Tolerance Meets the Intolerable:
Bounded Tolerance and a Pedagogy of Welcome

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THE INCIDENT

In March 2015, members of the University of Oklahoma (OU) chapter of Sigma Alpha Epsilon (SAE) fraternity were caught on video chanting racist chants.[1] The video quickly went viral, and received national as well as local attention.[2] The event created a teachable moment on the OU campus, and the President of the University, David Boren, reacted in a way that was both outside the usual protocols of disciplinary procedures and, precisely for that reason, morally educative. His response was both distinctly injudicious and morally formative. I contend that had it been more judicious, it would have been less powerful. .

The video surfaced on Sunday, March 8, 2015. The next day, OU President David Boren issued the following statement:

> To those who have misused their free speech in such a reprehensible way, I have a message for you. You are disgraceful. You have violated all that we stand for. You should not have the privilege of calling yourselves "Sooners." Real Sooners are not racist. Real Sooners are not bigots. Real Sooners believe in equal opportunity. Real Sooners treat all people with respect. Real Sooners love each other and take care of each other like family members. Effective immediately, all ties and affiliations between this University and the local SAE chapter are hereby severed. I direct that the house be closed and that members will remove their personal belongings from the house by midnight tomorrow. Those needing to make special arrangements for possessions shall contact the Dean of Students.[3]

Two chapter members, easily and clearly identified in the video as the leaders of the chant, were summarily dismissed from the University, and the chapter was disbanded and ejected. In the discussion of President Boren's response to this event that follows, I will focus on two aspects in particular: first, that he does not follow university procedure for dealing with violations of the student handbook; second, instead, he responds with obvious emotion. The language of this response is one of moral condemnation: "violate," "reprehensible," "disgraceful," "bigots."

This is the language of public moral education. It is an example of public shaming where the purpose is the moral formation of the r*est of the university community*, not the individuals guilty of the offense. Hence Boren says in his initial response: "We vow that we will be an example to the entire country of how to deal with this issue."[4] He speaks in the language of *norms*, which is quite different from appealing to the Student Handbook, a set of *rules* and *procedures*.

President Boren's response is an example of *moral* pedagogy, a pedagogy that values *membership* over *compliance* and teaches members to do the same. By the strength of his condemnation, Boren labeled the behavior of the SAE members as intolerable, and his dismissal of the identified students declares that this sort of behavior, because it is intolerable, will not be tolerated. These are related claims:

if tolerance is itself a virtue, it becomes difficult, if not incoherent, to respond appropriately to what is properly intolerable. Boren declared the University to be a certain kind of moral community, and as such defined by what it will not tolerate as much as by what it demands.

First, I will briefly sketch the difference between *rules* and *norms*. I will then argue that Boren engaged in a serious form of moral education. Next I will defend the proposition that it is not only intolerance that can be corrosive to democratic life, but also unbounded or unlimited tolerance. Finally, I will ground the discussion with a consideration of what this kind of moral education entails and its relationship to preparation for democratic life.

Rules and Norms

The differentiation between *rules* and *norms* is crucial to understanding the nature of moral development and moral agency.[5] Schools often act as though compliance with rules is all that we should expect of our children. The problem with this is that compliance with rules has little if any connection to moral agency. The practice of school discipline sometimes seems intended to deny the child the opportunity to develop moral agency.

Discipline "programs," such as Lee Canter's "Assertive Discipline,"[6] that use a regime of rewards and punishments to teach obedience, are designed to prevent the development of free will and to ensure that children comply with the rules established by the teacher. As we will see, there are alternative pedagogies that work with children to help them become moral agents who recognize the consequences of their actions, both on others and, perhaps more importantly, on themselves, that is, on the kind of person they are becoming.

It is very easy to teach children what the rules are, that is, what we expect of them. But that in itself gives children very little reason to comply. Rules are obeyed when there is supervision, but not reliably otherwise. This is the problem with thinking of what adults do to children in terms of *discipline*.[7] Until and unless we help children understand the *reason* for the rules, they will not develop moral agency. When we have internalized the rules as norms, we live by them because it is good to do so, not because of rewards and penalties.

Rules are what we understand others expect of us; *norms* are what we expect of ourselves and those with whom we share moral membership. And one of the dangers of an externally-imposed discipline, reinforced with rewards and punishments, is that we will teach that a norm of *obedience* is more important than *agency*. Clearly, this is not a promising condition for democratic citizenship.

The task of democratic moral education, then, is to form individuals so that they are able to exercise the moral agency expected of democratic citizens: we are unlikely to be successful at collective self-government if we are not first successful at individual moral agency, and this means, whatever else it might entail, that we must help children to acquire the norms of democratic life, not merely to learn to do as they are told.

A Pedagogy of Welcome

I have begun recently to think of moral formation as entailing a *pedagogy of welcome*, where morally normative communities help initiates to become *members*, that is, certain kinds of people. Sch communities are focused not so much on controlling behavior and gaining compliance, as on forming a person who characteristically acts in a certain way. The assumption in such communities is that desirable results follow from a well-formed conscience. As I reflected on the SAE incident, I became increasingly convinced that I was seeing an instance of a welcoming pedagogy.

While "pedagogy of welcome" sounds like something gentle and kind, it is often quite demanding. This sort of pedagogy is rooted in a morally formative, and often demanding, normative community: it is deeply and inescapably a *moral* pedagogy. Exemplars of what I mean by a pedagogy of welcome include the Marines, fundamentalist and other strict religious traditions, and gangs. None of these would be considered to be "soft." Further, though these sort of communities are indeed welcoming to new members, not everyone qualifies for membership.

Communities need not be quite so demanding: civic organizations, Boy and Girl Scouts, academic disciplines, sports teams, and theater groups would all qualify as communities that initiate members in a way that is welcoming. Consider not only what makes us feel welcomed in a community. This obviously is part of being welcoming. But also, what attracts an individual to a community? It cannot be merely that one is welcome to join, for we are all welcome to join many organizations that we would rather not. Membership must be positively attractive: I must want to be *like that*.

We can be born into communities: family, ethnicity, culture, nation, community, and religion are some examples of this. Before we have any agency, we are, at least in some attenuated and provisional sense, members of such communities. Thus we speak of "birth-right Quakers" and "cradle Catholics."

As we mature we make decisions about the memberships we wish to hold. Some of them are new. As we move from the circles of family and neighborhood to enter new communities, we are exposed to ways of thought different from our roots. Sometimes we affirm earlier, unthinking and unchosen memberships. As we fashion our adult identities, we can either affirm our membership in communities of origin, or we can enter new communities, and most likely we will do both, since we are products of several overlapping normative communities (class, ethnicity, gender, religion, political, etc.).

Here I am concerned with memberships we might call aspirational: these are distinguished by the fact that prospective members seek them out and are willing to work, even suffer, in order to earn membership. The United States Marine Corps might be the prototype for this, but we can all think of other examples. Certainly, within many neighborhoods, gangs are the demanding but desirable morally normative communities that attract members with a pedagogy of welcome. Let us consider some of what they have in common.

First of all, attaining membership is not a right, but a rite. The Marines understand themselves as an elite and selective organization, and this forms their carefully

crafted public face: "The few. The proud. The Marines," as their tagline goes. Second, initiation into membership is transformative: "Once a Marine, always a Marine." One can retire from the Marines, but one cannot stop being a Marine. To enter these kinds of communities is to commit to being a certain kind of person, and to developing a certain set of virtues. Third, that there is a high bar to membership is part of what makes membership both transformative and desirable: becoming *like that* is widely recognized as an admirable and worthy achievement.

A fourth aspect of people wanting to be *like that* is that the ideals are not just difficult to attain, they are also desirable. It is not only that there are relatively few Marines, but also that they are *proud*. Again, this is something that goes far beyond the Marines: people are proud to live according to the moral purity of some religious traditions; in academia we are proud to complete our dissertations, to achieve tenure, to have our papers accepted at conferences, and to be promoted. People subject themselves to the trials of initiation because the ideals of the organization, apart from the fact that passing them is a sign of some significant achievement, commit us to do some good work.

A fifth aspect of a pedagogy of welcome is that the organization's current members make clear that new members, once they have passed whatever tests are part of the initiation rituals, are valued for their unique contributions to the group, its goals, its mission, and other members. This suggests a balance between individuality and membership: the individual members each make their unique contribution to the mission. In return, membership grounds, and gives meaning and purpose to, the individual.

If I am correct about this, it presents serious challenges to public schools as morally formative institutions. First of all, of course, public schools have a very low barrier to entry/membership, which is to say, none. One has to show up, and one is in. So membership cannot be aspirational. Though one may have aspirations that the school can help one to achieve, membership in the US public school is not itself aspirational.[8]

Similarly, in a culture that rightly values and pursues diversity, it is difficult to achieve the kind of moral clarity necessary to make membership intrinsically satisfying. Public schools serve a diverse public and must, in honor of that diversity, agree to operate in accordance with procedural arrangements consistent with a thin consensus.[9] Thus schools tend to function as rule-based institutions with an emphasis on externally imposed "discipline" and classroom "management." *A thin consensus provides procedures for keeping order, but it gives members little to love, indeed, little sense of membership.*

In contrast, a pedagogy of welcome must point to what the organization is about and the demands of membership. Acceptance, tolerance, and the procedures established within the bounds of thin consensus serve democratic polities well most of the time and in normal circumstances, but under certain conditions it is moral outrage that is called for in the service of moral formation. Public schools generally do not focus very much on explicitly moral or even idealistic goals, and yet, as we shall see, it is possible for them to do so in at least a limited way.

Intolerance as a Democratic Virtue

I would not deny for a moment the importance of tolerance for a democratic polity. This is accepted by most of us as unproblematically true. My thesis is that while it is true that we must foster tolerance, it is not unproblematically true. Like tolerance, intolerance is a necessary part of democratic life. The mediating virtue here is wisdom and discernment, what the Greeks called *phronesis*.

What we have to contend with in shaping a democratic polity is twofold: first, we must recognize that tolerance is a virtue and, like any other virtue, we can we can get it wrong from either a deficit or an excess, as Aristotle pointed out. The trick is to get it right: not just to be tolerant, but to be *properly* tolerant, and properly *intolerant*.

Note that that I am primarily concerned with confronting actions that are intolerable in the sense that they make democracy less likely and/or less democratic; that is, I am focusing on intolerable *activity* rather than *beliefss,* which are often the concern when addressing questions of tolerance in schooling.[10] However, this difference may be more heuristic than real: in free societies, beliefs and attitudes have a way of being expressed in actions.

In the SAE incident, the speech and the attitudes of white supremacy were tied together as a commitment to segregation. No physical violence was perpetrated. No one was physically assaulted or hurt. Indeed, no persons of color were present on the bus to be directly confronted by the speech. It was, as speech, arguably fully protected by the First Amendment, and OU is a government institution, where First Amendment protections apply. Nevertheless, it is my contention that President Boren's actions were not only justified, they were morally exemplary, and they provide us with an example of moral pedagogy.

There is generally a process, based on a thin consensus about procedures and limits of acceptable behavior, to call to account those who violate the rules of their community. Call these "ordinary" transgressions: if I speed, I pay a fine; if I defy my teacher, I get detention. School discipline policies procedurally address rule violations: the premise is that one should penalize as quickly and quietly as possible - "deal with the behavior, not the child" - and return to the task at hand as expeditiously as possible. The unstated but obvious assumption of this approach is that time spent in moral formation is time wasted: focus on behavior, and as briefly as possible.

There is, however, another sort of violation: the violation of *norms*, not just of rules. That is what the SAE case presents to us. There is, no doubt, something in the OU Student Handbook that prohibits the kind of speech that was recorded on the bus that evening. There is also, no doubt, a specified procedure for addressing these violations and a range of specified penalties. What, then, to make of President Boren's summary dismissal of the clearly identified students?

When the violations are not only of rules but also of deeply held core and defining moral commitments, routine imposition of prescribed penalties may be insufficient. The community must have a way to mark certain things as intolerable, specifically, *morally* intolerable: *not just violations of rules, but contradictions of the very ideals that make us who we are*. In such cases, we should see the demonstration of intoler-

ance as morally educative in precisely the sense that it marks the moral boundaries of the community: this *we* do not do. Functionally, it establishes what is taboo and what is sacred. The ritual of punishment is a rededication of the law, which, though broken, is still in force.[11]

Recall, however, that there are two kinds of violation: those that are routine and almost-to-be-expected, and those that shock us as almost unthinkable. So, while we expect a certain level of crime – theft and violence are pretty much normal parts of human social life – we do not expect, for example, cannibalism. Some violations do not just make us want punishment, nor even just offend us, but they shock us as alien, as other.

The outrage and offense evidenced by President Boren in the incident described above is one of the ways that we mark certain transgressions as shocking, as *not us*. As Green[12] pointed out, *merely enforcing a law or rule does not make it a norm*. This is the point of Boren's *public* and *immediate* condemnation of the actions of the leaders of the chant. Adjudication will do for normal violations, but actions that threaten the very identity of the moral community require *outrage*. *Without moral outrage, these violations of core identity are transformed into merely ordinary offenses*.

By acting injudiciously, demonstrating outrage, and claiming that "We have no room for racists and bigots," University President Boren was trying to make the statement true when obviously it is not (yet). There are two basic principles at stake here: on the one hand, we are entitled to ask who "we" is, and on the other hand, there is the question of whether "we" are racists – whether there are racists among us. Put that way, I am sure that President Boren would admit that some Sooners are racists, but they are not the *Real* Sooners. This is an aspirational performance. His goal is to shape the university's identity by enacting its rejection of racism. Boren's response was outside of the legalistic responses that liberal democracies are generally assumed to require.[13] Instead of acting within the constraints of a thin consensus that defines procedures for rule violations, Boren reacted with the emotional resonance indicative of a much thicker consensus.

BOUNDED TOLERANCE IN PRACTICE

What follows when a member of a community commits an intolerable act? David Boren's response to the incident on the SAE bus shows us one possible response: exclusion. In effect, the lesson was something like: "We are not racists. You obviously are a racist. You are not one of us and you must go. We refuse you membership in this community, and we exile you from it."

Exile and expulsion are not the only possible responses, however. The restorative justice movement is an alternative that has recently gained attention, primarily in the criminal justice community.[14] However, good schools have always modeled this sort of response to violations of norms. Two exemplars of this sort of teaching are Vivian Paley[15] and Deborah Meier.[16]

Paley describes how she became uncomfortable with the way some children in her kindergarten class were systematically excluded from play and social life in the class. She decided that she could not continue to stand idly by while these acts of

exclusion took place in front of her. After discussion and deliberation, she decided that she was going to try to stop this kind of behavior: she made a new rule for her kindergarten class: "You can't say, you can't play."

What is interesting about the story she tells is less that she made the rule than the way she made the rule, and, furthermore, the way the rule came to have meaning. She invested a great deal of time before the rule was made in exploring how her current and former students felt about the rule. Generally, they thought it was a good idea, but impractical. Other students expressed concern that they would not be allowed to choose their own friends with such a rule in force, and that this would not be fair.

Paley's response to the second objection was to distinguish between friendship and civic membership. Defending a real, if not always clear, distinction between the private and public realms, Paley explained to her children that they had the right to select their friends in their private lives (weekends, for example, and after school), but they did not have the right to limit the participation of others in public (civic) spaces. And school, she made clear, is a public space, not a private or personal one. The governing ethic was not *friendship* (about which we exercise discretion) but *civic membership* (about which we do not).

The relevance to my discussion here, however, lies in seeing this as an example of welcoming pedagogy. There are two constant themes: the first is that civic membership is not hierarchical. So strong was this commitment that the first application of the new rule was to herself. She announced to the class that she would no longer use time-out as a disciplinary tool: to do so, she said, would violate the rule. This seems significant to me: she began the process of giving meaning to the new rule by claiming that the class is a public space in which all have equal standing; even she cannot exclude members of the group from the group. It is difficult to imagine a practice more different from the effort of discipline programs to control students' behaviors. The second theme she exemplifies is that membership places demands on us: if we want to be members of the community, we must extend hospitality and welcome to our fellow members. This is not always easy, and to do so is a significant achievement.

Meier also demonstrates a pedagogy of welcome in her practice. In one clear example of this, she finds a group of students bullying one of their peers. In her office she talks to the boy who appears to be the leader of the bullying. She asks him whose side he is on in such cases. At first, he claims to not be on anybody's side; he is neutral. Meier persists: "if someone is being cruel to someone else, if someone is the victimizer and someone the victim, rapist and raped, abused and abuser – can you really be neutral?" To that, the boy answered: "No, I am never with the abusers."[17]

The significant feature of this exchange for this inquiry is that the discussion Meier had with the student did not focus on existing *rules* about bullying. The question of whose side you are on is much like asking "what kind of person are you?" It does not focus on a rule, but on understanding the nature of social membership: How should we act toward others? Meier, like Paley and like Boren, is making the point that it is not just that there are rules against acting in certain ways. It is not

that racism, bullying, and exclusion are wrong because we have rules against these things, *but that we have rules against these things because they are wrong*. This is the core meaning of moral education: the connection between who and what we should be and the rules and expectations others have of us.

Conclusion

Tolerance is commonly and rightly understood as a democratic virtue, and one of which we have a serious deficit. However, and paradoxically, it may be the case that the opposite is also true: that intolerance of the intolerable, demonstrated publically and forcefully, is also a democratic virtue. The key is not to include one or the other, but to mindfully include both: to tolerate those differences that are an important part of any healthy democratic society, while *mindfully identifying what is intolerable and publically refusing to tolerate it*. Public schools, if they are to be institutions committed to the development of democratic citizens, must teach not only the virtue of tolerance, but also the limits and conditions of what a decent society can tolerate and still be decent and democratic.

1. Available on YouTube: https://www.youtube.com/watch?v=dG-wq6SJqjU

2. Manny Fernandez and Richard Perez-Pena, "As Two Oklahoma Students Are Expelled for Racist Chant, Sigma Alpha Epsilon Vows Wider Inquiry," *New York Times*, March 10, 2015; http://www.nytimes.com/2015/03/11/us/university-of-oklahoma-sigma-alpha-epsilon-racist-fraternity-video.html

3. K. Query and KFOR-TV (Mar 9, 2015), "'I'd Be Glad If They Left,' OU Addresses Racist Chant Reportedly Made by Fraternity Members," KFOR News; http://kfor.com/2015/03/09/id-be-glad-if-they-left-ou-addresses-racist-chant-reportedly-made-by-fraternity-members/

4. Query and KFOR-TV, "I'd Be Glad if They Left."

5. This discussion of norms draws heavily from Thomas F. Green, "The Formation of Conscience in an Age of Technology," *The American Journal of Education*, 94 no. 1 (1985): 1-32.

6. Lee Canter, *Assertive Discipline: Positive Behavior Management for Today's Classroom* (Bloomington, IN: Solution Tree Press, 2010).

7. John F. Covaleskie, "Discipline and Morality: Beyond Rules and Consequences," *Educational Forum*, 56, no. 2 (1992): 173-183.

8. Note that this is not true for some elite schools and especially for elite post-secondary schools. There is quite a high bar to entry into the Ivy League schools, for example, and people tend to be proud of admission and attendance.

9. John Rawls, *A Theory of Justice* (Cambridge, MA: Belknap Press, 1971/1999).

10. See, for example, Ann Chinnery, "Cold Case: Reopening the File on Tolerance in Teaching and Learning across Difference," in *Philosophy of Education 2005*, ed. Kenneth R. Howe (Urbana-Champaign, IL: Philosophy of Education Society, 2006): 195-199; Elisabet Langmann, "Welcoming Difference at the Limit of Toleration," in *Philosophy of Education 2010*, ed. Gert Biesta (Urbana-Champaign, IL: Philosophy of Education Society, 2011): 333-336; Jeffrey A. Milligan, "Truth, Faith, and Tolerance," in *Philosophy of Education 2004*, ed. Chris Higgins (Urbana-Champaign, IL: Philosophy of Education Society, 2005): 233-241.

11. Emile Durkheim, *On Moral Education: A Study in the Theory and Application of the Sociology of Education*, trans. Everett Wilson and Herman Schnurer (New York: The Free Press, 1961), Chapters 11-13.

12. Green, "The Formation of Conscience in an Age of Technology."

13. Jay Chilton, "Boren Says OU Will Not Tolerate Racism," *The Norman Transcript*, March 9, 2015; http://www.normantranscript.com/news/university_of_oklahoma/boren-says-ou-will-not-tolerate-racism/article_2ce6f7e1-dbd3-502c-a457-e661648205cd.html

14. John Braithwaite, *Crime, Shame, and Reintegration* (New York: Cambridge University Press, 1989/2007); Daniel W. Van Ness and Karen H. Strong, *Restoring Justice: An Introduction to Restorative Justice, 5th Edition* (New York: Routledge, 2014).

15. Vivian Gussin Paley, *You Can't Say, You Can't Play* (Cambridge, MA: Harvard University Press, 1992).

16. Debora Meier, *The Power of Their Ideas: Lessons from a Small School in Harlem* (Boston, MA: Beacon Press, 1995), 86-88.

17. Ibid., 86.