognize the inherent risks that such an effort inevitably entails.

Chapter Conclusion:

This chapter has argued that insights from feminist epistemological theories allow us to develop a more inclusive and nuanced account of civil discourse given its keen acknowledgement of the connection between knowledge and power. I have argued that a feminist epistemological approach places the problem of trust at the foreground of concern when we think about the importance of civil discourse in society.

Civil discourse can be an essential practice of trust building between interlocutors who come from very different social backgrounds and who share very different- and possibly incommensurable- worldviews. Yet in the face of significant power differentials, establishing and maintaining trust can be a highly fraught business.

Accordingly, I argued that trust can be built only in circumstances where interlocutors share common epistemic responsibilities which shape their responsiveness to other people's claims. I have argued that these responsibilities can be broadly divided into two key aspects- namely learning about other's worldviews and learning from other's worldviews.

Importantly, these modes of learning require participants to critically reflect on their positioning in relationships of power and how these relationships of power breed epistemic injustices. The hope is that participants in a dialogue can develop a more self-reflexive stance with respect to how they stake their own claims and how they critically consider the viewpoints of others.

However, I also cautioned that in the face of power differentials individuals are prudent to critically yet carefully reflect on the epistemic motivations of our interlocutors in case their testimonial claims are orientated towards discursive manipulation or exploitation. I have argued that such a stance is important because it might assuage fears that civility is merely a means for powerful groups to implement their agendas while disingenuously paying mere lip-service to other's claims.

However, it is also important to stress that there is an even more fundamental objection to the whole idea of advocating civil discourse in the face of vast

power differences. This line of objection might be termed the exclusion objection and it forms the central concern of the beginning of the next chapter.

This line of objection, as we shall see shortly, maintains that advocating civil discourse is futile because it is only through coercive political disobedience that members of oppressed groups can have their claims fairly heard and considered by political elites.

Alternatively, coercive political disobedience is the only means via which these elites can be displaced altogether and new political, social and economic relations and institutions implemented.

Accordingly, the next chapter shall proceed by outlining the exclusion objection, stressing how its advocates have argued that only coercive civil disobedience can alter oppressive epistemic norms and broader aspects of oppression. I shall then explore the complexities of the term civil disobedience, surveying the different ways it has been conceptualized in the academic literature.

Subsequently, I shall explore the accounts of civil disobedience proffered by John Rawls and Jürgen Habermas, arguing that their frameworks are limited by the strenuous conditions they place on its public justification.

The final part of this chapter, therefore, develops a normative account to distinguish between morally praiseworthy and morally blameworthy acts of civil disobedience while emphasising the necessity of coercive disobedience in challenging oppressive epistemic norms in society.

Fourth Chapter: The Political Morality of Civil Disobedience.

The previous chapter attempted to redefine the notion of civil discourse through the prism of epistemic responsibility. Nevertheless, if a consideration of the concept is to be complete, it is vital to explore some of the central objections to civil discourse from the perspective of power which I loosely term the “exclusion” objection.

This objection fundamentally argues that practices of coercive disobedience are essential to challenging unjust relations of power in society, including epistemic injustices. Indeed, as a wide range of democratic theorists have demonstrated political coercion is often essential to defend fundamental democratic rights and to challenge unjust regimes.

For instance, recent work by so-called “agonist” or “realist” political theorists have questioned the supposed privileging by recent liberal political theory of the attainment of consensus over the recognition of the importance of coercion to force institutional or structural change. (Fung, 2005; Galston, 2010; Mouffe, 2000, Stears, 2007, Sleat, 2010)

Even theorists who express a degree of sympathy with more deliberative conceptions of democracy acknowledge the limitations of advocating dialogical politics in the face of deeply entrenched power asymmetries. For instance, as Jane Mansbridge and Iris Marion Young respectively note:

“{Liberal democracies}...committed to some rough approximation to equal power will require some forms of nonunanimously approved coercion to attain ends that most of their citizens approve”. (Mansbridge, 1996, pg 48)

“The deliberative democrat claims that parties to political conflict ought to deliberate with one another and through reasonable agreement try to come to an agreement on policy satisfactory to all. The activist is suspicious of exhortations to deliberate because he believes that in the real world of politics, where structural inequalities influence both procedures and outcomes, democratic processes that appear to conform to the norms of deliberation are usually biased toward more powerful agents. The activist thus recommends that those who care about promoting greater justice should engage primarily in critical oppositional activity, rather than attempt to come to agreement with

those who support or benefit from existing power structures". (Young, 2001, pg 42)

Consequently, after outlining this objection, I shall attempt to acknowledge the merits of this position while attempting to defend the proposition that the exercise of political coercion ought to be morally limited by some key principles of civility. Accordingly, given this brief outline, it is important to explicate the exclusion objection in further detail.

The exclusion objection:

The exclusion object rests on two sets of inter-related claims about civil discourse. The first claim is a normative objection which argues that norms of civility can effectively marginalise the contributions of oppressed minorities while allowing powerful social actors to dissipate, undermine, stifle, manage or re-direct contentious struggles against injustice.

From this perspective, 'civil' discourse ultimately statically favours the status quo while fostering the exclusion of oppressed groups and communities. For instance, as Tracy (2008) argues, "it is important to recognize that calls to civility are political; the need for civility is regularly invoked by those with power to regulate those with less of it". (Tracy, 2008, pg 185, citing Cmiel 1994)

Alternatively, as Inayatullah and Blaney (2004, pg 19) note, one of the central problems which must be addressed by any account of public deliberation is *why* members of advantaged communities, who are the beneficiaries of oppressive relations, would be motivated to fairly consider the claims of marginalized communities and to potentially revise their interests, preferences and viewpoints as a result.

This problem is urgent, as they further note, because the maintenance of oppressive relations partially depends precisely on individuals "evading or refusing the call to find in the other a source of critical self-reflection" (2004, pg 219) whilst Wood (2004, pg. xx) stresses that it is precisely individuals from privileged social backgrounds who frequently lack the motivation to "interact dialogically with those who do not benefit from the same status and advantage".

Unsurprisingly, therefore, from this point of view, advocating civility in the face of massive power asymmetries constitutes a diversionary device which aims to maintain relations of injustice. (Scott & Smith, 1969)

This line objection has been forcefully raised by Mari Boor Tonn (2005) who criticises what she terms a “cult of conversation” in contemporary democratic theory, suggesting that theories of political discourse are often limited by their adoption of a quasi-spiritual or therapeutic ethos that renders them insensitive differences of power.

From Tonn’s standpoint, dialogical processes which aim to promote greater political civility, social engagement and co-operation as well as personal empowerment can in practice become instruments to contain dissent to prevailing hegemonies, to marginalize contrarian voices, and to personalize structural problems whilst also cultivating a corrosive therapeutic approach toward public problems. (Tonn, 2005, pg 406)

According to this line of argument, asymmetries of power invariably shape the procedural conditions of any dialogical exchange and the kind of discourses which are privileged, marginalized or ignored.

The second aspect of the exclusion objection rests on more pragmatic arguments. From this point of view, civil discourse is simply an ineffective *means* to combating social injustices as opposed to the use of coercive political disobedience. More positively, this line of argument typically emphasizes the benefits of “uncivil” discourse as a strategy of political contestation and claims that the use of coercion has been the central means via which oppressed communities have challenged dominant relations of power.

From this perspective, accounts of civility are problematic as they might become misconstrued as substitutes for the kinds of political contestation necessary to challenging structural inequalities, thereby inadvertently reproducing relations of injustice and domination.

For example, Linda Zerilli suggests that recent calls for greater civility in political life might, in fact, constitute a displacement of the “real problem”- namely the “growing disaffection of Americans with their government and the withdrawal of citizens from public life”. (Zerilli, 2014, pg 112)

Zerilli further argues that as marginalized social groups, individuals or communities have frequently been accused of acting “uncivilly” when they challenge the prevailing relations of power, it is vital to consider that what counts as “legitimate” political behaviour vis-a-vis “critical questions regarding equal political access and voice in the democratic public realm”. (Zerilli, 2014, pg 108)

Instead, Zerilli foregrounds how claims which were deemed to be “uncivil” by dominant groups in fact have been “crucial to enlarging the democratic public sphere”, especially in terms of the “creation of new publics and claims”. (Zerilli, 2014, pg 112)

Similarly, Kennedy argues that “moral progress” in liberal democracies stems from a broad range of activities which might conventionally be described as 'uncivil', including:

“...conduct that is tainted with coercion (think of any strike or boycott), or aggressiveness (think of the punitive anti-slavery polemics of Garrison, Douglas, Wendell Phillips, or Charles Sumner) or out-and-out violence (think of John Brown, Nat Turner, Denmark Vesey, or Abraham Lincoln's Union Army)” (Kennedy, 2012, pg 34)

This line of objection, therefore, centres on the claim that accounts of civil dialogue suffer from an inflated sense of optimism in regards to fostering large scale, structural social change. From this point of view, it is argued that social movements frequently have to use coercive tactics in order to advance democratic aims, including boycotting, striking, non-cooperation, monkey-wrenching, jail stacking and marches.

This is to highlight that these movements aim to *create* a political or moral crisis which *forces* a response from governmental or non-governmental actors. They serve to disrupt and undermine the hegemonic authority of ruling institutions, individuals and social groups by forcing them to acknowledge- and hopefully address- interests, concerns and claims which have been previously evaded, denied or ignored altogether. Alternatively, they aim to replace dominant political elites altogether.

In addition, this line of criticism often argues that coercive practices of disobedience have an important “shock” factor, allowing for the creative subversion of dominant epistemic norms while forcefully introducing new discursive frames into public discourse. From this perspective, practices of political disobedience are vital to disturbing practices of vested ignorance which allow members from advantaged communities to avoid examining their complicities in social injustices.

For instance, political activists can challenge unjust and dominant epistemic norms by challenging their taken-for-grantedness, by illustrating the contingencies of their construction and by introducing new vocabularies and frames into collective public discourse.

In conclusion, therefore, in contemporary liberal democracies it is often pragmatically essential for marginalised social groups to use coercion in order to contest dominant institutions and relations of social power. Nevertheless, while I am profoundly sympathetic to the view that coercive political action is an essential tool of political contestation, I also argue that its exercise should make reference to certain principles of civility. This is because even advocates of political coercion in the face of structural injustices recognize that the use of coercion must have principled limitations.

Firstly, while the exercise of coercion is obviously an important means of altering unjust power relations, this does not mean that activists can pursue their activities *carte blanche*. For instance, it is commonly accepted in the academic literature that the exercise of coercion must be justified in terms of the selection of its tactics. It must be focused and restrained in terms of the ends it aims to achieve. (Falcón y Tella, 2004, Milligan, 2013, Rawls, 1999b; Smith, 2013)

Secondly, it is also clear that the use of coercion- especially if this coercion is violent- can occasionally unjustly infringe other people's democratic rights. For instance, in 2004 animal rights activists in the UK were widely criticised for desecrating the remains of an 82-year-old woman's grave. Her family were involved in the intensive raising of guinea pigs for medical research.

This act was precipitated by a long-running campaign by animal rights activists against the family which included the sending of hate mail, malicious phone calls, arson attacks, hoax bomb threats and the public smearing of household members as paedophiles. (BBC News, 2006a, 2006b)

This differentiation thereby explains why the moral legitimacy of deploying coercion in political contexts is often treated with a degree of suspicion, particularly within the liberal political tradition.

Occasionally, coercion seems to be *prima facie* morally questionable as it seems to violate or compromise people's freedom both a negative and positive sense. If one defines freedom in a negative sense- as absence from arbitrary interference by other people or any other kind of external restraints- then coercion can be morally problematic in that it typically involves one party imposing their will on another's choices or actions. Coercion can occasionally compromise our autonomy as agents in an unjust fashion.

If one defines freedom in a positive sense- as the possession of requisite material and psychological capacities, powers and resources to pursue one's ends free from internal constraints- then coercion can impact upon freedom by negatively impacting one's decision-making capacities.

Coercion can unjustly impact on our capacities to make decisions on a self-voluntary basis, free of distorting impediments to our own decision-making processes. The problem with coercion, from this perspective, is that it can threaten people's freedom to rationally plan and evaluate their own life, constituting a grave indication of disrespect, neglect or indifference for people's dignity qua autonomous agents.

Similarly, Raz suggests that coercion unjustly constraints people's autonomy via undermining their capacities to exercise voluntary choice or to choose meaningfully between an agent's available options. (Raz, 1986) Importantly, as Raz notes, coercion typically occurs as a consequence of "manipulation" which serves to "pervert" the manner a "person reaches decisions, forms preferences or adopts goals". (Raz, 1986, pgs 377-8)

Thirdly, coercion seems to be *prima facie* morally blameworthy as it ultimately involves treating persons exclusively as a means rather than treating them as

having purposes of their own. From this perspective, coercion is morally wrong because it signifies a prima facie lack of respect for the autonomy of the coerced. From this point of view, coercion can only be morally permissible if there is a reasoned prior or post justification that accompanies its exercise.

Finally, it has often been maintained that citizens have a prima facie duty of obligation to accept the decisions of democratically elected authorities. This obligation of obedience stands irrespective if one disagrees with particular policy outcomes.

Accordingly, the use of political coercion can be problematic in that it might erode respect for the rule of law, thereby undermining political stability. The ultimate fear from this point of view is that citizens could be encouraged to disobey the law licentiously in accordance with their on subjective- and possibly morally frivolous or questionable- ambitions and desires.

Accordingly, it is for these reasons that it is important for political theory to develop plausible normative accounts of morally permissible and non-permissible political coercion. However, what constitutes 'coercion' and what precisely seems prima facie wrong with it in a political context? It is clear that the concept of coercion is complex and interpreted in a broad range of fashions. For our purposes I have developed the following definition of coercion:

“Coercion occurs when Agent X (singular or plural) forces agent Y (singular or plural) to act in a manner agent X desires. It involves the prospective issuing of a threat of harm to harm agent Y or by the actual infliction of a negative punishment or sanction on agent Y. These threats include the use of physical force or the exercise of significant psychological pressure. It is a deliberate attempt to control the behaviour of agent Y by issuing credible and sufficient threats that force agent Y to act in a manner contrary to their previous intentions- that is to act against agent Y's will. It aims to oblige Y to undertake- or desist from- particular actions that serve the interests of Agent X.” (Hoffman, 2007; Scruton, 2007; Wertheimer, 2001)

Understandably, therefore, it is often presupposed that there is a significant differentiation between coercive and persuasive forms of political action as the latter involves encouraging other parties to adopt a course of action or to modify

their behaviour via an appeal to reasoned justifications while the latter involves the issuing of threats or implementing negative sanctions. (Khan, 2007, pgs 103-105)

Consequently, it would seem that the central question then becomes what conditions and normative principles ensure that the exercise of coercion is conducted while not unduly disrespecting or violating the democratic rights and entitlements of others.

It is clear that one of the most important prisms for negotiating this tension has been the vocabulary of civil disobedience. It is clear though that the very definition of the term is subject to contestation and has been explicated in a broad range of fashions. This reality means that a precise and concise definition of the term shall be presented later in the discussion.

Nevertheless, there seems to be a broad consensus that the ultimate intention of civil disobedience is to coercively hinder, obstruct or otherwise compromise the ability or capacity of targeted opponents to fulfil their desired goals.

Significantly, civil disobedience also inherently involves forcing political or economic concessions from state and non-state actors. (King, 2013)

This process might involve, as Adam Roberts notes (2009), increasing the costs (e.g. financial and reputational costs) to adversaries pursuing their particular policies or agendas, by undermining their sources of legitimacy and power or by otherwise compromising their public authority and social bases of support. (Roberts, 2009, pg X)

Accordingly, given this broad description of the concept, I aim to illustrate the multiple definitions of the term, as well as the inherent complexities of the concept. I outline seven central criteria in this regard to explicate how the concept of civil disobedience has been understood in the academic literature.

The first criterion broadly explores the relationship between protesters motivations and their connection to broader public problems. From this perspective, the exercise of political coercion can be justified if in some capacity it highlights an existing public problem that is being inadequately being addressed by the political process or if it is being neglected altogether.

Consequently, 'civil' forms of disobedience are typically characterised as a principled protest against government or non-government policies which violate principles of justice which are shared and recognized- to varying degrees- by the members of a given political community.

From this viewpoint, civil disobedience constitutes an act of public communication which aims to draw attention to significant public problems, to proffer potential solutions and to encourage fellow citizens (and non-citizens) to petition their political and economic institutions to change their policies or remedy the consequences of their past actions.

Accordingly, it is assumed that 'civil' kinds of disobedience require a particular type of justification for a variety of reasons. Without any process of political justification, coercive political action could potentially compromise the willingness of citizens to comply the decisions of their elected representatives. It could potentially levy unreasonable costs on fellow citizens and social institutions as opposed to lawful forms of political participation.

The connection between motivation and publicity is an important one as civil kinds of disobedience must always appeal to shared principles of justice or notions of the 'common good'. It is typically maintained that appealing to partisan claims of group interest would be both socially divisive and morally questionable. (Rawls, 1999b, pg 181)

The second common criterion of civil disobedience makes reference to the conscientious character of its participant's motivations. (Brownlee, 2012) Conscientiousness in this sense refers to the sincerely held belief that protest action is morally required or morally permissible. The principle of conscientiousness is well explained by Simmons:

"Thus, civilly disobedient law-breakers may believe that the legally required act is itself morally forbidden (or the legally forbidden act morally required), or that they are morally required or permitted to break some such law in order to protest injustice...or simply that it is morally wrong for the law to prohibit (or require) the act in question, so that disobedience to that law is morally permissible." (Simmons, 2003 pg 52)

The third criterion broadly explores the relationship between the nature of the coercive acts and the kind of moral justifications proffered in their defence. 'Civil' forms of disobedience require a public moral justification given that such actions infringe the principle that people have a prima facie duty to respect the rule of law. (Greenawalt, 1998, pg 367)

In addition, some accounts of civil disobedience even suggest that there is a moral obligation to provide due notice to the source of one's protest. One should be prepared to publicise one's intentions to breach the law in advance. (Rawls, 1999b)

According to this perspective, covert forms of civil disobedience are illegitimate on the basis that any kind of protest is an act of public communication. Consequently, it is maintained that people who engage in civil disobedience share a burden of justification given that their actions might potentially undermine the prevailing legal and social order in a democratic regime. Indeed, as Simmons suggests:

“Justifications of civil disobedience are offered against the background presumption that illegal conduct is normally morally wrong, at least where the laws in question are not themselves profoundly immoral or unjust”. (Simmons, 2003, pg 55)

Moreover, as William Smith suggests, the duty of public explanation might serve as a check to prevent vested minorities from acting in an “elitist” fashion by claiming an “entitlement to speak and act in the name of what they believe to be an ‘authentic’ sovereign will”. (Smith, 2013, pg 62)

It is in this regard that numerous theorists have maintained that the use of coercion should be evaluated with reference to norms of “reasonableness”. One proposal is that reasonableness should be judged with reference to the availability and accessibility of legal alternatives to civil disobedient action. From this perspective, some accounts of civil disobedience have maintained that it is only legitimate if all formal legal prospects or avenues of political change were exhausted or denied.

The second suggestion is that reasonableness should be assessed in terms of whether the injustice being protested against is of a sufficiently 'grave' and

'urgent' nature, particularly in terms of whether the consequences of its commission or omission are irreversible or extremely difficult to remedy in the future.

From this perspective, reasonableness from this point of view considers whether protesting parties earnestly and with good reason believed that the circumstances being faced were in some sense 'exceptional' or had the quality of being an 'emergency'. (Falcón- y- Tella, 2004, pgs 44; 198-9)

Reasonableness has also been assessed in terms of whether the actions of the protesters can or have been morally justified with reference to "shared" principles of justice. (Rawls, 1999b) Significantly, there has been disagreement as to how widely these principles should be shared and to whether they ought to be shared "widely" or even "explicitly" across a political community.

However, as Smith notes, it would clearly be inappropriate to justify civil disobedience in support for what could be judged to be "unreasonable causes" such as racial segregation. (Smith, 2013, pg 106) Reasonableness, therefore, also requires judgements in relation to critical democratic values such as dignity, autonomy and equality.

Alternatively, reasonableness has also been interpreted to refer to the logical soundness or plausibility of the protester's claims. The implication being that if protesters cannot offer epistemically sound justifications for their actions then it might be legitimate to criticise their actions.

The fourth criterion centres on the connection between the moral standing of the protesters and their willingness or unwillingness to risk the potential legal consequences of their actions. This criterion does not necessarily imply that protesters should accept the moral legitimacy of an arrest, incarceration or other forms of legal sanction from a moral standpoint. However, it does imply that protesters accept any potential punishment from a legal point of view.

Consequently, it has been argued that 'covert' forms of disobedience, whereby protesters attempt to avoid the legal ramifications of their actions, cannot be legitimately cast as constituting 'civil' forms of disobedience. Indeed, some accounts of civil disobedience even demand that protesters provide authorities with 'fair notice' in advance of their protests.

However, this has been disputed by other accounts that suggest that it might be permissible only to offer justifications following- not preceding- acts of civil disobedience given the prevailing political circumstances.

The fifth criterion broadly focuses on the connection between the nature of the coercive action and the social or moral standing of its target(s). This debate has predominantly centred on the question of whether or to what extent it is permissible to use violence against human and non-human beings and items of property broadly construed.

Moreover, "standing" has also been interpreted to refer to the direction of civil disobedience- that is, whether it is 'direct' or 'indirect' in its orientation. Direct forms of civil disobedience are understood to refer to the purposeful violation of a particular and disputed law or policy. Indirect forms of civil disobedience refer to the purposeful violations of laws that are not the object of protest in order to protest other legislation or policies that are contested.

It is also worth noting that the literature on civil disobedience has often made a distinction between civil disobedience directed towards state entities and civil disobedience targeted towards non-state entities. Civil disobedience, in the former, refers to protesting particular government laws or policies. The latter refers to protesting the actions of a non-governmental entity, irrespective of whether their actions are legal or illegal.

The sixth criterion focuses the connection between the scope and target of civil disobedience. This criterion distinguishes civil disobedience on the basis of whether it is directed against state or non-state agencies. It also differentiates between reformist and transformative disobedience.

From this reformist perspective, civil disobedience constitutes a self-correcting mechanism, allowing citizens to maintain just political arrangements in light of potentially deleterious change or to improve their institutions towards greater justice. (Rawls, 1999b)

On the other hand, civil disobedience animated by a transformative political agenda urges radical changes in the prevailing political, economic and social arrangements. For example, environmental activists often advocate a

broadening of society's understanding of Justice in order to accommodate the perceived interests of non-human actors.

Finally, the seventh criterion focuses on the character of the relationship between civil disobedience participants and their fellow non-participant citizens. From this perspective, civil disobedience has been defined as reflecting a particular kind of relationality between citizens of a polity.

For instance, Andrew Sabl argues that civil disobedience reflects an acceptance that the “regime and the electorate that supports it are related to {civil disobedients} as fellow citizens, or at least as potentially reasonable human beings capable of recognising and acting on moral claims”. (Sabl, 2001, pg 308)

This kind of relationality thereby distinguishes civil disobedience from elitist and vanguardist forms of coercive political action which frequently has resulted in grave violations of human rights as the case of the Soviet revolution sadly illustrates.

This section has attempted, therefore, to outline a brief explication of the concept of civil disobedience. However, in order to formulate a deeper understanding of the notion it is worthwhile concentrating on Rawls and Habermas' conceptualizations of civil disobedience for a number of reasons.

Firstly, it might be suggested that their accounts have possibly been the most influential within the liberal political tradition. Any brief survey of the literature indicates that other works on the topic are heavily indebted to their formulations. It would not be idle hyperbole to suggest that much of the literature on civil disobedience consists of a series of footnotes to both of them.

Secondly, there are a number of interesting similarities and points of disagreement between their accounts which mirrors to some extent their dispute over the concept of public reason.

Finally, there are significant limitations of their accounts of civil disobedience that provide the resources to build an alternative account of civil disobedience. This account shall be developed in the final part of this chapter and shall articulate the connection between civility and disobedience in a very different way to Rawls and Habermas.

Accordingly, it is now appropriate to examine Rawls' notion of civil disobedience in more detail before turning to Habermas' account.

John Rawls on Civil Disobedience:

It is interesting to note that while Rawls' discussion of civil disobedience is extremely brief- a mere 13 pages in length- it has proven to be one of the most influential interpretations of the concept within liberal political philosophy. It is also important to stress that Rawls understands the function of civil disobedience in a liberal democratic society in a rather limited manner. This limitation stems from the fact that he argues that his conceptualization is only applicable to a "well-ordered" and sufficiently just society that occasionally suffers from major violations of justice.

In addition, his account also presupposes that civil disobedience occurs in the context of a widely shared public presumption of the moral and political legitimacy of the prevailing constitutional order. Rawls assumes that there is a pre-existing, legitimately established and widely accepted constitutional framework. He stresses, therefore, that citizens should accept the authority of constitutional principles as well as the legitimacy of democratically elected authorities. (Rawls, 1999b, pg 319)

This point reflects Rawls' insistence that citizens of a democratic polity have a "natural duty to uphold just institutions". Citizens have an obligation to "comply with unjust laws and policies" with the qualification that these injustices do not "exceed certain limits". (Rawls, 1999b, pg 311) While Rawls is unspecific about the parameters of these limits, he contends that citizens have a prima facie obligation to obey unjust laws on the condition that the broader "basic structure" of society is "reasonably just" (Rawls, 1999b, pg 308).

Importantly, though, Rawls also claims that the distribution of any injustices must not be concentrated on particular social subgroups over the long term. Moreover, he also insists that the impacts of any injustice should not be entirely unacceptable to those detrimentally affected. (Rawls, 1999b, pg 312)

In addition, Rawls' also makes a more functionalist claim regarding the obligation to obey unjust laws. He suggests that citizens should prima facie

obey unjust laws because it might threaten the regulatory principle of majority rule. Rawls means by this that if citizens were to politically disobey every violation of justice this might threaten the important goal of social stability. Moreover, Rawls also cautions against protesting each violation of justice in society in the face of potential reasonable disagreement as to whether an injustice has been actually committed in the first place. (Rawls, 1999b, pg 311)

Indeed, Rawls even insists that citizens should accept the potential risk of suffering from “defects” in their fellow citizens “sense of justice” if they are to benefit from the advantages of effective democratic governance. (Rawls, 1999b, pg 312)

This argument stems from his claim that only democratic regimes can preserve a “state of near justice”. Furthermore, it is also derivative of his view that that there is simply no need to justify non-violent coercive political action to challenge unjust political regimes. (Rawls, 1999b, pg 319)

From this point of view, Rawls argues that participants in civil disobedience must carefully negotiate whether their grievances towards a particular injustice are simply reflective of the “inevitable imperfections” within any constitutional order. (Rawls, 1999b, pg 312) Indeed, Rawls even insists that citizens have a “natural duty of civility” not cite “faults” in our social arrangements as a “ready excuse” to violate the law. (Rawls, 1999b, pg 312)

Consequently, for Rawls, civil disobedience occurs where there is a rupture between the actions of government and the “*considered* opinion” of civil disobedient protesters. (Rawls, 1999b, pg 320, emphasis mine) Rawls maintains that civil disobedience is “considered” if protesters can effectively claim that there are serious violations of shared socially recognized principles of justice.

He particularly stresses that civil disobedience is a highly appropriate strategy if citizens are not being treated as “free or equal” or if the actions of government are undermining society as a co-operative system of mutual interest and advantage. (Rawls, 1999b, pg 320)

According to Rawls, the key item of consideration is whether the inevitable injustices within a democratic society are sufficiently tolerable on the basis of the fairness of their distribution. (Rawls, 1999b, pg 312) Rawls then articulates

the following proposition and corresponding questions which help frame his subsequent definition of legitimate civil disobedience:

“The problem of civil disobedience, as I shall interpret it, arises only within a more or less just democratic state for those citizens who recognize and accept the legitimacy of the constitution. The difficulty is one of a conflict of duties. At what point does the duty to comply with laws enacted by a legislative majority (or with executive acts supported by such a majority) cease to be binding in view of the right to defend one’s liberties and the duty to oppose injustice?”

(Rawls, 1999b, pg 319)

Accordingly, given this background assumption, Rawls defines civil disobedience as “a public, non-violent, conscientious yet political act contrary to law usually done with the aim of bringing about a change in the law or policies of the government.” (Rawls, 1999b, pg 320)

Given this definition, it is also important to stress how Rawls views civil disobedience as a “stabilizing device” of the constitutional order as he claims that its considered use serves to “correct” any deviations from its just character. (Rawls, 1999b, pg 336)

He subsequently insists that acts of civil disobedience should be guided by the activity of “addressing” the sense of justice held by the majority. This implies that civil disobedient participants must particularly stress how governmental authorities are not respecting the “principles of social cooperation among free and equal men (sic)”. (Rawls, 1999b, pg 320)

This point is important because Rawls understands civil disobedience as an act that must be conducted and justified via appeals to principles of justice which regulate the constitutional order and public institutions more broadly. (Rawls, 1999b, pg 321)

It is also vital to stress that Rawls also confines the legitimacy of civil disobedience justifications to cases where injustices can reasonably be considered to be “substantial and clear” and he further suggests that there are two central instances where civil disobedience is a normatively acceptable strategy. (Rawls, 1999b, pg 327)

The first instance refers to cases where serious infringements of his first principle of justice occur. These infringements include the placing of unjust restrictions on the equal political and civil liberties of certain groups of citizens. The second instance occurs where there are serious infringements of his second principle of justice which concerns patterns of economic distribution in a society. Interestingly, though, Rawls argues that such “infractions” are typically “more difficult to ascertain” in the face of moral disagreement with respect to how wealth and income ought to be distributed within a society. (Rawls, 1999b, pg 327)

Rawls' conception of civil disobedience is therefore premised on a background assumption that civil disobedient participants and their audiences share common “conceptions” or “senses” of justice which regulate their collective political affairs, especially the ordering of their constitutional framework. (Rawls, 1999b, pg 321)

These shared background understandings allow citizens and public officials to possess the requisite powers of moral insight to recognise and acknowledge any political or economic injustices in society. The implication here is that any civil disobedience claim which fails to reference to these common conceptions of justice will be incapable of *clearly* justifying itself to its intended audience.

Accordingly, justifications of civil disobedience cannot appeal to controversial comprehensive doctrines of the good nor can they make appeals on the basis of the group and self-interest of civil disobedient actors.

Although Rawls acknowledges that such doctrines are often fundamentally explanative of the motivations behind civil disobedience, ultimately they cannot serve as the public justification for its conduct. He fears that if civil disobedience was justified on such a basis it would be perceived to be overly “sectarian”. (Rawls, 1999b, pgs 338-339)

Rawls stresses, therefore, that any act of civil disobedience must frame its claims to the “majority which holds political power”. (Rawls, 1999b, pg 321) This is an essential point because Rawls understands civil disobedience primarily as a public device of communication which not only references widely shared

principles of justice but which is also inherently conducted in a publicly transparent and accountable fashion.

For instance, Rawls insists that civil disobedient participants must provide advance “fair notice” to the public authorities when conducting their campaigns and civil disobedience can never use covert or secretive tactics and strategies. Rather, Rawls construes civil disobedience to be a kind of public oratory which expresses “profound and conscientious political conviction” in order to morally persuade one’s fellow citizens and public officials of the legitimacy of one’s political grievances. (Rawls, 1999b, pg 321)

Unsurprisingly, while civil disobedience inherently requires the breaching of the law because it does not aim to change the status quo via judicial or legislative means, Rawls insists that it is strictly non-violent by virtue of its communicative purpose. (Rawls, 1999b, pg 321)

Any act of violence, Rawls argues, detracts from civil disobedience constituting a “mode of address” to the majority because it violates the fundamental liberties of our fellow citizens which ought to be respected by all members of society. Indeed, he asserts that any attempt to use violence as a means of political leverage will inherently “obscure the *civilly* disobedient quality of one's act”. (Rawls, 1999b, pg 321, emphasis mine)

Another interesting feature animating Rawls' definition of civil disobedience as a non-violent act of public communication stems from his argument that it expresses disobedience to the legal order while remaining on the “outer edge” of expressing fidelity to the constitutional framework.

Civil disobedience is ultimately “contrary to law” because it does not aim to present a “test case” for constitutional change. (Rawls, 1999b, pgs 320-1) This is to say that the use of non-violent opposition signifies that while they are deliberately breaking the law they are still willing to accept the rule of law precisely via the openly public and non-violent nature of their actions.

Consequently, Rawls insists that civil disobedient protesters must be willing to accept the full legal implications of their actions if they are to publicly demonstrate their commitment to the rule of law and if they are to signify their respect for the underlying principles of the constitutional framework.

Non-violence, therefore, is a communicative act in and of itself because it signifies to the majority that their actions are animated by a conscientious and sincere concerns or grievances and that they aim to address the public's "sense of justice". (Rawls, 1999b, pg 322)

Indeed, as Rawls subsequently explains, to conduct civil disobedience in a publicly transparent and non-violent way is a public "bond" to one's fellow citizens which they can use to assure themselves of the motivations and intentions of civil disobedient protesters and to judge the moral validity of their claims. (Rawls, 1999b, pg 322)

Finally, it is also vital to emphasize that Rawls also treats civil disobedience as inherently occurring as a last resort when "normal" avenues of moral appeals to the majority have been staked in "good faith" yet have failed. (Rawls, 1999b, pg 327) Indeed, in particular, Rawls only understands civil disobedience to be appropriate *after* any legal means of redress of their grievances has failed. (Rawls, 1999b, pg 327)

This implies that civil disobedient actors have a moral obligation to consider whether it is an appropriate strategy- that is, whether it is necessary or unnecessary- in their given political circumstances and that they must publicly justify their reasoning to their fellow citizens.

Civil disobedience participants also have a particular duty to ensure that their actions are conducted in such a fashion which does not provoke "harsh retaliation" or "vindictive oppression" by the wider community and the state. (Rawls, 1999b, pg 330)

Without this internal deliberation, civil disobedience risks being incapable of appealing to majorities to reconsider their interpretations of injustice, to empathically project themselves into the life circumstances of civil disobedient participants or to accept that the status quo is simply morally and politically unsustainable. (Rawls, 1999b, pg 336)

In conclusion, therefore, Rawls' conception of civil disobedience reflects a broader understanding of society as a system of cooperation among equal persons. He maintains that citizens have no moral or legal obligation to support or maintain their allegiance to a political system characterised by serious

injustice. Rawls is adamant that this is especially the case when a regime undermines the principles of equal liberty and equal opportunity for all of its citizens.

More positively, Rawls believes that legitimate civil disobedience can help stabilise a “well-ordered” and a “nearly just society”. It not only performs an essential check on government actions, but it can significantly improve the self-esteem of marginalised social groups and communities in the face of relations of political oppression.

Accordingly, having outlined Rawls account of civil disobedience, it is important to outline Habermas' conceptualisation of civil disobedience. While there are some fundamental similarities between their accounts, there are also subtle differences in terms of emphasis, as we shall see.

Jürgen Habermas on Civil Disobedience:

It is clear that the immediate political context that informed Habermas' conceptualization of civil disobedience occurred in the face of significant public demonstrations during the early 1980s against the presence of nuclear weaponry in West Germany. (Thomassen, 2010) More broadly, Habermas understanding of civil disobedience is also profoundly influenced by his interest in the new social movements that emerged from the late 1970s onwards.

These protest movements, Habermas argues, developed differently from previous social struggles of the past by virtue of their new social composition and their political objectives. Indeed, he argues that they were characterised particularly by their “colorful spectrum of newly-fashioned, differentiated forms of expression of will”. (Habermas, 1985, pg 89)

Both of these developments, Habermas notes, led certain public commentators, jurists and politicians to argue for significant restrictions to be placed on the exercise of civil disobedience in West Germany during the 1980s. (Habermas, 1985, pg 101)

This point is vital to note because Habermas' reflections on civil disobedience are intended to constitute a direct rebuttal of this line of argument. Habermas was concerned the criticisms expressed against civil disobedience within the

West German context reflected a dangerous remnant of a cultural mentality that supported the ascendancy of the Third Reich.

This remnant discourse, he suggested, maintains that any form of political disobedience intrinsically undermines the rule of law and the effective functioning of political and legal institutions. (Habermas, 1985, pg 101) This discourse, therefore, maintains that the promotion of political stability and relations of social peace requires the submission of citizens to the authority of the state, irrespective of whether one agrees with its decisions.

However, Habermas suggests that this argument reflects nothing more than “authoritative legalism”. Indeed, such a mentality is dangerous, he argues, because it serves to concentrate unaccountable power while undermining the rights of citizens to exercise their political voice and influence. It is important to stress, therefore, that Habermas understands civil disobedience as constituting an intrinsic part of the “moral foundations and political culture of a developed democratic polity”. (Habermas, 1989, pg 107)

Secondly, Habermas’ discussion of civil disobedience emerges from the influence of Rawls’ account of the concept in *A Theory of Justice* and the subsequent political debate it inspired within West Germany’s academic and legal culture. It is important to note, therefore, that Habermas’ understanding of civil disobedience is significantly indebted to Rawls’ conceptualization, albeit there are some subtle differences of interpretation between them.

The first noteworthy connection between them concerns the relationship between the constitutional framework and civil disobedience. The central assumption of Habermas’ theory of civil disobedience is the claim that the constitutional state requires a normative justification with respect to the exercise of its coercive power. (Habermas, 1985, pg 101)

Significantly, for Habermas, the deference of citizens to the authority of the state should not be premised on prudential concerns- such as fear of punishment- but rather it must be a function of their own voluntary will. (Habermas, 1985, pg 101) This necessarily implies that fidelity to the legal system is inherently premised on a voluntary recognition of its normative claim to justice. (Habermas, 1985, pg 102)

Accordingly, obedience to the authority of the state can only be conditional because it rests on judgements as to whether its legitimacy is morally warranted or not. (Habermas, 1985, pg 102) This argument, of course, strongly counters any claim that the legitimacy of the state rests simply in its power to enforce the law coercively.

Consequently, like Rawls, Habermas understands civil disobedience to be only a meaningful possibility in circumstances where citizens broadly accept the legitimacy of the underlying constitutional framework of a polity. (Habermas, 1985, pg 103) This is to say that while civil disobedient protesters might reject particular laws as being unjust they nevertheless must broadly accept the legitimacy of the constitutional order.

Secondly, like Rawls, Habermas also claims that civil disobedience must be justified with reference to widely accepted principles of justice. Habermas insists that it is morally illegitimate for civil disobedients to interfere with the exercise of other people's democratic rights on the basis of particularistic conceptions of "private morality" or their claims to possessing privileged insights or "special rights". (Habermas, 1985, pg 103)

From this point of view, citizens can only justify civil disobedience by referencing "authoritative" claims that cite constitutional principles broadly recognised by all citizens. Indeed, as Habermas argues some years later:

"A democratic constitution can....tolerate resistance from dissidents who, after exhausting all legal avenues, nonetheless oppose legitimately reached decisions. It only imposes the condition that this rule-breaking resistance be plausibly justified in the spirit and wording of the Constitution and conducted by symbolic means that lend the fight the character of a non-violent appeal to the majority to once again reflect on their decision". (Habermas IN Borradori, 2003, pgs 41-42)

Thirdly, Habermas' understanding is also similar to Rawls in that he understands civil disobedience to have a special function in democratic life- namely to uphold the principles of the constitution. This argument differs slightly from Rawls in that Habermas treats the constitution as being an "unfinished" product or project that is inherently vulnerable to various threats and sensitive to

constantly evolving political and social circumstances. (Habermas, 1985, pg 104)

Habermas claims, therefore, that there are three possible purposes for civil disobedience in a constitutional democratic regime. Firstly, it constitutes a vehicle of political influence for the politically disempowered or socially marginalised in the face of continual neglect or dismissal of their interests and viewpoints by democratic institutions. (Habermas, 1985, pg 104)

Secondly, it also constitutes a means to “correct errors” in any process of public policy formation, thereby potentially improving the construction, implementation and practical consequences of any particular law. (Habermas, 1985, pg 104)

Moreover, it provides citizens with a means to “set {new} innovations in motion”. This aspect of Habermas’ account of civil disobedience is interesting in that it differs slightly from Rawls’ conception who maintains that civil disobedience serves to preserve the stability of the current constitutional order.

Unfortunately, though, Habermas does not elaborate his argument here, albeit it might be inferred that Habermas is arguing that civil disobedience *encourages* favourable changes in public policy in the face of institutional gridlock or inertia. (Habermas, 1985, pg 104) Ultimately, therefore, Habermas understands civil disobedience as intrinsic to contemporary liberal democratic societies. Indeed, as he suggests:

“...civil violations of rules are morally justified experiments without which a vital republic can retain neither its capacity for innovation nor its citizens’ belief in its legitimacy”. (Habermas, 1985, pg 104)

Fourthly, Habermas follows Rawls by insisting that civil disobedient participants have particular moral responsibilities when staking their claims.

Habermas’ understanding of civil disobedience differs slightly from Rawls here though in that he particularly stresses how civil disobedient participants should acknowledge the potential epistemic fallibility of their claims. (Habermas, 1985, pg 105) This diligence is an essential normative requirement for civil disobedience, he argues, if its justification is not to be an exercise of dogmatic assertion.

Habermas' agrees with Rawls though that perceived injustices are often disputed on the basis of underlying moral disagreements between citizens. This means that citizens should be willing to respect reasonable differences of opinion when articulating their political grievances via civil disobedience.

Moreover, Habermas also argues that civil disobedient participants should "scrupulously examine" whether their choice of tactics and strategies are appropriate given their political situation. Interestingly, they must also critically question their motivations and intentions to check whether their claims are animated by elitist attitudes or "narcissistic" impulses. (Habermas, 1985, pg 105)

Lastly, like Rawls, Habermas agrees that civil disobedience must always be announced to the authorities in advance and that civil disobedient protesters must accept the authority of the police to regulate their activities. Most significantly though, civil disobedient protesters must always agree to accept any legal ramifications of their actions and they must never entertain the use of violence. (Habermas, 1985)

Nevertheless, it is also important to stress that Habermas maintains that a liberal democratic culture should be quite tolerant of civil disobedience even after the exhaustion of all legal routes, noting that:

"A democratic constitution that understands itself as the project of realizing equal civil rights tolerates the resistance of dissidents who continue to combat legitimate decisions even after all the legal channels have been exhausted- under the proviso of course that the "disobedient" citizens offer plausible reasons for their resistance by appealing to constitutional principles and employ non-violent, i.e. symbolic means. These two conditions define the limits of political tolerance in a constitutional democracy that defends itself against its enemies by non-paternalistic means, limits that are also acceptable to its democratically minded opponents." (Habermas, 2008, pg 256)

Civil disobedience, from this perspective, therefore, constitutes allows for majority rule to become more "self-reflexive", facilitating the possibility of social critique in light of the possibility of a tyranny of the majority. Ultimately, therefore, Habermas understands civil disobedience to be an illegal activity yet

which is morally legitimate if it appeals to principles of justice articulated in the constitutional framework. (Habermas, 1985, pg 105) Accordingly, given this outline of his work it is important to explore some of the central limitations of Rawlsian and Habermasian conceptions of civil disobedience.

The limitations of Rawlsian and Habermasian approaches towards civil disobedience:

The problem with Rawls' framework:

It is evident that there are a number of significant limitations with Rawls' account of civil disobedience. Most strikingly, Rawls' justification of civil disobedience seems to be overly narrow. It restricts itself to violations of his two principles of Justice which a "well-ordered society" would understand as being the regulatory principles of the constitutional framework.

It is also important to stress that Rawls insists that his theory of disobedience is only applicable to a "nearly just" society, thereby immediately begging the question of whether it can offer any practical insight into the non-ideal circumstances faced by contemporary democratic societies. Nevertheless, despite this charge of irrelevancy, it is worth exploring some more specific limitations of his approach as its failings might offer us greater insight into a more credible theory of civil disobedience.

The first major problem with Rawls account of civil disobedience is his insistence that it must always be motivated by earnest moral conviction as opposed to the pursuit of perceived self and group interest. Remember that Rawls requires participants to appeal exclusively to "political" justifications, referencing widely shared principles of justice which underpin the constitutional framework of a society. Accordingly, it is illegitimate in his estimation to justify civil disobedience by referencing particular comprehensive conceptions of the good.

Unfortunately, in practice, such distinctions are often problematic as was discussed in the first chapter. This reality is especially the case where minority groups are petitioning for fundamental changes in patterns of economic

distribution or for the social recognition and accommodation of their particular cultural practices.

For instance, indigenous protest movements often appeal for financial reparations in compensation for colonial conquest, an appeal that is clearly to their group-based material advantage. But why is such an appeal fundamentally unacceptable from the perspective of civil disobedience given the material impacts of colonialization?

Of course, in certain instances this approach might be morally inappropriate- for example, white supremacists protesting to maintain relations of discriminatory segregation. However, to rule such appeals invalid on default delegitimizes important issues of distributional justice which are legitimately contestable via civil disobedience.

Consequently, Rawls' approach to civil disobedience is also flawed due to his reticence to accept that civil disobedience is a legitimate means to contest economic inequalities. He argues that economic civil disobedience can generally only be justified in circumstances where these inequalities are "blatant".

This condition, it should be noted, is due to his argument that violations of his "difference principle" are inevitably subject to widespread disagreement in the face of deep moral pluralism. Yet, this argument simply ignores the reality that economic inequalities are frequently justified with reference to mythologies and ideological constructions which render unjust advantages as being "normal" or "inevitable".

Consequently, distributive injustices can be far from being "blatant". Civil disobedience, as was demonstrated by the global Occupy movements, can be an essential means to raise public consciousness about the depth of distributive inequalities in society. Given that Rawls offers us no account of how to precisely distinguish between "blatant" and "non-blatant" violations of economic justice, this aspect of this theory of civil disobedience must be strongly rejected.

Moreover, Rawls distinction between principles of personal morality and constitutional principles is flawed as well as his insistence that civil disobedience is illegitimate if it is animated by religious justifications. These

constrictions are completely unrealistic and are likely highly exclusionary to social minority groups.

For instance, animal rights activists often appeal to principles of Justice which are not widely shared but which reference particular, substantive and contested claims about the moral impermissibility of using animals as mere instruments for human consumption purposes. The point of animal activism in this regard is not only to highlight an injustice but also to attempt to morally persuade their fellow citizens that their whole collective way of life is deeply involved in animal exploitation and cruelty.

Another central problem with Rawls' account is how he restricts justifications of civil disobedience to *widely* held principles or values of justice shared by a majority. Rawls' approach, as Peter Singer notes, therefore, ignores the importance of public disobedience movements that aim to *change* majority understandings of Justice. (Singer, 1991) These kinds of civil disobedience movements often make reference to values, beliefs and social perspectives shared only by a minority of the population, as the case of factory farming protests illustrates. (Singer, 1991)

Rawls seems overly sanguine that it is possible to precisely determine “grave” violations of his principles of Justice, offering the examples of the repression of religious groups and the suppression of minority voting and/or office rights as self-evident instances of oppression. However, as Peter Singer suggests, civil disobedience is often motivated by the desire to expose injustices that are often taken-for-granted by the majority. (Singer, 1991, pg 128)

It is in this regard that there seems to be an important dimension amiss in Rawls' conceptualisation of civil disobedience: the recognition of the moral power of “comprehensive doctrines” as a motivating force behind a protest. Indeed, although Rawls insists that civil disobedience inherently involve “giving voice to conscientious and deeply held convictions” (1999b, pg 322) he also maintains that “Intensity of desire or the strength of conviction is *irrelevant* when questions of justice arise”. (Rawls, 1999b, pg 318)

Accordingly, although he partially recognises how deeply held convictions animate civil disobedient action the intensity of these motivations is irrelevant to

the justificatory merits of the protest itself. However, this disconnect is profoundly flawed. Civil disobedience is typically conducted by those who hold certain convictions to a much stronger degree than their fellow citizens. (Brownlee, 2012) Indeed, the very point of protest is to persuade their fellow citizens that they should reflect upon and ultimately care about the particular issue at hand.

Similarly, what would Rawls make of the Abolitionist Movement, the American civil rights movement and the actions of contemporary religious civil disobedient groups like *SoulForce* which were/are profoundly influenced by religious tenets? Indeed, in the case of the civil rights movement religious language clearly suffused its claim-making practices on a regular basis, citing not only a wide range of biblical texts but also theological figures such as Martin Buber and Paul Tillich.

Ultimately, the narrowness of Rawls' privileging of the right over the good means that civil disobedient action motivated by sentiments of interest (broadly construed) and particular conceptions of the good are placed at a serious disadvantage within his framework.

Rawls ignores the simple reality that protest movements will often stake their claims according to vocabularies that are most meaningful to their participants. While ideally they should stake their claims in a widely shared vocabulary, this should not be a default requirement for their actions to count as "civil" disobedience. Indeed, given the impacts of hermeneutical injustices and practices of social ignorance such a requirement will likely be profoundly exclusionary.

Rawls account of civil disobedience is also problematic because it presumes that civil disobedients have a coherent conception of the good which is capable of being translated into a "political" appeal to constitutional principles. This assumption is questionable given situations where marginalized or excluded groups are still struggling to find a vocabulary to understand and articulate their grievances and lived experiences.

It seems deeply questionable, therefore, that such groups would wish to engage in a political process that would place a significant burden of translation on

them. This problem is especially glaring given the connection Rawls renders between the sincerity of an act of civil disobedience and a protester's willingness to accept any legal sanctions or punishments.

Rawls precludes the possibility that one can be entirely earnest in one's rejection of a particular policy yet one remains unwilling to accept imprisonment because the law itself is deemed unjust. Why should an unwillingness to accept punishment inherently undermine its claim to authenticity?

Another related difficulty is that Rawls insists that civil disobedience should be confined to "serious infringements" of the principles of equal liberty and equal opportunity. This requirement, of course, seems to place unreasonable restrictions upon the kinds of justifications admissible for public protest.

For example, why would it be illegitimate to engage in civil disobedience simply because the law(s) in question are ill-advised, ineffective or improperly implemented? It is also unclear why civil disobedience should be limited to "clear" infringements of principles of Justice alone.

Indeed, it is often the case that civil disobedience movements are protesting due to failures of public institutions to meet certain normative standards. They are being criticised for "serious omissions" of their perceived duties and responsibilities. For instance, one could note how global climate change movements are rigorously pressuring governments to take meaningful, international action on climate change.

This point is also complicated by Rawls insistence that civil disobedience is only legitimate once all legal avenues have been exhausted. However, this is problematic because it obliges those who believe they are politically, socially or economically oppressed to pursue and wait for legal avenues for the hearing and resolution of their grievances.

This assumes of course that such recourse is even a meaningful possibility. Indeed, as Martin Luther King famously argued in his *Letter from Birmingham Jail*:

"Frankly, I have yet to engage in a direct-action campaign that was "well timed" in the view of those who have not suffered unduly from the disease of segregation. For years now I have heard the word "Wait!" It rings in the ear of

every Negro with piercing familiarity. This “Wait” has almost always meant “Never.” We must come to see, with one of our distinguished jurists, that “justice too long delayed is justice denied”. (King, 1963 IN Schumaker, 2010 pg.344)

Finally, Rawls account is severely limited by its failure to encompass coercive political action. This point was articulated by Ronald Dworkin who highlights that civil disobedience can involve both persuasive and non-persuasive dimensions. The former type of disobedience seeks to convince the majority that certain injustices ought to be tackled. (Dworkin, 1985) Yet the latter type of disobedience involves making it difficult for public authorities to enforce and enact particular laws via disruptive actions that levy a variety of costs on them. Indeed, as Dworkin summarises the latter kind of political disobedience:

“It aims not to change the majority’s mind, but to increase the cost of pursuing the program the majority still favours, in the hope that the majority will find the new cost unacceptably high”. (Dworkin, 1985, pg 109)

This form of coercive politics might be termed under the guise of “direct action” and includes a variety of activities, including boycotting, physical occupations, unofficial strikes. It is in this regard that direct action can be distinguished from civil disobedience in the sense that it does not necessarily conform to the standards of minimalism and publicity associated with the latter. (Humphrey, 2006)

Significantly, given the secrecy that surrounds such activities, the use of direct action seems to contradict Rawls' emphasis upon demonstrating fidelity to the law via accepting the possibility of legal punishment. Dworkin, for instance, highlights that the practice of jail-going, far from reflecting fidelity to the law might be seen as a strategic or tactical decision to increase the costs of pursuing a particular policy. (Dworkin, 1985)

Indeed, Dworkin's approach has the merit that it recognises that it is precisely the moral and political legitimacy of the constitutional order which is disputed in civil disobedience. (Dworkin, 1985, pg 115) Ultimately, given the contemporary pertinence and historical examples of the use of such tactics, it seems deeply unfortunate that Rawls' account of civil disobedience fails to consider the role of direct action, thereby raising serious questions in relation to its practical

applicability to the central problems of our time. It is worthwhile, therefore, explicating Habermas' the problems associated with Habermas' conception of civil disobedience.

The problems with Habermas' approach:

The first problem with Habermas account of civil disobedience is that it seems to narrowly circumscribe the justifications for legitimate civil disobedience.

Firstly, Habermas' insistence that civil disobedience should be conducted only once all legal avenues have been exhausted is deeply problematic.

Habermas simply does not adequately conceptualise the barriers that frustrate people's access to legal avenues of contestation within his theory of civil disobedience. Indeed, he particularly fails to consider the significant costs involved in legal appeal processes.

For instance, it is a tragic reality that individuals from disadvantaged communities frequently lack access to affordable legal services. This lack of affordability stems not simply from the economic deprivation suffered by marginalised communities but also from a lack of state-funded legal assistance services.

If state or community legal aid services are available, such institutions are likely to be significantly understaffed and underfunded in the face of significant demand. This means that individuals from marginalized communities often have to rely on the willingness of legal firms acting on a pro bono basis, a rather capricious and hard-sought form of assistance.

Habermas' also fails to appreciate that Constitutional legal appeals are often highly complex, require specialist expertise and are hugely time-costly. These considerations are a significant problem as most legal practices charge hourly and given the complexities associated with settling court hearings it might be impossible to accurately anticipate the full costs involved in pursuing legal action in advance.

In addition, Habermas fails to appreciate the epistemic barriers associated with taking legal action in the first place. It is often a sad reality that people lack awareness of legal recourse. Indeed, they might not be informed of their legal

rights in certain cases or they might not even appreciate that they have been victims of criminal or civil offences.

Alternatively, even if people have a coherent understanding of injustices committed against them, they might fundamentally lack faith in the integrity of the legal process to fairly consider their claims and to punish perpetrators of injustice. For instance, as feminist epistemological theorists have frequently noted, the testimony of women regarding sexual violence have been often being dismissed or ignored and conviction rates for sexual assault remain derisory poor as a consequence.

Another fundamental problem with insisting that civil disobedience is only permissible following the exhaustion of all legal avenues is that it avoids a serious consideration of power inequalities. Habermas fails to consider how legal processes are also profoundly connected with the assumption of asymmetrical risks given prevailing power imbalances.

For instance, in cases of systemic sexual harassment in workplaces it can be extremely difficult for victims to pursue legal action in the face of fears of retribution by their employer, particularly if such victims come from low-income communities or if such individuals belong to sole-income households.

Accordingly, civil disobedience can be a highly rational *first strategy* in circumstances in conditions where power asymmetries render legal appeals impossible or extremely burdensome.

Practices of civil disobedience, therefore, should not be seen as an action of “last resort” given these empirical difficulties. Habermas also seems to ignore that certain injustices have an immediate urgency about them which means that civil disobedients cannot rely on lengthy and uncertain legal processes to address their grievances.

This problem perhaps stems from Habermas' insistence that civil disobedience constitutes a 'guardian' of democratic legitimacy, thereby implying, like Rawls, that it constitutes an essential mechanism for maintaining the justness of the constitution or returning the political order to a more just state.

Indeed, Habermas portrays civil disobedience as a kind of collective warning device to political elites and institutions, allowing them to “correct” their actions if

they infringe fundamental constitutional principles- as he notes civil disobedience often constitutes “the last chance to correct errors in the process of the realisation of a legal order or to set innovations in motion”. (Habermas, 1985, pg 104).

These assumptions explain why Habermas' account of civil disobedience insists that its justification must appeal exclusively to constitutional principles. He also requires that civil disobedient protesters support the prevailing legal, constitutional and political order.

However, these conditions are profoundly contestable. Habermas' conceptualisation of civil disobedience precludes the possibility that demonstrators might conscientiously believe that they are not morally beholden to accept any legal punishment or sanction for their actions by the state.

For instance, protesters might hold the belief the State's right to enforce such punishment is illegitimate or that the principles, values and norms animating the Constitution are morally wrong. It is worth noting as well that for some civil disobedients accepting any potential punishment would implicitly validate the state's authority- an authority which they fundamentally dispute. Habermas, therefore, cannot adequately conceptualise cases of civil disobedience where the legitimacy of the State itself is under contention.

Given that Habermas underestimates the contestability of the legitimacy of the State, one can appreciate the limitations of any account of civil disobedience which attempts to distinguish legitimate from illegitimate protest by virtue of a prior acceptance of the legitimacy of the prevailing legal system and the legitimacy of the State itself.

Habermas also seems to entertain a naïve faith in the willingness of political authorities to seriously consider the moral claims of civil disobedience. However, this willingness cannot be assumed on a default basis, particularly in cases where powerful elites manipulate the political process and where relations of epistemic injustice hinder the fair reception of civil disobedients claims.

This problem brings us to another problem with Habermas' approach- namely his account of publicity that has a number of significant limitations. Firstly, it

seems incapable of accommodating covert kinds of protest actions which have played an important vehicle of political contestation in contemporary societies yet would violate Habermas' condition that acts of civil disobedience should only visibly occur in the public sphere.

For instance, it is clear that electronic or cyber disobedience- also known as 'hacktivism'- has become an important means of exposing governmental corruption or leveraging costs against individuals, organizations and institutions who are deemed to be perpetuating injustices.

It is obviously a covert kind of disobedience in that its perpetrators take significant steps to disguise their personal identities, ranging from the use of public sobriquets to using sophisticated counter surveillance tracking equipment, and do not necessarily claim public responsibility for their actions, albeit this often does occur. (Himma, 2007; McLaurin, 2011)

Accordingly, not only are these kinds of politically disobedient actions covert but it is also the case that their perpetrators are secretive precisely due to a desire to avoid the legal consequences of their actions- thereby further infringing another condition of Habermas' notion of civil disobedience. Of course, they also violate Habermas' condition that civil disobedience participants should offer the public and the authorities a fair notice in advance for their actions.

Interestingly, it is also worth noting that members of an electronic disobedience collective might be secretive towards each other- that is anonymous with respect to each other's identities- partly on the grounds of security but perhaps also on a desire for greater personal autonomy.

This also seems to implicitly violate Habermas' condition of publicity as civil disobedient protesters should be united by a public and shared commitment to breaking the law on the basis of public moral convictions.

Moreover, it is also worth considering that electronic civil disobedience groups are not typically directly accountable to the public for their actions given their secrecy however, they are also often non-transparent with respect to their internal operations, particularly in terms of how their targets are selected and how this selection is morally justified.

A legitimate question therefore can be raised as to whether Habermas' notion of publicity is appropriate in light of significant changes in contemporary forms of civil disobedience, especially in respect to the emergence of electronic disobedience that violates a number of different facts of his publicity condition. Finally, it is also important to criticise Habermas' account of civil disobedience through the prism of epistemic injustice. Relations of epistemic injustice, as previously demonstrated, serve to fundamentally distort a society's interpretive resources. This distortion results not simply in particular individual's claims being unjustly inflated or deflated by virtue of prejudicial attitudes and social categorizations.

Rather, they also result in the obscuring of important facets of social reality which can make it occasionally difficult for oppressed individuals to stake their claims intelligibility. Importantly, as Rebecca Mason has noted in her critique of Fricker's notion of hermeneutical injustice, even though it can be difficult for oppressed individuals to stake their claims publicly in an intelligible manner by virtue of the social invisibility of certain injustices this does not necessarily entail that they lack a critical, first-personal awareness of the nature of the injustices that they face. (Mason, 2011)

Nevertheless, it can be extremely difficult for civil disobedient members to stake their claims publicly- not simply because its intended audience might refuse or fail to receive their claims fairly but also because it can be extremely difficult to find an appropriate voice in which to stake those claims in the face of hermeneutical injustices.

However, Habermas' account of publicity does not explicitly address this problem as compared to Rawls, who at least does acknowledge some of the difficulties civil disobedients face when staking their claims. Habermas naively seems to presuppose that the symbolic nature of protest alone will be adequate in ensuring that majority group members will accord appropriate attentiveness and sensitivity to the claims of civil disobedients, particularly if their claims are couched in generally acceptable principles of justice.

This ignores the reality that the reception of political claims can be distorted via the operation of deeper ideological and discursive background assumptions,

values and beliefs, particularly in cases where injustices have been legally institutionalized, thereby rendering it difficult for public authorities or the public to acknowledge that injustices are occurring in the first place. Alternatively, some dominant political actors might not even care about the fact that injustices are being committed at all.

Of course, if these scenarios are the case, it also throws into question Habermas' insistence, like Rawls, that moral justifications for civil disobedient action should to the "sense of justice" held by most members of the polity.

This assumption is problematic, of course, because it cannot be safely assumed that majorities actually possess such a "sense of justice" by default given that the uptake of political claims might be compromised by relations of epistemic injustice.

For instance, as Melanie Joy outlines in her book *"Why We Love Dogs, Eat Pigs, and Wear Cows"* the realities of factory farming are also often socially obscured by an ideology of "Carnism" which defends the notion that animal consumption, particularly for meat, does not constitute a belief system but rather it constitutes a "natural" feature of being human. (Joy, 2010)

Indeed, Joy's attempt to develop the notion of Carnism is an interesting instance of an effort to challenge relations of hermeneutical injustice. Joy was prompted to coin the term in response to a lack of a vocabulary to describe the beliefs and values of individuals who voluntarily choose to eat animals, particularly in terms of their meat consumption. (Joy, 2010)

Carnism is therefore a deliberate counter-description to the term 'carnivorism' which people often use to describe their meat-eating practices (E.g. "I can never be a vegan- I am a carnivore!") which incorrectly implies that one has to eat animals in order to live (barring certain important exceptions like Inuit peoples). (Joy, 2010)

Carnism, therefore, as an ideology functions to render the suffering involved in factory farming as normalized yet invisible while also providing individuals with an ideological framework in which animal consumption can be morally rationalized. This rationalization occurs despite one's otherwise compassionate

attitudes towards animals in other domains. (E.g. the love one feels for one's dog) (Joy, 2010)

Indeed, Joy argues that Carnism fosters a kind of psychic numbing which serves to selectively alter our perceptions of different animals in morally arbitrary, inconsistent and hypocritical fashions. It also serves to engender a set of defence mechanisms which obscures the moral harms associated with consuming factory-farmed animals. (Joy, 2010)

Furthermore, it justifies eating animals as being biologically necessary, 'natural' and socially normal and creates a vocabulary that objectivizes animals into consumable items of property. Carnism, therefore, simultaneously fosters denial about the suffering of factory-farmed animals while also justifying the slaughter and consumption of animals via the constructing of social discourses and mythologies which treat it as being natural, normal and necessary. (Joy, 2010)

Accordingly, in light of his example it is easy to note how an appeal to publically shared principles (e.g. it is morally wrong to inflict suffering on animals) will often be insufficient in ensuring that one's claims receive a fair hearing as people's interpretations and evaluations of these principles are distorted via deeply entrenched historical norms, cultural values and ideological discourses.

When a society's dominant and widely shared interpretive resources serve to hinder individuals, especially those from advantaged social groups and communities, from critically questioning or even recognizing social injustices and/or perceiving alternative, new interpretations of social reality it can be incredibly difficult for civil disobedience movements to have their claims considered fairly- for instance, by state authorities, the mass media or bystanders to their protests.

Indeed, it might even generate hostile social opprobrium and even lead authorities not to recognize an act of disobedience but instead deem it as an act of morally blameworthy vandalism, terrorism or harassment, etc. Alternatively, particular injustices might be legally institutionalised and deeply socially normalized on the basis that certain injustices are simply not recognized as being injustices in the first place.

For instance, civil disobedience campaigns against factory farming are not only actively frustrated by state authorities under the auspices of anti-terrorism legislation but state agencies actively provide public subsidies and legislative protection to the factory farming of animals.

Civil disobedience is therefore often implicated in struggles not simply of how to frame, articulate or disclose one's claims in a publicly intelligible manner but it is also involved in challenging the background and publicly shared interpretive and evaluative resources of a given society.

This struggle often involves attempts to position civil disobedient participants as being authoritative knowers and to disrupt, alter, disorder, upset and unsettle collective interpretive resources and discursive frames. Civil disobedience, as Martin Luther King stressed, is deliberately crisis generating as it involves forcing particular issues into the public agenda that were previously marginalized, ignored or denied.

Ultimately, therefore, given Habermas' earlier work on the distorting impacts of ideology on public discourse, it is rather strange that this awareness has been evacuated from his understanding of civil disobedience.

Another problematic aspect of Habermas account of civil disobedience is the narrow manner in which civil disobedience is judged to be morally legitimate or illegitimate. Habermas insists that civil disobedience must be justified with respect to constitutional principles with the ambition of encouraging changes in governmental policy.

Unfortunately, this stance is profoundly problematic as if one legitimates civil disobedience according to his standard of publicity, legitimate instances of civil disobedience might go unrecognized. Given that certain injustices can be taken-for-granted by a majority and legally enshrined within a constitutional framework, any appeals citing constitutional principles might be ignored or dismissed by virtue of dominant social interpretive resources.

In addition, Habermas justification of civil disobedience seems to ignore forms of disobedience which are animated by more pragmatic concerns- for instance, frustration at the incompetent delivery of public goods or an unwillingness to accept the construction of public infrastructure in one's own community- or a

desire to simply to fundamentally withdraw from social institutions and practices implicated in social injustices.

Moreover, it also seems to ignore forms of disobedience which are animated by a desire to disrupt- rather than to alter via moral persuasion- certain government or non-governmental policies via the leveraging of unacceptable costs.

Habermas approach is, therefore, limited by his rigid insistence of the non-violent nature of civil disobedience. It not simply ignores how problematic- and contestable- the notions of “violence” or “non-violence” are in a given political struggle- but also it ignores how a degree of violence might be essential for the claims of oppressed groups and communities to be heard.

Given that Habermas' readily acknowledges a wide-range of trends that de-legitimatised democratic agency within contemporary society, it therefore seems strange that he refuses to accept the possibility that means beyond his narrow construal of civil disobedience might sometimes be necessary to advance democratic goals.

In conclusion, therefore, as indicated in my initial criticisms of his approach, Habermas, like Rawls, narrowly construes civil disobedience, framing it as a guardian of the moral principles and traditions inherent within the Constitution.

This means that he ignores how civil disobedience constitutes a vehicle for exercising collective democratic agency, particularly in terms of citizens being able to press for fundamental changes which would challenge previously taken for granted injustices.

This chapter so far has attempted to outline the conceptualization of civil disobedience as proffered by Rawls and Habermas and has tried to outline some of its central limitations.

Accordingly, in light of these limitations, it is important to outline a different conceptualisation of civil disobedience. This account should be sensitive to the empirical nuances of civil disobedience movements while proffering robust normative standards via which such movements can be critically evaluated.

Moreover, it should also be sensitive to the problem of epistemic injustices. Civil disobedience seems meaningless if it cannot force change in dominant epistemic norms, obliging non-participants to critically assess their own

complicity in social injustices and to question their how interpretive outlooks are connected to dominant social imaginaries.

Accordingly, I emphasize that any account of civil disobedience must raise issues of epistemic responsibility and epistemic contestation at the forefront of consideration. This focus requires a different understanding of publicity than the accounts of Rawls and Habermas expound. But what does it involve precisely?

Developing an alternative account of civil disobedience:

The discussion of Rawls and Habermas accounts of civil disobedience has indicated that there are a number of significant issues with their conceptualizations. Firstly, both assume that civil disobedience is only morally justifiable when all other legal avenues have been exhausted. The requirement places grave and unrealistic burdens upon civil disobedient protestors, especially where these legal avenues might be non-existent in the first instance. Secondly, their approach is limited by their insistence that it should only concern 'serious infringements' of justice and that all members should appeal strictly to constitutional principles that are currently and widely shared. This condition thereby disadvantages protestors attempting to challenge dominant moral frameworks, thereby risking the unfair discounting of their concerns.

Accordingly, given these central limitations it is important to develop a new account of civil disobedience that transcends these limitations yet which can differentiate between morally praiseworthy and morally blameworthy kinds of political disobedience.

Consequently, I propose that civil disobedience should be understood as a means to challenge practices of social silencing and forms of vested ignorance in a polity as opposed to merely understanding it as an appeal for redress to constitutional authorities via citing constitutional principles. This is to say that civil disobedience aims, in Andrew Sabl's words, to "challenge existing moral sentiments about justice". (2001, 316)

In addition, I also argue that civil disobedience can provoke social criticism by challenging dominant epistemic norms which allow members from dominant

groups or institutional actors to remain ignorant in their complicity in unjust social relationships.

It particularly aims to challenge “common sense” frameworks of understanding which render relations of injustice invisible or natural by either subverting hegemonic discourses or introducing new counter-hegemonic discourses which open different political possibilities.

For instance, with respect to the first form of civil disobedience, the work of Judith Butler illustrates how queer activists have attempted to destabilize the gender/sex binary in a number of fashions. For instance, queer activism has attempted to subvert heteronormative discourses of sexual and gender identity by re-appropriating pejorative terms of social opprobrium as signifiers of collective pride and esteem. (Butler, 1990, 1993)

This kind of civil disobedience, therefore, aims to illustrate the contingency and provisionality of socially constructed social scripts, routines and rules and their oppressive consequences for certain members of a community.

Alternatively, civil disobedience can be a vital means of contesting a society’s broader social imaginary. A social imaginary, Lorraine Code suggests, constitutes an implicit yet an effective complex of “images, meanings, metaphors, and interlocking explanations-expectations woven through a social-political order, within which people in specific time periods and cultural-geographical situations enact their knowledge and subjectivities, and craft their self-understandings”. (Code, 2010, pg 35)

Code, in turn, further differentiates between instituted and instituting imaginaries following the work of Cornelius Castoriadis. The former refers to the complex of normative social meanings, customs, experiences, assumptions, values and permissions which people “affirm, challenge, internalize or reject as they make sense of their place, responsibility and options”. (Code, 2010, pg 35)

The latter refers to a “locus of social critique and change” as it refers to the “critical-creative activities” of a society that allows individuals to critique prevailing social relations and structures. Indeed, in particular, it serves to establish dominant epistemic norms, particularly in terms of its “pretensions to naturalness and wholeness”. (Code, 2010, pg 35) The function of civil

disobedience therefore is to challenge the taken-for-granted dominant epistemic frameworks which serve to justify, legitimate and rationalize relations of oppressions.

Ultimately, if it is the case that the criticisms I have been making against Rawls and Habermas are correct, and if I am correct that civil disobedience is essential in challenging epistemic kinds of injustices, it is now important to outline a different set of conditions which justify the exercise of coercive civil disobedience.

Politically justifying civil disobedience:

I have been claiming that there are significant limitations to framing justifications of civil disobedience exclusively with reference to constitutional principles. This perspective is flawed because it significantly underestimates political contestation of the legitimacy of the state and its constitution- especially in post-colonial societies- and because not all claims against injustice can make easy reference to constitutional principles.

Accordingly, a less restrictive account of the justification of civil disobedience is needed. I specify four conditions that facilitate the normative evaluation of acts of civil disobedience in terms of its moral justifiability and terms of the normative conduct of its participants.

Firstly, I argue that participants should proffer reasoned moral justifications- either pre-emptively or retrospectively- to explain the motivations and intentions of the protest. Importantly, these moral justifications do not necessarily have to appeal to a notion of the urgency or the gravity of an injustice nor do they necessarily have to appeal to principles of justice that are 'clear' or widely shared by a majority of citizens.

This qualification is significant as it opens the possibility that civil disobedience can legitimately occur without providing prior notice to the authorities or the targets of the disobedient action, thereby permitting covert kinds of political contestation. In addition, it avoids the difficulty of potentially excluding claims that are advocating transformative change in publicly shared values, principles and beliefs.

Nevertheless, this condition does imply a requirement- even if proffered anonymously or even retrospectively- to publicly communicate the moral inspiration behind the protest and to explain the connection between the intended outcomes of a given protest action and the moral reasons which inspired it.

Secondly, it shall be argued that there is a normative expectation for civil disobedient participants to offer moral justifications for the choice of tactics involved in a particular action, pre-emptively or retrospectively. Public explanations should be offered in terms of explaining why these tactics were justified by the nature of the moral and political concerns involved.

In addition, participants should also publicly explain how the targets of their actions were appropriate given the ambitions of their cause and they should demonstrate that they have reasonably considered the impacts of their actions on non-participants or bystanders.

My account also places certain restrictions on the use of language in civil disobedience movements. Civil disobedience actors must always avoid using language that grievously threatens or harms non-participants or the targets of their actions, particularly in terms of discourses that question or undermine people's status as moral and political equals.

Finally, civil disobedience participants must be willing to be reasonably responsive to criticism of their actions- anonymously or non-anonymously- and are prepared to incorporate valid public feedback into their future activities of civil disobedience. Accordingly, it is important to explore this account in further detail.

The first condition that defines civil disobedience in my account is the willingness by participants to offer reasoned moral justifications to non-participant bystanders and the targets- direct or indirect- of any civil disobedient activities. This need for reasoned moral justification is necessary given that civil disobedience actions often result in the temporary restriction or infringement of the freedom of non-participants.

Participants, therefore, owe a public justification their actions to non-participants, particularly in terms of explaining what the intentions and

motivations behind the protest. This requirement is important as civil disobedience must be motivated by issues of public interest and import as opposed to issues that could reasonably be deemed trivial or contrived. Indeed, in particular, participants need to justify morally to non-participants why the potential harm caused by their actions is proportionate to the gravity of the cause that animates the actions of civil disobedient participants.

Moreover, it might also involve explaining how the focus of the protest is directed relevantly against its intended target, especially in circumstances where participants might cause some harm- intentional or unintentional- on non-participants. This willingness seems to be particularly important when civil disobedient action leverages certain costs against an opponent in order to prevent them from pursuing their normal activities or to at least hinder their operations. For instance, if civil disobedient participants are blockading a public road to prevent or hinder the actions of a mining company prior consideration must be given to the needs of other road users.

Ultimately, therefore, participants in civil disobedience actions must explain how the object of protest is worthy of public attention and redress. Moreover, it must also be explained how the actions of civil disobedience participants contribute towards raising consciousness of a particular injustice and how it might contribute to its correction.

Ideally, all of these moral justifications should be articulated during the course of any civilly disobedient action or should be made in response to demands for explanation from non-participant members. However, in instances where civil disobedience activities must take place covertly, this duty of justification might reasonably be undertaken after the event.

It does not need to be addressed directly to the target of the disobedient action, albeit it must be somehow easily publicly available. This qualification reflects the reality, as Brownlee notes, that requirements of prior publicity can undermine the prospects of political contestation as it can provide public authorities with opportunities to prevent hinder or disrupt protest activities. (Brownlee, 2007, 2012)

In addition, it is also important to stress that public justifications of civil disobedience do not necessarily have to appeal to a common or widely shared 'sense of justice'. This is an important qualification as it opens the possibility that reasoned moral justifications can legitimately aim to challenge a majority's sense of justice.

For instance, civil disobedience might aim to transform the terms of public debate regarding a particular issue. It might try to articulate grievances that are difficult to voice publicly given hermeneutical injustices. It might aim to alter people's moral perceptive capacities in new ways in order to problematize injustices that were previously invisible, naturalised or taken for granted.

From this perspective, civil disobedience should be understood with reference to a different principle of publicity. Rather than confining publicity to staking claims with reference to constitutional principles addressed to constitutional authorities, it should be understood as a process which challenges dominant epistemic norms and frameworks on the basis of their claimed injustice. If civil disobedience is re-described in this fashion, there is more room to argue that civil disobedience has two vital epistemic functions.

Firstly, it can counter epistemic diffidence by members of marginalised communities, allowing them to publicly take pride in their marginalised social identities, to challenge internalised forms of domination, to re-claim pejorative labels and to provide them with a forum in which to voice their grievances publicly. It provides a space where essential solidarities can be formed in order to leverage collective political power.

Secondly, civil disobedience is essential to introducing disruptive epistemic resources into the public sphere, challenging the hegemony of dominant social interpretive resources. It challenges the epistemic practices which render injustices socially invisible, forcing bystanders and political institutions to reflect on their complicities in these practices.

Without an ability to challenge dominant epistemic imaginaries, it is extremely to voice one's claims intelligibly and to disrupt dominant norms and habits of social interpretation and perception. Civil disobedience can therefore disrupt significant gaps in collective interpretive frameworks, allowing members from

oppressed communities to conceptualize their grievances in a publicly intelligible fashion.

For instance, as Miranda Fricker has noted, feminist activist groups introduced the vocabulary of sexual harassment to describe deeply entrenched- and frequently socially invisible- behaviours of gendered violence. (Fricker, 2007)

This public naming, in turn, allowed for a coherent political agenda to be articulated which culminated in the implementation of sexual harassment legislation and changes to workplace norms in many countries. Civil disobedience is therefore instrumental in expanding participants' sense of epistemic and political agency.

In addition, it is also worth noting that given this understanding of civil disobedience, the justification of civil disobedience does not necessarily have to appeal to principles of justice per se. Civil disobedience can also be legitimately justified with reference to pragmatic arguments. For instance, on the basis of a claim that the means or outcomes of public policy are flawed or misguided with respect to addressing a particular social problem.

Nevertheless, it might still be wondered why articulating these conditions of justification are beneficial in the first place. A number of suggestions can be proposed here. Firstly, they might allow civil disobedience members to cultivate sympathy from the wider public regarding their grievances, thereby enabling them to expand their movements and to leverage more power against their opponents.

This point reflects the reality that coercive political tactics can potentially be counter-productive in terms of publically advocating a cause as it can breed an unwillingness to fairly consider the claims of civil disobedience participants. This problem is exemplified in cases where civil disobedience imposes certain costs or inconveniences on parties who are not the direct targets of a given action.

Secondly, it allows participants in a civilly disobedient action to deflect criticisms from their opponents which alleged that their grievances are contrived or nonsensical. The willingness to justify their claims morally is a public sign of assurance that they are animated by sincere commitments and that their grievances are worthy of public consideration.

Thirdly, acting in such a manner upholds important democratic norms, particularly in terms of upholding the principle that moral justification for using coercion to advance political ambitions has certain limitations. It upholds the principle that any coercive activity should be complemented with an attempt to persuade a wider audience about the relevance, urgency, cogency and legitimacy of one's actions.

Finally, a willingness to partake in moral justification for civil disobedience actions demonstrates to one's fellow citizens that there has been a process of critical prior reflection about the morality of engaging in political coercion.

This includes considering whether their protest actions will result in gratuitous risk-taking, demonstrate insufficient respect or unreasonable disrespect for other people and their property and lead to unjustifiably harsh or cruel treatment of protest targets. It might also involve considering whether one's actions might unjustly infringe the democratic entitlements and rights of one's fellow citizens or result in broadly counter-productive or adverse social outcomes.

'Civil' disobedience as the reasoned, moral justifications of tactics:

The previous section focused on the epistemic character of public justifications for civil disobedience. This section shall now discuss the morality of the specific tactics involved in civil disobedience. This discussion is premised on an analytical distinction between internal and external justification.

Internal justification refers to the discursive practices within civil disobedience movements which allow space for contestation about the selection of tactics and strategies. External justification concerns the discursive practices of civil disobedience movements and wider society, particularly bystanders and other members of broader society. However, why are these activities important in the first place?

An internal justification of tactics is necessary for a number of reasons. Firstly, providing inclusive spaces for the reasoned discussion of tactics allows a civil disobedience movement to accommodate its internal diversity, especially in terms of acknowledging divergent viewpoints and interests. This requirement might foster an environment where all participants possess equal opportunities to shape the direction and agenda of their movement.

Secondly, it is important because such an activity is likely to ensure the sustainability of the movement over time, especially in the face of significant external pressures. Thirdly, allowing space for the reasoned discussion of tactics is likely to facilitate creative thinking about how to advance the goals of the movement.

The operating norm for internal justification is a fair and critical analysis of how a particular choice of tactic will influence the entire protest group, how a particular protest act furthers the ambitions of the group and how the nature of the act is morally consistent with the objectives of the particular movement.

However, this activity alone is unlikely to render civil disobedience effective because, given that the actions of these movements often impinges on the rights of bystanders, there is also a need to justify the selection of tactics to a wider audience.

Accordingly, the duty of external justification is primarily conceived as one which is mostly conducted during an act of civil disobedience or following its completion- the latter especially where there are compelling reasons for secrecy.

In addition, the principle of reasoned justification also allows one to delineate what kinds of civil disobedience are morally permissible and non-permissible. Firstly, the selection of tactics must be demonstrably targeted at the object of civil disobedience; that is, the tactics must aim to raise attention to an injustice or to thwart the operation of a given injustice.

Secondly, the selection of tactics must reasonably consider the impact of civil disobedience actions on the democratic rights of non-participants, particularly in terms of not compromising their safety or well-being. For instance, civil disobedient protesters could legitimately obstruct an airport runway, providing that this would not endanger the lives of passengers, but they generally could not hinder the operation of the airport's control tower as a whole.

Indeed, in particular, there are two kinds of contestation for which the reasoned, moral justifications of tactics are required- namely the use of violent disobedience and the use of covert types of disobedience.

It is clear that the legitimacy of violence in political contestation is a particularly vexing and complex question. Firstly, there are problems associated with the definition of violence itself as well as the contested questions of which kinds of authorities and agents can legitimately use violence to advance their aims.

Secondly, within the civil disobedience tradition it seems that there is a broad range of positions regarding the use of violence ranging from its complete rejection to its avocation within particular contexts or certain moral boundaries. For instance, there is a strong strand of thought which emphasises the liberating and empowering dimensions of violence- for example in the work of Fanon and Malcolm X- as well as other strands of thought which highlight the moral and pragmatic limitations of violence vis-a-vis the ethical and pragmatic advantages of non-violent contestation. (Fanon, 2001; Gandhi, 2001; King, 2011; Malcolm X, 1992)

This strand of thought has been used to develop a line of argumentation which suggests that some accounts of civil disobedience unrealistically privilege non-violence in contexts of the violent suppression of dissent by state or non-state actors. As Andrew Sabl frames this concern:

“Why should a maltreated group assume that those who treat it tyrannically have sentiments of goodwill or dispositions of fairness towards it, actually or even potentially...civility in resistance might seem poorly grounded: when others are violent and show no disposition to treat us fairly, violent responses might seem natural, even justified?” (Sabl, 2001, pg 308)

Unsurprisingly, within recent years it has been acknowledged that there is a limited role for violence- and using threats of violence- in order to advance democratic goals or to frustrate anti-democratic developments, albeit subject to certain moral conditions. (Brownlee, 2012) Yet, what are these moral terms precisely?

Firstly, it is arguable that violent coercion is morally permissible by participants in civil disobedience in response to unwarranted, aggressive violence from their opponents or bystanders; that is participants in civil disobedience have a right to proportional self-defence.

Secondly, violent coercion is permissible in causing relatively minor property damage in order to thwart unjust practices or actions- for example destroying the fences to factory farms where there is demonstrable evidence of legal yet morally unacceptable suffering.

Thirdly, a degree of violence might also be permitted in contexts where there are fundamental democratic deficits; after all it would seem strange to disavow violence against repressive military regimes, for example. Accordingly, given these three contexts it is important also to outline the moral conditions that constrain the use of violence in civil disobedient action.

The first constraining condition in the context of violent civil disobedience is that it does not intentionally cause severe and permanent physical injury or bodily harm to one's opponents or non-participant bystanders. Obviously, this condition also prevents violent civil disobedience from the intentional killing of opponents or bystanders as well. In addition, the same criteria apply to threats of violence as well- threats that may or may not be acted upon in practice.

Importantly though, the legitimacy of using violence- or merely threatening it- must be premised on a public justification of violence is being used to challenge social or political injustices. This practice is essential to ensure that such violence does not become a wanton license; that is, the intentions of those engaging in violent civil disobedience must be distinctively moral.

It must also be publicly demonstrated why the use of violence is both proportional and relevant, particularly in terms of outlining why alternative avenues of political contestation are ineffective or non-existent and why the selection of the targets of violence are related- preferably directly- to relations and structures of injustice.

Accordingly, civil disobedients must conduct their campaigns on the premise that the most morally praiseworthy modes of political contention are non-violent in nature, thereby committing them to justifying violence publicly only on condition that non-violent avenues have already been exhausted and that should opportunities arise for non-violent contestation arise in the future these opportunities shall be embraced, subject to the condition that this shall not detrimentally impact civil disobedience movements in the face of oppression.

There must also be some justification for the efficacy of violence- that is, a public justification of the intended or expected outcomes of using violence over alternative means of political contestation; this criterion is necessary so as to distinguish between acts of violence which are orientated towards attaining just ends and acts of violence which are gratuitous and irrational.

Finally, as Tony Milligan notes, substantive efforts must be made in order to ensure that non-participants will not be recklessly endangered by civil disobedience actions, particularly when such actions are violent. (Milligan, 2013)

This standard is relevant as it would seem to reject some of the tactics which have been deployed by certain disobedience groups, particularly within animal liberation circles, such as the posting of letter bombs, the use of arson or the contamination of products which might not merely threaten the life and limb of their targets but might also substantially harm bystanders or people who are not the intended targets of violent civil disobedience.

This means that participants in civil disobedience action must conscientiously consider the potential ramifications of using violent coercion not simply on its targets but also on wider non-participants.

Another significant dimension of contemporary disobedience which is not adequately considered in the accounts of Rawls and Habermas is covert kinds of protest which have been extensively used by environmental and animal rights movements as well as by online disobedience organisations in a trend which has been termed 'hacktivism'.

This covert kind of protest typically involve sabotaging essential assets of an opponent; for instance, certain environmental groups engage in so-called 'ecotage' in which genetically modified crops are destroying or trees due to be felled are spiked.

Ultimately, the purpose of covert disobedience is to leverage unacceptable economic costs upon their opponents, thereby forcing them to abandon their plans or activities, on the basis that their practices are morally unacceptable.

The conduct of such protests is typically undertaken in a clandestine manner on the grounds that activists fundamentally reject the authority of the legal system

that they believe legitimate fundamental injustices or because activists believe that there are no alternative processes through which the activities of their opponents can be hindered effectively.

This kind of disobedience, therefore, does not typically aim to engage in processes of public persuasion or to engage in appeals to political authorities; instead it aims to directly challenge perceived injustices by targeting its alleged perpetrators.

Indeed, it is typical for such activists to avoid being identified by public authorities in order to prevent any legal ramifications for their actions; this desire not only informs the nature of their tactics but also their organization in that covert disobedience groups tend to be non-hierarchical networks based on relations of interpersonal trust.

It is arguable though that such activity can be permissible within the scope of civil disobedience on condition that it meets a number of qualifications. Firstly, it must ensure that any covert activity is appropriately targeted- that it is, it primarily aims to directly target the activities of opponents and should not unduly obstruct or otherwise inconvenience the activities of bystanders.

Secondly, in light of the conditions previously established above, such actions should strictly be non-violent with regards to human or animal life and should any property damage occur it must not result in the actual or potential endangerment of non-participants or people associated with their opponents.

And finally, even though civil disobedient actors do not have to provide advance warning to the authorities about their actions they must eventually publicly justify their actions through appropriate public channels, even if this justification occurs on an anonymous basis.

Civil disobedience requires discursive restraint:

Another important aspect of my account of civil disobedience demands that participants exercise a particular kind of discursive self-restraint when publicly justifying their politically disobedient actions. This condition demands that disobedience protesters refrain from using language that is threatening or abusive, albeit some kinds of insulting language might be acceptable depending on the context at hand.

Indeed, in particular, it requires that civil disobedience participants avoid all types of hate speech which evoke stereotypical prejudices against specific individuals, social groups or communities on the basis of identity characteristics- for instance, on the basis of 'race', religion, ethnicity, nationality, age, gender, sexuality and ability.

In addition, it is worth noting that these discourses encompass a broad range of rhetorical devices and forms and that they aim to inflict a wide range of psychological harms on its targets. For the sake of simplicity, these discourses might be placed under the umbrella term 'hate speech'.

Of course, there is no settled, universally accepted definition of the term hate speech and its particular articulation within legal frameworks varies widely from society to society. The complexity and dynamic character of hate speech, therefore, means that any definition and its status as a normative criterion to evaluate particular instances of civil disobedience- will be subject to political contestation. It will require a case-by-case analysis of the particular situational dynamics at play.

It might seem strange *prima facie* to restrict civil disobedience on the basis of the avocation of hate speech. After all, there is ongoing dispute as to whether or how hate speech is empirically harmful to its targets and what the best means of regulating hate speech should be in a democratic regime, particularly in light of criticisms that hate speech regulations might constrict freedoms of association and expression quite considerably.

Accordingly, in light of these definitional issues and some of the normative and empirical objections to the notion of hate speech regulations, it is important to articulate a) why hate speech is incompatible with civil disobedience and b) why civil disobedience participants have a moral duty to avoid hate speech. It has been previously argued that that any civil disobedient act should be judged with reference to norms of reasonableness that allow participants and non-participants to evaluate justifications for engaging in civil disobedience.

It is in this regard that we can see how hate speech is entirely incompatible with civil disobedience. Firstly, hate speech is inconsistent with civil disobedience as it is fundamentally discriminatory against certain groups, individuals or

communities by virtue of specific identity-based features. Indeed, in particular, hate speech expresses and advocates targeted hostility and opprobrium, thereby justifying, legitimising or rationalising the infliction of harm on them.

Secondly, hate speech is incompatible with civil disobedience as it rejects of the equality of all persons in a given political community and typically justifies this rejection via ascribing its victims with a set of undesirable traits. These traits are deemed to be naturally constitutive, ineliminable and immutable qualities or properties of their person hood. The rejection of the political, moral and civic equality of certain individuals, social groups and communities contradicts fundamental liberal-democratic values, principles and norms that must be appealed to in any justification for civil disobedience.

Thirdly, civil disobedience is incompatible with hate speech because these kinds of discourses often encourage discriminatory violence against particular individuals, groups and communities by virtue of their perceived identity characteristics. Accordingly, from this point of view, on occasion the principle of hate speech provides a morally justifiable warrant for public authorities to ban, disrupt or disperse politically disobedient protest.

This legal and moral limitation on civil disobedience is important as regulating the legitimacy of political disobedience in this manner can have significant symbolic value in terms of publicly articulating democratic ideals of toleration and mutual respect which ought to be aspired to by citizens, denizens and public officials.

Finally, hate speech is incompatible with civil disobedience on the basis that the justifications for undertaking disobedience characterised by the use of hate speech is epistemically flawed, thereby undermining the principles that the public justifications for engaging in civil disobedience must be reasoned and that those engaging in civil disobedience ought to be publicly responsive to criticisms of their actions.

Civil disobedience as responsive accountability:

The final condition regulating civil disobedience might be termed 'responsive accountability'. This criterion particularly focuses on the conduct of civil

disobedience groups, particularly in respect of the moral constraints that regulate their engagement in protest activities.

Responsive accountability in context of civil disobedience occurs when participants are willing to be reasonably responsive to public criticism of one's actions- anonymously or non-anonymously- and are prepared to incorporate valid public feedback into one's future activities of civil disobedience or to adjust one's activities in the face of criticisms during the conduct of civil disobedient activities.

This responsive accountability condition operates retrospectively and preemptively in that it governs the behaviour of civil disobedient participants prior to engaging in their activities and afterwards.

It is vital for civil disobedience movements to be responsive to the criticisms of the broader public for both pragmatic and moral reasons. From a moral standpoint, a willingness to receive criticism and to criticise one's own actions as a member of civil disobedient group can be an important indication of the moral sincerity and moral contentiousness of one's actions.

This is a vital point given that civil disobedience aims to raise attention to or thwart the operation of injustices in society as opposed to pursuing frivolous purposes or aims which are animated by exclusive self-gain; as Elliston notes it is imperative that civil disobedient actors publicly demonstrate their moral integrity when justifying their dissenting actions. (Elliston, 1982, pg 24)

Indeed, by willing to receive critical feedback with respect to the conduct of civil disobedience, one demonstrates a respect for the interests of others by critically engaging with the impacts of one's actions on them. On occasion, receiving valid public criticism might entail a need to apologize publicly for any mistakes or oversights which occurred during a civil disobedient action and possibly even to re-evaluate both the means and ends of their protest.

From a more pragmatic standpoint, being receptive to criticism can also be an important means for civil disobedient groups to establish their trustworthiness and credibility with the wider public, especially in the face of initial hostility towards their claims. Of course though, while civil disobedient groups should be

receptive towards any public criticism, this does not necessarily entail that they accept it as being valid.

Indeed, being willing to respond to criticism which is misguided can be an opportunity for civil disobedience movements to reiterate why their protests were relevant to securing their moral objectives and how they exercised a proper degree of responsibility when considering its impacts on non-participants and other bystanders. (Keeton, 1964)

In addition, being responsively accountable for the actions of civil disobedience groups can be an important means to avoid epistemic dysfunctions within their own deliberations. It is clear that a wide range of empirical research has recently demonstrated that the social composition of civil disobedience movements tends to be composed of relatively homogeneous social networks who share common interests and ideological frameworks.

The social composition of these networks means that they can lack access to alternative and conflicting information sources and that they can be motivated only to rely on a relatively small body of information which reinforces or confirms their pre-existing beliefs, thereby creating conditions of group polarization and group-think.

Accordingly, being publicly responsive to criticism is important if civil disobedient movements are to recognise the potential fallibility of their claims and the limitations of their social experiences and knowledge claims.

This is to say that it can present civilly disobedient groups from oppressively attempting to minimize internal disagreement by avoiding the consideration of conflicting and alternative perspectives, by marginalizing any internal disagreement or by embracing the most possibly “extreme” position with respect to their political means and ends via group polarization effects.

This is an important point given that given that civil disobedient groups often feel the need to develop critiques of their social situation divorced from any external influences or actors which might corrupt the formulation of their agenda, especially in cases where the intelligibility of their grievances is frustrated by relations of hermeneutical injustices.

Yet these pragmatic needs can potentially narrow the epistemic resources civil disobedient groups while potentially breeding the development of dogmatic beliefs and the cultivation of an elitist mentality Habermas identified in his discussion of civil disobedience.

For instance, historical experience illustrates that conceptions of political disobedience premised on a “vanguardist” model can fail to lead to morally bankrupt outcomes both in terms of the inclusion of diverse internal perspectives but also with respect to the interests and needs of the broader public.

Ultimately, therefore, as Prosch (1967) suggests, an attitude of responsive accountability can help civil disobedience movements address the following central normative issue regarding political disobedience:

“The problem, therefore, becomes not simply how to ram one's own interests through, but how the meaning and importance of these interests and convictions can be communicated to those who do not share them, to the end that they can acquire the best and fullest accommodation possible, given the necessity to “give and take,” which the other interests and convictions practically operative in the society require.” (Prosch, 1967, pg 189)

Conclusion:

This chapter has attempted to suggest that coercive political tactics have an essential role to play in contemporary liberal-democratic regimes in light of significant asymmetries of power. However, it also been suggested that the use of coercion has important moral constraints and that the notion of “civil” disobedience can usefully outline such limitations.

Accordingly, the two influential accounts of civil disobedience by Rawls and Habermas were outlined and critiqued, and an alternative conceptualisation of civil disobedience adumbrated. This account of civil disobedience is different from Rawls and Habermas in that it loosens the requirements for civil disobedience to be exclusively non-violent and to appeal to constitutional principles or the sense of justice of a majority, albeit it recognizes the dangers that such a move sometimes represents.

In addition, it also highlighted some areas of civil disobedience that Rawls and Habermas' notions of civil disobedience inadequately captured, such as the moral permissibility of covert kinds of civil disobedience under certain conditions.

However, whilst this account has presented a somewhat looser account of the moral requirements of civil disobedience I have also attempted to outline the normative conditions that would allow one to distinguish between morally legitimate civil disobedience and morally illegitimate political coercion.

I have stressed that a degree of coercion is acceptable in liberal democracies in light of its capacities to force previously neglected issues onto the public order, issues which were illegitimately restricted, excluded or ignored by other political actors by virtue of unjust power relationships.

Moreover, political coercion can also be vital in re-framing contested issues and in altering the parameters of associated social discourses, particularly in circumstances of hermeneutical injustice.

In addition, I have argued that a degree of coercion is permissible because it can be an effective vehicle for political change, especially in the face of institutional inertia or in the presence of power-holders who refuse to alter their policies.

This reflects the reality that appealing to the good faith of power-holders via participating in formal democratic institutions is often a profoundly naïve strategy and, in light of the insights offered by feminist epistemology, there is often good reason to be doubtful about wider appeals to the conscience of the broader public given the strength of vested forms of ignorance about social injustices.

This point is especially urgent where an injustice is so moral urgent that it requires significant and immediate action to challenge the authority of power-holders. Of course, this being said, I have also argued that there are significant moral constraints upon the use of political coercion as manifested through civil disobedience.

Whilst civil disobedience does not necessarily have to be entirely within the public gaze as I have defended the use of covert resistance in certain

circumstances, it is vital that reasons morally justifying a particular action must be presented public following the act.

In addition, whilst I have stressed that political coercion does not inherently be non-violent, there are strong pragmatic reasons to use non-violent tactics and the use of violence should never target persons unless in extreme circumstances- for instance, fighting back against a military force for the purposes of self-defence.

Moreover, civil disobedience must conduct itself in a manner that fundamentally respects the entitlements and rights of other citizens, albeit it can legitimately inconvenience them to a certain degree; that is, without endangering their safety or unduly harming their well-being.

Indeed, in this regard, I have argued that civil disobedient groups cannot use language that can reasonably be defined as hate speech towards its targets as this would contradict the principle that civil disobedience groups must demonstrate respect for the rights of others.

Finally, civil disobedients must be prepared not merely to offer reasons for their actions, particularly in terms of how their actions are orientated towards resolving public problems, but they must also remain responsive to criticisms of their actions.

This responsiveness is crucial not simply in distinguishing between socially constructive and unduly disruptive political contestation but it also fulfils the normative requirement to demonstrate respect for the rights of other citizens, especially those directly impacted by a particular protest action.

Ultimately, therefore, I have argued that the use of political coercion constitutes a fundamentally important aspect of democratic life as it generates and sustains productive social tension and conflict, provided that the use of coercion meets the moral conditions I have stipulated above. On this note, it is now appropriate to summarize my thesis.

Thesis Conclusion:

This thesis has aimed to critically explore the concepts of civil discourse and civil disobedience. My thesis is premised on the belief that academic discussions of these concepts have been unhelpfully polarized between the view that civility is essential to preventing or at least mitigating destructive political conflict and the view that advocating civil discourse is either futile or counter-productive in the face of asymmetries of power.

I have attempted to present a normative account of civility which argues that it is compatible with critiquing relations of power while also acknowledging its limitations in challenging unjust regimes of power, emphasising the importance of coercive political disobedience in this regard.

My project began by critically interrogating the proceduralist framework of Rawls and Habermas with respect to civil discourse. I argued that a number of its central premises are deeply questionable.

Firstly, Rawls and Habermas fail to appreciate how their distinctions between the public and private and the right and the good will likely exclude individuals who feel that their substantive commitments cannot be divorced from their public claims. Their approach is exclusionary in that it will likely undermine the willingness of such individuals to participate in public decision-making processes.

Indeed, I would also argue that they do not make an adequate defence of the claim that persons discussing their comprehensive doctrines in public political forums necessarily indicates disrespect towards their fellow citizens. Of course, the experience of discussing controversial topics by invoking conflicting doctrines can be a highly frustrating process and it can even engender dangerous escalations of conflict as the case of 'deeply divided' societies sadly illustrates.

However, Rawls and Habermas seem to ignore the possibility that the unrestricted public expression of comprehensive doctrines might deepen relations of respect between citizens as it can improve mutual understanding of their different positions, thereby clarifying the differing assumptions and perspectives which animate their disagreements.

This mutual understanding can, in turn, generate deeper trust between parties who believe that the gravity and import of their claims are being earnestly considered by their opponents. Without the cultivation of this trust, any notion of reaching political compromise or consensus is a distant prospect.

In addition, Rawls and Habermas' proceduralist conception of civil discourse is flawed because it fails to consider how dominant epistemic norms can unjustly privilege certain individuals while marginalizing the contributions of members from oppressed groups.

Moreover, they also fail to appreciate how dominant epistemic norms can literally render certain things *unsayable* or create an epistemic climate inhospitable to the fair consideration of counter-hegemonic claims.

Indeed, even if marginalised communities can find an adequate vocabulary in which to stake their claims, there is no guarantee that such claims will be understood as being "reasonable" in the face of malicious epistemic conduct by members of advantaged groups and by practices of social ignorance which distort a society's collective resources of interpretation.

Given that there are no internal resources within their accounts for the critical interrogation of dominant epistemic norms, public reason might rig public discourse in favour of the interests and perspectives of privileged communities. Practices of 'translation' are simply insufficient to tackle deeply rooted inequalities in epistemic status and to correct deeply rooted deficiencies and blind spots in collective interpretative resources.

This problem is compounded by the possibility that citizens who refuse to translate their claims into more generalizable frames might be considered to be "unreasonable", thereby generating further social hostility and opprobrium towards marginalized communities.

Consequently, I proposed that any account of civil discourse should proceed from a serious consideration of the epistemic inequalities faced by marginalised communities as well as how dominant epistemic norms and practices of social ignorance can compromise the willingness and abilities of members of advantaged communities to fairly consider their claims.

These considerations lead me to a consideration of Charles Taylor's conception of civil discourse. On the face of it, Taylor's philosophical framework offers many interesting resources for an account of civility which might be able to address the challenge of epistemic injustice.

Taylor's work directly acknowledges the difficulties in clearly distinguishing between the right and the good and he stresses the importance of citizens justifying their political claims on the basis of their own comprehensive doctrines. Consequently, he is sceptical of attempts to base models of 'civil' discourse on the basis of epistemic distinctions between different kinds of justifications, particularly between religious and secular reasons.

In addition, it is also noteworthy that Taylor does not connect civil discourse to political legitimacy. While he recognizes that public policy should not be justified exclusively with reference to a singular comprehensive doctrine, he ultimately maintains that there can be no universalizable principles to regulate public discourse given the complexities of circumstances faced by different democracies. Instead, Taylor argues that civil public discourse is important for different reasons.

Firstly, civil political discourse can help foster an orientation towards the common good. This to say that Taylor's conception of civil discourse does not stipulate what kinds of justifications are acceptable or unacceptable in advance but it does stipulate a conception of the normative orientation which participants in public discourse ought to adopt.

This aspect of Taylor's thought is animated by his fear that contemporary democracies are faced by deepening political alienation, polarisation, fragmentation and factionalism. Without an orientation towards the common good, Taylor believes that it will be impossible for citizens and public officials to provisionally form an "overlapping consensus" concerning their central regulating principles of Justice.

Moreover, without citizens fairly considered the viewpoints of their fellow citizens, Taylor claims that liberal democracies will be plagued by narrow factional interest groups which can eventually breed destructive political conflict. An orientation to the common good, he claims, allows citizens and public

officials to negotiate and fairly compromise between competing demands, encourages the fair consideration of different perspectives and prevents the framing of public issues in zero-sum or winner-takes-all terms.

Secondly, civil political discourse for Taylor in a diverse society reflects a willingness of citizens to re-assess their own self-understandings and their prejudgements about individuals from different cultural, religious and ethnic communities. Indeed, in particular, he stresses that civil discourse is essential to deconstructing pejorative stereotypes and social attitudes towards minority groups or what he terms “block-thinking”.

Thirdly, civil discourse allows citizens from diverse backgrounds to form a sense of attachment and allegiance to their political community. Taylor believes that without this sense of attachment and allegiance citizens in diverse democracies will be incapable of perusing common purposes and interests.

Public dialogues over what kinds of goods underpin this sense of collective solidarity is an ongoing activity and particularly requires citizens to *listen* to each other’s different perspectives and claims. Citizens, he argues, must continually strive to *understand* each other if they are to articulate a more inclusive collective sense of identity and to share “identity space” with each other.

Civil discourse, therefore, requires developing an appreciation of the complexities of our social identities. Unsurprisingly, Taylor insists that civil discourse is fundamentally connected to the fair public *recognition* of the distinctiveness and uniqueness cultural, religious and ethnic particularity.

Moreover, it is also noteworthy that Taylor ties his conception of civil discourse to the need for individuals in a diverse society to accord their interlocutor’s claims with an initial “presumption of equal worth” for the purposes of further discussion.

Civility is manifested when individuals assume that different cultures have potentially “universal insights” into the human condition and when interlocutors acknowledge that their own cultural horizons potentially harbour significant limitations, blind spots and faults.

This is to say that civil discourse can help expose the contingencies of our own cultural frameworks, thereby fostering critical reflection, while acknowledging

the potentially valuable contributions that different cultures can make to the collective life of a political community. This acknowledgement, in turn, can provoke a shift in our identifications, beliefs and values which previously went unquestioned. This process, therefore, requires learning *new* vocabularies of cultural expression and substantially learning about the values and beliefs of different cultures or worldviews.

Nevertheless, I claimed that there are a number of problems with Taylor's conception of civil discourse. Firstly, I suggested that there is a serious tension between Taylor's conception of civil discourse, which requires individuals to critically re-negotiate their self-conceptualizations, with his rather rigid account of our group identities and his defence of cultural survivalism in the case of Quebec.

Secondly, I argued that Taylor's notion of civil discourse also did not adequately consider the moral and political difficulties faced by marginalised individuals, groups and communities in public dialogue processes. I argued that his framework needed to consider how epistemic injustices can breed self-censorship by members of marginalised social groups and groups.

In addition, I also maintained that Taylor does not offer adequate criteria for how citizens and public officials should approach situations where they faced with the expression of 'uncivil' sentiments, viewpoints and attitudes. For instance, the expression of bigoted viewpoints or instances where individuals dogmatically assert their claims without wishing to consider alternative viewpoints.

Consequently, in the third chapter I attempted to develop a different conceptualization of civil discourse which was indebted to a number of insights from feminist epistemology. My approach stressed that the purpose of civil discourse is to facilitate the fair yet critical hearing of other's testimonial claims and the self-reflective staking of one's claims. It is orientated towards building trust between individuals from very different social backgrounds and who possess diverse viewpoints on contested public issues.

Accordingly, I stressed that civil discourse requires interlocutors to assume particular epistemic responsibilities towards each other. Firstly, individuals must be mutually willing to learn *about* each other's worldviews if they are to fairly

consider each other's political claims. In addition, they are to stake their own claims fairly, and to appreciate the limitations of their own knowledge, they must also strive to learn *from* each other's worldviews.

Crucially though, I also stressed that individuals must be willing to question their own positioning in relations of power in order to develop a critical consciousness with respect to how the staking of their own claims and the reception of the claims of others might be adversely affected by relations of epistemic injustice and practices of social ignorance.

This kind of critical self-questioning involves the development of a deeper critical self-awareness with respect to how power differentials can potentially distort one's interpretation of the testimonial claims of others in a given communicative exchange. Without this self-interrogation, it will be impossible to appropriately re-adjust one's credibility assessments in order to ensure that one accords appropriate attention and consideration to the perspectives of others.

Indeed, a failure to question one's positioning in relations of power might lead one to unjustly deflate or inflate the credibility of others testimony by virtue of dominant social categorizations, stereotypes and prejudicial or favourable social attitudes.

Moreover, self-questioning is also important given the intersectionality of our social identities. It might contingently be the case that certain facets of our identities might render individuals vulnerable to losing an appropriate degree of epistemic self-confidence in our claims. This lack of self-confidence stems from the operation of oppressive social categorizations, stereotypes and prejudicial attitudes.

However, while critical self-questioning is essential in ensuring the fair consideration of other people's claims and the self-reflective staking of one's own it is also important to complement this practice with rigorous observations of the benevolency of our discursive partners.

This questioning is necessary to ensure that not only are the claims of others epistemically sound and reliable but also because a failure to critically question other people's testimony might leave one vulnerable to discursive manipulation or exploitation.

Finally, the last chapter considered one of the most pressing objections to defending the notion of civil discourse in contexts of power asymmetries- namely the idea that coercive political disobedience, as opposed to reasoned and respectful persuasion, constitutes an essential tool in challenging relations of oppression.

I argued that while this critique has significant merits, I also maintained that it is important to place substantive limitations on the use of coercion in pluralistic democratic regimes via the normative prism of civility. I explored this problem via a critical consideration of the accounts of civil disobedience proffered by Rawls and Habermas, arguing that there were a number of significant limitations in their theories of civil disobedience.

I subsequently suggested that one should understand civil disobedience as a means to challenge practices of social silencing and forms of vested epistemic ignorance in a polity as opposed to merely understanding it as an appeal for redress to constitutional authorities via citing constitutional principles.

I therefore tried to develop an account of civil disobedience which was informed by an account of public reasoning which stressed the importance of civil disobedients offering public justifications for their actions, only using violence in extreme and limited circumstances, providing appropriate consideration for the potential impact of their actions on bystanders, avoiding the use of hate speech and remaining publicly accountable for their actions.

Ultimately, therefore, I hope that this dissertation has offered some insight into the morally complex relationship between persuasion and coercion in unjust and pluralistic liberal democratic societies, recognising the importance of both reasoned persuasion as well as disruptive political coercion.

In addition, I further hope that the findings of this research project will be significant as a starting point for future academic research. For instance, in this thesis I discuss the kinds of epistemic injustices faced by animal rights activists who are striving to expose the suffering associated with factory farming.

One area of future research might be to explore the discursive strategies animal rights protesters use to raise public consciousness of animal suffering in the

face of apparent collective denial and indifference and powerful vested economic interests.

The second reason why I believe this research has significance is that it raises important questions of institutional design. If the normative ethos I defend here can combat epistemic injustices, what kinds of procedural mechanisms and processes can support its cultivation? What kinds of structural changes would be required to encourage greater epistemic equality between citizens or denizens who come from a broad range of social backgrounds?

Indeed, as Elizabeth Anderson notes, it is clear that the literature on epistemic injustice currently does not adequately outline how their impacts can be tackled from an institutional point of view. (Anderson, 2012)

While I have not systematically reflected on this question, and I recognize that it is a significant limitation of my thesis, it seems apparent that a number of institutional considerations might contribute to the cultivation of the discursive ethos I advocate.

Firstly, if political institutions are to become more epistemically diverse and more politically inclusive, it is vital to promote the quantitative participation of historically marginalised and excluded groups and communities in democratic institutions.

A variety of practices and proposals have been suggested in this regard, including the imposition of quotas or seat reservations into representative bodies which specify minimal levels of representation for particular groups and communities or by allowing minority communities to block legislation via referendum processes.

Secondly, it is also vital to increase what might be termed the effective abilities of marginalised groups and communities to participate in political processes. This is particularly vital given that many individuals from such backgrounds might lack the requisite skills, qualifications and experiences that would allow them to participate on an equal basis with individuals from more advantaged groups and communities with a long-standing history of participation.

Indeed, this problem can also be compounded by relations of epistemic injustice as people's lack of experience or their favouring of particular communicative

idioms and styles might be interpreted as being a reflection of certain character failings with respect to their competency and reliability.

Without improving the capacities and self-confidence of individuals from marginalised communities to effectively participate, it is likely that their testimony will be treated with suspicion and derision, even in the presence of formal opportunities of participation. After all, there is little point in having the formal opportunity to participate if one's claims or the claims of fellow group or community members are treated with persistent dismissal.

This is a particularly difficult issue to address given that relations of epistemic injustice privileges the claims of more advantaged groups and communities. They simply tend to receive greater social legitimacy and validation irrespective of their epistemic merits or demerits.

For instance, Stryker & Danielson's (2013) review of the empirical literature reveals that people from relatively advantaged social groups or communities generally tend to contribute more in public debates, frequently interrupt others with relatively inferior social status, are more confident and assertive with their own claims, command greater attention from their audience and are judged more positively with respect to their public contributions. (Stryker and Danielson, 2013, pg 5)

It is clear that this question has been accorded quite significant attention in recent political movements, especially the Occupy Movement which deployed innovative techniques such as providing mediation and facilitative services as well as discursive stacking in favour of individuals who identified with marginalised social groups and communities.

In addition, if political institutions are to become more epistemically inclusive it is vital also to explore how members of marginalised groups and communities can be supported with appropriate material support to facilitate their participation on an equal basis.

For instance, via the provision of funding for transportation costs or providing direct financial compensation for their involvement. This is vital to ensure that participation in political institutions is not biased towards those who are well-educated and from relatively wealthy backgrounds. (Mendelberg, 2002)

Political institutions, therefore, need to be more attuned to the manner in which participation asymmetrically leverages costs on people's material and time resources in accordance with their financial means; a relative lack of financial resources often significantly hinders the opportunities, abilities and motivations of poorer citizens to participate politically. Of course, this effort will also need to be accompanied by major re-distributions of wealth given the current vast economic disparities in most liberal democracies.

Moreover, it will also inevitably require tackling deeply entrenched social norms that position certain kinds of communities and social groups as being less authoritative, less trustworthy and less competent or reliable with respect to social knowledge.

For instance, there seems little point in increasing the participation of women in political institutions numerically if oppressive social norms constrict the manner of their involvement- for example, conventions over to whom, when and where they ought to speak or not.

Political institutions therefore also need to find ways to develop counter-stereotypical resources which can allow people either to gradually shift their prejudicial attitudes over time or at least to frustrate or suppress the automatic activation of their implicit and often unconscious interpretations and evaluations of oppressed groups and communities. This might be fostered, on a broader institutional basis, via a systemic programme of education about the impacts of cognitive and affective biases in political reasoning processes.

Thirdly, and relatedly, political institutions must be tolerant of a broad range of communicative styles, idioms and presentation styles if they are to be respectful of difference and able to effectively include all participants. This, of course, does not mean there can be no principled standards for delineating what kinds of contributions are acceptable or not.

However, it is to say that the question of what rules ought to be applicable will be dependent upon the type of institution or social setting where a dialogue is taking place and that these standards must be open to contestation and revision by participants.

Indeed, in particular, political institutions must be sensitive to the reality that discursive norms can be biased towards dominant cultural norms and values that, as Iris Marion Young reminds us, can implicitly function to devalue or silence the contributions of people from cultural minorities. (Young, 1997; 1997b; 2000)

Accordingly, it is fundamentally important that political institutions subject the procedural terms of their participation to inter-cultural negotiation and accommodate the particular needs of cultural minorities on a case-by-case basis; that is, political institutions must facilitate the “reasonable accommodation” of cultural minority requests for institutional support, allowances or special exemptions.

For instance, the communicative disadvantages faced by minority groups might in part be addressed by providing adequate translation and interpretation services for people who do not speak a society's majority language.

This is particularly important in post-colonial societies where dialogues between indigenous and non-indigenous people are difficult due to ongoing and historical distrust as well as the reality that dialogues can be frustrated by different protocols of communication and different conceptual understandings mediated by (partially) incommensurable axiological, ontological and epistemological frameworks.

Accordingly, it is vital that there be adequate opportunities to contest the parameters of public debate, particularly in respect to challenging the interpretive and evaluative frames that animate public policy discussion. This means that meaningful opportunities must exist for participants to contest which subjects and issues ought to be included- or excluded- from debate; no question or issue can be ruled out a priori from the political agenda.

Fourthly, there must also be room for contestation over the status of those who claim to represent- and, therefore, speak on the behalf of- particular social groups and communities; that is, there must be effective opportunities to critique their claims to discursive legitimacy.

Finally, if political institutions are to be epistemic inclusive it is vital that participants must have the opportunities and the capacities to challenge the

frames in which discussion subjects are couched, to expand the scope of the dialogue into new arenas and to introduce new interpretative and evaluative vocabularies which will allow for the topic to be explored in new ways.

Without this kind of contestation, there is not simply the danger of exploitation and deception but also members from marginalised or historically excluded backgrounds might engage in self-censorship or face difficulties in staking their claims intelligibility to others.

In addition, besides allowing opportunities for contestation, it might also be advisable to encourage so-called 'enclave deliberation' opportunities that allow marginalised groups and communities to form what Fraser terms "subaltern counter-publics". (Fraser, 1990)

These counter-publics can enable individuals from oppressed groups to build their consciousness of oppression, to frame their claims distinctly and forcefully, to develop greater solidarity and resilience and to develop the political leadership potential of their members.

This effort is particularly important, as I have frequently noted, in cases where individual group members have developed "adaptive preferences" and have internalised pejorative social categorizations, stereotypes and prejudicial attitudes about themselves.

Penultimately, there seems to be no point in fostering more inclusive participation if political dialogues will merely constitute talk shops where grievances can be raised yet no structural change facilitated.

Accordingly, it is vital that institutions are not just procedural inclusive but that there is accountability and transparency with respect to their outcomes. It is also essential that institutions be responsive and flexible as possible with respect to the inevitable limitations of time and resources that can frustrate dialogue processes.

In addition, given that political institutions are never isolated entities, divorced from broader social processes, it is also vital to foster cross-cutting social interactions if prejudicial attitudes, stereotypes and social categorizations are to be challenged over time. This need, as Elizabeth Anderson notes, is particularly challenging given the preponderance of relations of residential segregation that

continue to separate ethnically and culturally different groups and communities as well as households with different wealth. (Anderson, 2010)

If relations of epistemic injustice are to be countered, it is also clearly necessary to make changes to the broader social structures within which political institutions are housed. For instance, minority groups- and their diverse viewpoints, perspectives and claims- will require greater representation within the mass media and popular culture.

Ultimately, therefore, significant reform within the media industries of liberal democracies will likely needed to be implemented, not simply in terms of challenging media monopolies with fixed ideological agendas (e.g. Fox News) but also in terms of altering the tendency for political reporting to descend into entertainment or, as Richey (2012) notes, to treat politics as a kind of “spectator sport” characterised by an “win-at-all-cost attitude that marginalizes political discourse quality”. (pg 17)

Footnotes:

Chapter 2, pg.116

1This conception of language, it must be noted, also reflects the profound influence that Aristotle, Hegel, Gadamer, Herder, Heidegger, Wittgenstein and Merleau-Ponty have had on Taylor's work, particularly his work during the 1960s and the 1970s. (Taylor, 1964; 1977)

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APPENDIX:

ACCEPTED PUBLICATIONS:

Isherwood, Jack, 2014. "Review of *Sharing Democracy* by Michael Ferguson" IN *Studies in Social and Political Thought*, Vol.23, pp.102-107.

Isherwood, Jack, 2015. "Review of Political Solidarity by Sally J. Scholz" IN *Studies in Social and Political Thought*, Vol.24, pp. 87-91.

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Studies in Social and Political Thought
Centre for Social and Political Thought
School of History, Art History and Philosophy
University of Sussex
Falmer, Brighton BN1 9QN

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