Diana Eck's Concept of Pluralism as a Norm for Civic Education in a Religiously Diverse Democracy

By Brendan W. Randall

Introduction

Over the last half century, the United States has become one of the most religiously diverse nations in world (Eck, 2001). In 2011, twenty-five scholars in religious studies and education met to discuss the implications of such religious diversity on civic education (Biondo & Fiala, 2014). A general consensus emerged that the legal protection of religious freedom was necessary, but not sufficient, to prepare students to become citizens of a religiously diverse democracy. In addition to such legal protection, the norm of civil discourse was critical. As the conference organizers, Vincent Biondo III and Andrew Fiala, explain, "the challenge for citizens is learning to remain civil and tolerant, while disagreeing with others and learning about new religious ideas" (p. 10).

In encouraging civility, Biondo and Fiala also advise educators to avoid "lightning rod" (p. 9) issues such as creationism, abortion, and sexual orientation, because these issues "are toxic to interreligious cooperation and civil discourse" (p. 9). Such lightning rod issues, however, are the ultimate test of any proposed norm as a means of negotiating conflicting worldviews and religious beliefs. For members of a diverse democratic society to coexist despite their differences, they need norms for discussing the issues that divide them the most. If the norm of civil discourse is not sufficient for this purpose, the solution is not to avoid lightning rod issues, but to ask what additional civic norm is needed. One such norm is Eck's conception of religious pluralism.

The following presents a brief argument in favor of this proposition by examining the Day of Dialogue, an annual event in which conservative Christian students express religious opposition to behavior that does not adhere to heterosexual norms, especially homosexual relationships (Focus on the Family, 2014a). The Day of Dialogue's focus on a lightning rod issue, sexual orientation, makes it an excellent case study for a normative analysis of civil discourse as a civic norm for negotiating conflicting worldviews and religious beliefs and identifying an additional needed norm, namely pluralism.

Free Expression and Civil Discourse

Religious student speech critical of homosexuality presents a dilemma for many educators in the United States. Even when such speech does not technically constitute harassment, it targets a vulnerable and historically marginalized population (Lee, 2014). Restricting such speech may help protect this population, but it also limits free expression (Curtis, 2007). For those who resolve the dilemma in favor of free expression, a common justification is that freedom of religion and speech enable members of a diverse democratic society to coexist despite their differences (Haynes & Thomas, 2007). Acknowledging concerns about harassment, however, many advocates of free expression also suggest an

ethical norm of civility in discussing sexual orientation (Haynes & Thomas, 2007; American Jewish Committee & First Amendment Center, 2012).

The United States Supreme Court set the modern legal standard for student free expression in *Tinker v. Des Moines Independent Community School District* (1969). As the Court famously stated, "students [do not] shed their constitutional rights to freedom of speech or expression at the schoolhouse gate" (p. 506). The Court went on to conclude that schools may not limit student expression, even offensive speech, unless such speech "would substantially interfere with the work of the school or impinge upon the rights of other students" (p. 509). Although the Supreme Court has recognized other limited circumstances in which schools may restrict student speech, such as lewd speech (*Bethel School District #403 v. Fraser*, 1986) or speech promoting illegal activity (*Morse v. Frederick*, 2007), *Tinker* remains the dominant standard (Lee, 2014).

The *Tinker* standard applies to religious student expression (U.S. Dept. of Ed., 2003), and courts routinely have found religious speech opposing non-heteronormative behavior constitutionally protected (Bilford, 2008). In *Nuxoll v. Indian Prairie School District #204* (2008), for example, a high school student expressed religiously-motivated opposition to the Day of Silence, an event designed to promote awareness of and combat harassment based on sexual orientation and gender expression. Among other things, the student wore a t-shirt that read "*My* Day of Silence, Straight Alliance" on the front and "Be Happy, Not Gay" on the back (p. 670, emphasis in original). The school district censored the t-shirt and the student sued, alleging a violation of his First Amendment rights. The Seventh Circuit agreed, concluding that the t-shirt did not involve the level of disruption required under *Tinker*. In reaching this conclusion, the court expressly invoked the metaphor of a "marketplace in ideas and opinions" (p. 671). With one exception, every federal court to consider comparable religiously-motivated speech has reached a similar conclusion, and the Supreme Court vacated the only contrary decision (*Harper v. Poway Unified School District*, 2007).

Although various scholars have questioned these decisions (Bilford, 2008; Saunders, 2011; Lee, 2014), educators must operate within the bounds of the existing law. In line with the dominant legal framework, the First Amendment Center, a non-partisan organization devoted to research and education on free expression issues, helped to develop guidelines for addressing disputes over sexual orientation in the context of public schools (Haynes & Thomas, 2007). These guidelines emphasize the First Amendment right of students to express their opinions, including religious beliefs, but also recognize a right to be free from harassment in school. The guidelines attempt to balance these rights by affirming free expression while advocating civil discourse. Stressing that "how we debate, and not only what we debate, is critical," the guidelines urge that "all parties involved in public schools should agree to debate one another with civility and respect" (p. 148). Various groups, including the Christian Educators Association International and the Gay, Lesbian and Straight Educational Network (GLSEN), have endorsed these guidelines.

A similar balance between free expression and civil discourse also appears in a more recent set of guidelines published by the American Jewish Committee, a Jewish

advocacy and human rights organization, in conjunction with the First Amendment Center (2012; see Appendix B). Although this second set of guidelines addresses free speech and harassment in general, it includes the specific example of religious student speech critical of homosexuality. In response to speech on controversial issues, such as sexual orientation, the guidelines emphasize that "suppression of speech should be the last, not first, resort," but add that "public schools may—and should—encourage all students to communicate with others in a tactful, respectful manner" (p. 9).

But as Biondo and Fiala's (2014) advice to avoid lightning rod issues indicates, civility alone in conjunction with free expression may not be sufficient for a religiously diverse democratic society whose members hold conflicting beliefs on controversial issues. If civility does not inherently enable members of such a society to meaningfully interact and coexist despite their differences, schools need to promote an additional norm through civic education. The question is what that norm should be. If the norm of civil discourse is insufficient for citizenship in a diverse democratic society whose members hold conflicting worldviews and religious beliefs, then what additional norm should schools promote through civic education that is consonant with the First Amendment's protection of freedom of religion and speech as currently interpreted by the judiciary?

The Normative Case Study

The question of what additional norm schools should promote through civic education is a philosophical one grounded in the contemporary legal, educational, and social landscape in the United States. In addition to the scholars who met in 2011, a number of other philosophers also have addressed religion and civic education in the United States context (Kunzman, 2006; Macedo, 2000; Spinner-Halev, 2000; Stolzenberg, 1993). I intend to build on this scholarship. Rather than use ideal theory, however, I intend to employ a normative case study, which reflects a non-ideal perspective that norms can and should be developed from actual experience.

Ideal theory approaches the development of norms through the assumption of an idealized social context in which the members of society typically are equals and comply with the rules governing the social order (Rawls, 2005; Mills, 2005; Stemplowska, 2008). It embodies a fact-value distinction: the proposition that close empirical observations of the particularities of lived experience are intrinsically distinct from value judgments and thus are neither necessary nor appropriate for developing ethical norms.

Various philosophers, however, have challenged the fact-value distinction and the purported superiority of ideal theory in developing ethical norms (Held, 1984; Mills, 2005; Thacher, 2006). For these scholars, lived experience is critical to the formation of normative principles. Virginia Held (1984), for example, contests the assumption that ethical norms developed in the abstract are more valid than those based on experience. At the heart of Held's critique of ideal theory is the observation that we live in a non-ideal world. Charles Mills (2005) attacks ideal theory because it often reflects the privileged perspective of historically empowered groups, such as middle-class, white males, and ignores the experience of the traditionally marginalized. For Mills, the critical flaw in ideal

theory is its failure to acknowledge institutional forms of oppression and the barriers they present to the achievement of ideal norms. Consistent with such critiques of ideal theory, Thacher (2006) argues for the empirical examination of specific situations to generate normative value. He calls this approach the "normative case study" (p. 1637).

The Day of Dialogue affords an excellent subject for a normative case study regarding civil discourse as a means of negotiating conflicting worldviews and religious beliefs. First, the Day of Dialogue reflects the prevailing emphasis on free expression and civil discourse. The event's organizers explicitly invoke the principle of free expression in defending the event and express a desire for civil dialogue. Second, the event involves a lighting rod issue, the morality of non-heteronormative behavior. Although pubic opinion on the morality of non-heteronormative behavior is shifting, deep divisions remain as demonstrated by recent disputes over the balance between religious freedom and anti-discrimination. Sexual orientation, accordingly, provides a critical case for testing the philosophical sufficiency of any norm in addition to free expression. If the norm is analytically sufficient to negotiate deeply conflicting worldviews and religious beliefs on a highly contested issue such as sexual orientation, then the norm also may be sufficient for other lightning rod issues.

The Day of Dialogue

The Day of Dialogue is an annual event in which conservative Christian students express religious opposition to non-heteronormative behavior (Focus on the Family, 2014b). According to Focus on the Family (2014a), which sponsors the event, the Day of Dialogue "is designed to empower Christian students who have a heart for sharing Christ's love and express a Biblical perspective on current-day issues with peers" (para. 1). The stated goal of the event is to counter the allegedly "one-sided manner" (para. 5) in which schools address marriage and sexuality by presenting an alternative, religious view. The event's national coordinator, for example, invokes a marketplace of ideas framework to justify the event: "We believe truth rises to the surface when honest conversations and a free exchange of ideas are allowed to happen" (para. 2).

Focus on the Family asserts that the Day of Dialogue serves to promote civil conversations. Focus on the Family, for example, prepared speaking cards for students participating in the event. Although the cards embodied a theological opposition to non-heteronormative behavior, they also emphasized a theme of love and even expressed concern for harassed students. In 2014, for example, the cards stated that Jesus "loves every person" and included a commitment "to stand up for students who are being teased, bullied or harmed" while simultaneously asserting that God "designed the best, loving plan for relationships and sexuality" (Focus on the Family, 2014c).

Embedded within the Day of Dialogue, however, are fundamental truth claims. According to Focus on the Family (2014b), for example, the Day of Dialogue "gives you, as a student, an opportunity to express the *true model* presented by Jesus Christ in the Bible—who didn't back away from speaking truth, but neither held back in pouring out His incredible, compassionate love for hurting and vulnerable people" (para. 1, emphasis in

original). Furthermore, although the supporting materials express concern about harassment, they do so only in the most general terms—"[Jesus'] example calls us to stand for those being harmed or bullied" (Focus on the Family, 2014b, para. 1)—and actually discourage students from supporting anti-harassment policies that explicitly address harassment based on sexual orientation or gender expression.

The Day of Dialogue accordingly reflects an uncompromising stance regarding sexual orientation that is far from universal, even among Christians, and inherently fails to display mutual respect for differing truth claims (Randall, 2013). The fundamental nature of the truth claims associated with the Day of Dialogue undermines the ability of students to negotiate conflicting worldviews and religious beliefs. In particular, the Day of Dialogue encourages students to oppose the civic as well as moral acceptance of non-heteronormative behavior. For example, the Day of Dialogue encourages students to resist efforts associated with the Day of Silence, which includes the adoption of anti-harassment policies that specifically address sexual orientation and gender expression (Focus on the Family, 2014b). Research indicates, however, that such policies are associated with reduced harassment of LGBT students (Kosciw, Greytak, Bartkiewicz, Boesen, & Palmer, 2012; Cianciotto & Cahill, 2012). The Day of Dialogue thus invokes the marketplace of ideas to maintain institutional privilege for a historically dominant group, heterosexuals.

The Additional Norm of Pluralism

The reinforcement of institutional privilege associated with the Day of Dialogue suggests that civility in addition to the expanded conception of free expression associated with the marketplace of ideas is normatively insufficient to negotiate conflicting worldviews and religious beliefs. One response for educators is to adopt a more limited approach to free speech than the marketplace of ideas. As discussed above, however, the marketplace of ideas reflects well-established First Amendment law and educators cannot simply ignore the law. Educators, accordingly, must consider other norms in addition to civility. Given that the fundamental flaw of the Day of Dialogue is the failure to display mutual respect for differing truth claims, a logical additional civic norm would require mutual respect for conflicting worldviews and religious beliefs.

Such mutual respect does not have to entail avoiding conflicting truth claims or adopting relativism. Although scholars such as John Hick (1982, 2004) have advocated an ecumenical form of pluralism that stresses commonality across religious difference, this ecumenical approach does not accommodate exclusivist truth claims (Dueck, 2014). The result is a limited form of pluralism that effectively fails to include those who hold exclusivist truth claims, such as many conservative Christians. To ensure mutual respect but avoid such exclusion, an expanded form of pluralism is needed that entails mutual respect for conflicting worldviews and religious beliefs understood as more than mere tolerance, but not unqualified acceptance.

One of the most prominent scholars in religious studies to propose such an alternative conception of pluralism is Diana Eck (Eck, 2001, 2007). In contrast to Hick, Eck (2001) defines pluralism as "the dynamic process through which we engage with one

another in and through our very deepest differences" (p. 70). For Eck, pluralism involves "active engagement with . . . plurality," "the active attempt to understand the other," and "the encounter of commitments" (pp. 70-71). The last point is critical. As Eck explains, pluralism "does not displace or eliminate deep religious commitments," but rather "is engagement with, not abdication of, differences and particularities" (p. 71).

Unlike the limited form of pluralism reflected in the ecumenical vision of pluralism, the conception of pluralism Eck advocates can accommodate those with exclusivist truth claims. This latter form of pluralism asks individuals with such truth claims to display mutual respect for conflicting worldviews not by abandoning the exclusivity of their truth claims, but rather by acknowledging that the reasoning they find sufficient for their beliefs may not be sufficient for others. Including this conception of pluralism as civic norm for negotiating conflicting worldviews and religious beliefs adds additional dimension to the framework of free expression and civil discourse.

Because Eck's conception of pluralism enables individuals to approach differing truth claims without having "a forced choice between dogmatism or parochialism on the one hand and relativism or skepticism on the other" (Goodman, 2014, p. 2), students, such as conservative Christians who view non-heteronormative behavior as immoral, can affirm the truth of their beliefs without insisting that others accept such beliefs. Because fidelity to their beliefs is no longer linked to occupying a dominant social position, pluralism enables students to reconsider existing power relationships without having to compromise their identities. Conservative Christian supporters of an event called the "Golden Rule Pledge," for example, consider non-heteronormative behavior immoral, but support laws recognizing same-sex marriage and anti-harassment policies that specifically including sexual orientation (Randall, 2013).

Implications and Limitations

The discussion above calls into question the dominant emphasis on legal principles, particularly the First Amendment, in guidelines and resources on religion and education, including religious expression on contested social issues (American Jewish Congress, 1995; Freedom Forum, 1995; U.S. Dept. of Ed., 1998, 2003; Haynes & Thomas, 2007; American Jewish Committee & First Amendment Center, 2012). The law may impose requirements on educators, but it does not eliminate discretion. Rather than merely ask what is legally permissible in a situation, educators should ask what is normatively desirable. With respect to negotiating differing worldviews and religious beliefs, an additional desirable norm is pluralism.

The norm of pluralism, however, is not without limitations. Like civil discourse, it balances the First Amendment's broad protection of free expression and thus represents a compromise. In the context of religious student speech opposing non-heteronormative behavior, the norm of pluralism discourages speech associated with the Day of Dialogue. Pluralism, however, does not necessarily discourage all religious speech critical of non-heteronormative behavior. It is possible to oppose non-heteronormative behavior on theological grounds, yet still display mutual respect for conflicting worldviews and

religious beliefs (Randall, 2013). Nonetheless, by discouraging certain perspectives on the issue, the norm of pluralism raises the paradox of toleration: a tolerant society can survive only if it is intolerant of some beliefs (Stolzenberg, 1993; Macedo, 2000; Spinner-Halev, 2000). The norm of pluralism, however, *maximizes* tolerance consistent with the mutual respect required in such a society (Thiemann, 1996; Connolly, 2005).

Conclusion

Writing in the midst of the Second World War, Reinhold Niebuhr (1944) noted the fundamental challenge diversity poses in a democracy:

> One of the greatest problems of democratic civilization is how to integrate the life of its various subordinate, ethnic, religious and economic groups in the community in such a way that the richness and harmony of the whole community will be enhanced and not destroyed by them. (p. 124)

Preparing students for citizenship in a diverse society whose members hold deeply conflicting worldviews and religious beliefs, accordingly, is an essential task of civic education in a democratic society. As the Day of Dialogue demonstrates, however, the dominant emphasis in the United States on civil discourse as a means to moderate free expression is normatively insufficient to accomplish this task. When applied to lightning rod issues, such as sexual orientation, the norms of free expression moderated by civility fail to acknowledge structural inequities in the marketplace of ideas and do not require meaningful mutual respect for differing perspectives. To fully prepare students for a diverse democratic society, educators also should promote the more robust norm of religious pluralism as understood by Eck.

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Brendan W. Randall, J.D., Ed.M., M.T.S., is the Director of Campus Engagements at Interfaith Youth Core, a non profit organization devoted to promoting interfaith cooperation and religious pluralism in higher education, and an advanced doctoral candidate at the Harvard Graduate School of Education. He also is a former Senior Research Associate for the Pluralism Project at Harvard University.