# TOWARD A MORE PERFECT UNION: RELIGION AND EDUCATION IN AMERICAN PUBLIC SCHOOLS

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A dissertation submitted to the Faculty
of the Department of Religious Education and Pastoral Ministry
in partial fulfillment
of the requirements for the degree
Doctor of Philosophy

Boston College
Morrissey College of Arts and Sciences
School of Theology and Ministry

May 2021

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## Abstract

The public schools in the United States fail to deliver a curriculum that adequately addresses religion in general and the many world religions in particular. This lacuna does not represent the constitutionally required neutrality of schools toward religion(s) and non-religion, but instead indicates the existence of what the author terms *the hostility of neglect*. When the curriculum privileges non-religious epistemologies, ideologies, and worldviews, such as secularism and scientism, often to the exclusion of religious ways of knowing and making meaning, then the schools violate the First Amendment of the Constitution as interpreted by the Supreme Court. In this dissertation, the dominant myths of America's founding are examined historically in an effort to provide a thick description and critical analysis of the reigning meta-narratives that influence the debate concerning religion in American public schools (chapter 1). Then, turning to the particular, some current models of inclusion or exclusion of religion(s) in/from the curriculum are identified and examined, with a brief proposal for a new way forward

called the Meaningful Inclusion Approach (chapter 2). To demonstrate the constitutionality of this new proposal, a careful study of the Constitution and its interpretation by the Supreme Court is presented, highlighting especially the demand for neutrality and the Court's positive opinion concerning teaching about religion(s) in public schools as part of a secular program of education that is considered complete (chapter 3). The constitutional question is followed by a critique of the reigning educational paradigm, which is unduly subservient to the market economy, too narrowly focused on STEM technical knowledge, and hyper-individualistic. In an exploration of alternative educational philosophies, warrant is found for not only *teaching about* religion(s) but also *learning from* religion(s), thus taking seriously the demands of neutrality and the promise of a holistic, liberal education (chapter 4). The author then proposes resituating the educational project in terms of the common good. A basic framework is proposed for education that is rooted in a healthy understanding of the human person in society, and which calls for a problem-posing approach to education that values cooperation, building bridges through dialogue to encourage the virtue and commitment of solidarity, and openness to both religious and non-religious contributions to human knowledge and wisdom (chapter 5). Finally, a consideration of the unique circumstances of our post-secular age and the urgency of the need for religious literacy in a globalized world is presented as a major rationale for changing the curricula of our public schools without delay. The dissertation concludes with a proposal for the Meaningful Inclusion Approach (MIA) to learning *about, from,* and *with* religion(s) in age-appropriate ways from kindergarten through grade 12 (chapter 6).

**DEDICATION**

In memory of my father,

John F. Dowd, Sr.,

who passed away from Parkinson's Disease

on March 24, 2020,

with love and gratitude.

*Requiescat in pace*

†

## ACKNOWLEDGEMENTS

Writing a dissertation is a major undertaking that I could not have completed without the assistance, prayers, guidance, and encouragement of many people. First off, I would like to thank my committee—Tom Groome, Michael James, and Richard Lennan—first rate mentors and scholars, who patiently encouraged my growth as a colleague and as a person. My advisor, Tom Groome, deserves a special note of gratitude for years of wise guidance and unfailing belief in me since he first advised me in the former Institute of Religious Education and Pastoral Ministry's M.Ed. program. One benefit of having Tom as an advisor is that his spouse, Colleen Griffith, is part of the deal, and her quiet encouragement and example has benefitted me greatly.

I owe a debt of gratitude to the wonderful librarians at both Boston College and The College of the Holy Cross in Worcester, MA. Their expertise and constant availability has been an unfailing resource. Steve Dalton, Head of the Theology and Ministry Library, added personal and spiritual friendship to the mix.

The faculty and administration of the School of Theology and Ministry at Boston College is an intellectually and spiritually invigorating group of scholars to whom I am indebted. I have been blessed to study with them and to call them friends. The scholars of the Lynch School of Education have also greatly impacted my thinking and my practice of teaching, and I am thankful for their expertise. I am also grateful to the distinguished professors of theology and philosophy with whom I have had the pleasure of studying in the Department of Theology at Boston College. The Ph.D. program in Theology and Education is exceptional in its collaborative approach across three different schools

within the university. I am grateful for it, and for my colleagues in the program who have often cheered me on when I didn't feel like I would make it. The gift of their friendship is a treasure indeed! The non-academic staff members of the various schools are equally worthy of attention and gratitude for their support and for the caring community they help to shape on a daily basis.

A special thank you is due to Erik Owens, former Director of the Boisi Center for Religion and American Public Life at Boston College. In his *Religion(s) and American Public Schools* course, he encouraged my work, pointed out important resources, helped me to refine my thinking, and even gifted me with a copy of *The Bible and Its Influence.*

Two professors from outside the Boston College system deserve a special note of gratitude as well. Diane Moore at Harvard Divinity School encouraged my research and introduced me to many of the items in my bibliography. I was privileged to take a class with her through the Boston Theological Interreligious Consortium. Nel Noddings has also supported my work, even meeting with me at her home to discuss some of the major themes of this dissertation. Her many books have influenced my thinking profoundly.

I would not have even considered a Ph.D. program, nor succeeded in it, without the encouragement, wise counsel, friendship, and expertise of Maura Colleary, whose work as an associate dean in the School of Theology and Ministry is second to none.

I would like to express my appreciation as well to my colleagues at Anna Maria College, especially Jim Bidwell and Marc Tumeinski, who not only adjusted my teaching schedule to make it easier for me to complete the writing, but also added their personal support and friendship.

I am grateful to my many students over the years, from elementary school through graduate school, who have helped to shape my thinking and to refine my practice. It is for the good of students that I undertook this project: for their holistic development and for the betterment of the world in which they live.

To all my teachers over the years, from those first caring professionals in nursery school; to those who taught me to read and write; to those who taught me to think critically and challenged me to pursue the true, the good, and the beautiful: thank you!

A special thank you to Timothy J. Cooney, Jr. and Mamie Collins, who have cheered me on and supported me in various ways. To my friends from Harvard University, Capuchin Youth and Family Ministries, Mother Cabrini High School, St. Bernard's High School, Sutton Public Schools, the Central Mass. Safety Council, Worcester Public Library, St. Mary's Healthcare, Bayard Inc., Twenty-third Publications, Pflaum Publishing Group, Boston College, and Anna Maria College: thank you for your support and your unfailing confidence in me.

My family has been my chief support throughout this entire process, emotionally, spiritually, and financially. I am grateful, especially to my mother and my late father, who opened their home to me as a writer's retreat and made the completion of this work possible. More importantly, they raised me to embrace both faith and reason. Behind everything I write is their incomparable influence and love.

Finally, I am grateful to God for the gift of life itself and for the intellectual life of *fides quarens intellectum*. I am obliged, as well, to the Catholic community in which I was raised and in which I have encountered Christ, especially in the Diocese of

Worcester, some of whose members have prayed for me and my success for many years. Their prayerful support and spiritual friendship is a blessing! My faith and intellectual journey has been enriched by many outside of my own faith community as well. To those of various faith traditions and of none; those committed to peace, human dignity, and religious liberty; those friends whose religious and/or secular commitments have enriched my own and with whom dialogue has been a source of solidarity in our work for the common good: thank you!

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“Establishing a lasting peace
is the work of education.”

-Maria Montessori, *Education and Peace*

# CHAPTER 1: America's Founding Myths

## *1.1 Introduction and Thesis*

In the United States today public schools are, by and large, failing to include the topic of religion and the study of religions[1] adequately in the curriculum, resulting in an education that likewise fails to meet the needs of a pluralistic, democratic society and an increasingly globalized world. Moreover, by neglecting to treat religion(s) as worthy of in-depth academic study, the schools fail to deliver a truly liberal curriculum, a curriculum that is holistic in its approach and broad in its sweep. Students are often graduated with a significant lacuna in their academic knowledge of religion(s)[2] and may be left with an inferred sense that religion(s) is not important or worthy of study, and that it has nothing to contribute to the important public conversations about the human person,

[1] Hereafter, I will abbreviate the related concepts of religion generally and particular religions specifically with the designation "religion(s)."

[2] Gabriel Moran refers to "a scandalous ignorance of religion" in American society, and quotes Carey McWilliams concerning the need for religious education in the schools: "In an era when religion and morals are less a matter of habits and givens, religious education is a critical part of civic education; secularity calls for schooling in the sacred." (Gabriel Moran, "Religious Education in United States' State Schools," in K. Engebretson et al. (eds.), *International Handbook of Inter-religious Education,* International Handbooks of Religion and Education 4 (Springer Science+Business Media B.V., 2010), p. 141). Damon Mayrl calls American public education "extraordinarily secular in comparative perspective." (Damon Mayrl, *Secular Conversion: Political Institutions and Religious Education in the United States and Australia, 1800-2000* (New York: Cambridge University Press, 2016), p. 248). Diane Moore writes, "Though the Unites States is one of the most religiously diverse nations in the world, the vast majority of citizens are woefully ignorant about religion itself and the basic tenets of the world's major religious traditions." (Diane L. Moore, *Overcoming Religious Illiteracy: A Cultural Studies Approach to the Study of Religion in Secondary Education* (New York: Palgrave Macmillan, 2007), p. 3). Warren Nord writes, "It is true that over the last several decades a new national consensus has developed about the role of religion in public schools—yet this agreement on principles has resulted in few changes in practice. School textbooks still largely ignore religion except in the context of distant history. The national content standards for K-12 education essentially ignore religion (except, again, in the context of history). Courses in religion are not even elective possibilities in most public schools… American education proceeds on the assumption that God is either dead or irrelevant… it borders on secular indoctrination." (Warren A. Nord, *Does God Make a Difference? Taking Religion Seriously in our Schools and Universities* (New York: Oxford University Press, 2010), pp. 4-5).

society, morality, and our knowledge about the world. Yet, any informed person looking at the world today understands that religion is a powerful force for good and evil; a powerful motivator and source of meaning in life; a significant factor in elections and the making of public policy; a critical factor in diplomacy, war, and peace; and an influential factor in epistemology, i.e. the philosophical underpinnings for deciding what counts as knowledge and truth. Religions have also been important historically, in this country and worldwide, and students are left without an adequate understanding of who we are as peoples without grasping these roots. Culturally, religions have been tremendously important; and art, literature, music, architecture, and other forms of cultural expression are incomprehensible, in many cases, without an understanding of religious influences and meaning.

An education that fails to address religion(s) in a sufficient manner can hardly be considered comprehensive, liberal, or holistic. It does not prepare students to critically inherit the knowledge and traditions of the past, nor to contribute meaningfully to the ongoing development of knowledge regarding religion(s) and religious-philosophical questions of faith, morals, and meaning in our time. In a world suffused with spiritual epistemologies, practices, and identities, a deficient education regarding religion(s) leaves students impaired when it comes to critically assessing truth-claims and recognizing the boundaries and limited scope of the various fields of knowledge. Science, for instance, may become scientism when it is presented as the sole reasonable source of knowledge, making truth-claims beyond its legitimate competency. An incomplete education leaves

students *religiously illiterate,*[3] unprepared to understand the complex discourses of the contemporary world, and ill equipped to contribute meaningfully as citizens having the tools for making sense of religious people and religious ways of making meaning in life. By treating religion(s) in only a cursory manner, we may also leave students with a skewed understanding, such as when Islam is mentioned only in light of terrorism or when Catholicism gets the spotlight only for the Crusades and the Spanish Inquisition. Finally, by neglecting to take religion(s) seriously in the curriculum, we disregard the evidence that human persons, historically and currently, are spiritual beings whose faith and spirituality, however they are defined and practiced, are critical components of their being and, hence, of their political sensibilities, i.e. their being-in-community.[4]

In short, by failing to give religion(s) the serious recognition it warrants in the curriculum, the public schools in the United States are largely failing students and society

[3] Diane Moore considers this the "minimal standard necessary for achieving religious literacy": "Religious literacy entails the ability to discern and analyze the fundamental intersections of religion and social/political/cultural life through multiple lenses. Specifically, a religiously literate person will possess 1) a basic understanding of the history, central texts, beliefs, practices and contemporary manifestations of several of the world's religious traditions as they arose out of and continue to be shaped by particular social, historical and cultural contexts; and 2) the ability to discern and explore the religious dimensions of political, social and cultural expressions across time and place." (Diane L. Moore, *Overcoming Religious Illiteracy: A Cultural Studies Approach to the Study of Religion in Secondary Education* (New York: Palgrave Macmillan, 2007), pp. 56-57). Stephen Prothero offers a different, though related, definition: "…religious literacy refers to the ability to understand and use the religious terms, symbols, images, beliefs, practices, scriptures, heroes, themes, and stories that are employed in American public life… religious literacy is not just the accumulation of facts… religious literacy includes narrative… It is the ability to participate in our ongoing conversation about the private and public powers of religions." (Stephen Prothero, *Religious Literacy: What Every American Needs to Know—And Doesn't* (New York: HarperOne, 2007), pp. 17-18).

[4] Michael James, Thomas Masters, and Amy Uelmen quote Thomas Groome to remind us that the problem extends not only to students but to educators: "In *Educating for Life*, Thomas Groome suggests that American culture imposes a subtle but clear expectation upon educators that their work must transcend the influence of their own spirituality, thus precluding a prime source of humanizing influence. Groome argues that 'Without spiritual foundations, educators are left with only philosophical ones, and although the latter are necessary and valuable, they are neither 'innocent' by way of objectivity nor 'sufficient to the task.' He continues, 'Ironically, American education has drawn most heavily, almost exclusively, from one school of philosophy—pragmatism—and yet has been phobic about its spiritual neutrality.'" (Michael James, Thomas Masters, and Amy Uelmen, *Education's Highest Aim: Teaching and Learning Through a Spirituality of Communion* (Hyde Park, NY: New City Press, 2010), pp. 27-28).

by neglecting an important component of history, culture, philosophy, politics, ethics, and personal life/human development—that is to say, an important aspect of life and human experience. Our ability to live together in peace depends, significantly, on rectifying this problem.

In addition to the points already listed—and this will likely amaze many readers—the current situation is also in violation of the First Amendment of the U.S. Constitution as interpreted by the Supreme Court. As we shall see in chapter 3, the Court has made clear that devotional practices and proselytizing are unconstitutional when led by public school officials. Academic study *about* religion(s), on the other hand, is not only in line with the First Amendment, but is seen by the Court as a natural component of a complete education. Any such study must have a secular academic purpose. Furthermore, the Court requires neutrality: the government through its schools cannot favor one religion over another, nor can it favor religion over non-religion. However, far from treating religion(s) with neutrality, the schools have *de facto* favored non-religion and non-religious ways of knowing over religion(s) and religious epistemologies. They have promoted secularism and denigrated the value of faith and spirituality. The result is a "hostility of neglect"[5] by which the schools, overwhelmingly, have implied to students

[5] Warren Nord led the charge against the secularist bias in public education. He, too, saw hostility: "No doubt most educators do not intend to be hostile (or even indifferent) to religion and they often respond to critics by testifying to their own religious convictions… The hostility at issue is not only unintended, it is unrecognized. It is the result, for the most part, of a deep naïveté, a result of educators' own limited, illiberal educations." (Warren A. Nord, *Does God Make a Difference? Taking Religion Seriously in Our Schools and Universities* (New York: Oxford University Press, 2010), p. 293n3). Richard John Neuhaus wrote (in 1984) that possibly "…overt hostility to religion is no longer in good taste because it is no longer necessary. Rather than attacking religion, cultural elites quietly assume its irrelevance." (Richard John Neuhaus, *The Naked Public Square: Religion and Democracy in America* (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1984, second ed. 1997), p. 95). In 1993, Stephen Carter agreed with Neuhaus, perhaps more than he realized, when he wrote: "Richard John Neuhaus… tells us that in America, the public square has become openly hostile to religion. I am not sure that Neuhaus has it quite

that religion is not to be taken seriously in our pursuit of knowledge and in our ongoing preparations for (and engagement with) civic, social, and professional life. Stephen Carter refers to this situation as the trivializing of religion in American public life, and decries the treatment of religion as a mere hobby unworthy of anything but private life, and even then unworthy of "intelligent, public-spirited adults."[6] Clearly, this is not a stance of neutrality as the Supreme Court has required. This violation of the First Amendment demands to be remedied.

Of course, any suggestion that religion(s) should be included in the curriculum of the public schools in America is immediately met with significant resistance or, alternatively, with unwelcome alliances. The question of religion in the public square has largely been dominated in the last number of decades by two opposing voices, which I term the secularist and the restorationist. On the one hand are those secularists who would like to see religion eliminated entirely from American public life and discourse, including any place in the curriculum of the public schools. These voices demand a "high wall"[7] separating church and state and envision a radically secularized America, akin to *laïcité* in France. On the other hand are restorationists who have never accepted the

right—nowadays, religion is treated more as a hobby than as an object of hostility…" (Stephen L. Carter, *The Culture of Disbelief: How American Law and Politics Trivialize Religious Devotion* (New York: BasicBooks, 1993), p. 51).

[6] Stephen L. Carter, *The Culture of Disbelief: How American Law and Politics Trivialize Religious Devotion* (New York: BasicBooks, 1993), p. 22.

[7] According to Yale legal scholar Stephen Carter, "Justice Hugo Black, in *Everson v. Board of Education* (1947), often is said to have started the ball rolling when he wrote these words: 'The First Amendment has erected a wall between church and state. That wall must be kept high and impregnable. We could not approve the slightest breach.'" Carter notes wryly, "There is nothing wrong with the metaphor of a wall of separation. The trouble is that in order to make the Founders' vision compatible with the structure and needs of modern society, the wall has to have a few doors in it." (Stephen L. Carter, *The Culture of Disbelief: How American Law and Politics Trivialize Religious Devotion* (New York: BasicBooks, 1993), p. 109).

Supreme Court decisions of the mid-20th century that took official prayer and devotional Bible reading out of the schools. They often envision America as a "Christian nation" (sometimes giving a token nod to Judaism as well by claiming a "Judeo-Christian" heritage), and they desire a return to schooling that gives an official place to Christian prayer and traditions (such as Christmas pageants, Christian holy days off, and moral traditions such as those which guide sex education). They especially want to see a central place in the schools for the (Protestant) Bible. These voices, as we shall see, arise out of different myths concerning the origin and meaning of "America."

While these two voices dominate the public debate and perception, there is need for another voice, one that seeks to treat religion(s) with the neutrality required by the First Amendment and which recognizes its importance in society and in the life of the human person, hence, its worthiness as a subject of study. Without proselytizing, educators are well suited (when adequately trained) to give access to a curriculum in religion(s) that secularists need not fear, but with which restorationists will not find a perfect ally.

This, then, is the thesis of the present dissertation. I perceive and propose a dual purpose of American public education:

1) to provide a liberal and liberating education that nurtures the holistic growth of the young person into a healthy, mature, productive, moral, and responsible adult in society; and

2) to promote the civic virtues, vision, knowledge, and abilities required for our common life together, with justice and peace, in this Republic and as members of an increasingly pluralistic and globalized society.

To these good purposes, the curricula of our public educational institutions must address religion(s) in an explicit and intentional, integrated, fearless, and unbiased manner. It must be explicit and intentional so that religion(s) is handled with serious academic preparation and is neither overlooked nor presented in an uneven manner due to unsystematic, inconsistent, and even haphazard inclusion in the curriculum. It must be integrated as well, so that religion(s) is understood precisely in its connection with the larger curriculum and socio-academic project, and not isolated in a silo as a disjointed "subject" that leaves students wondering, "Why do we have to study this?" Our approach must also be fearless, which is to say, all educators—whether professionals and students in the classroom, parents, administrators, school board members, or concerned community members—must have a firm grasp of the requirements and limitations imposed by the First Amendment as interpreted by the Supreme Court. I purposely include students because students are, indeed, both educators and learners, and they deserve to understand the Constitutional basis for their study of religion(s). This knowledge will allow for a bold and rich approach to religion(s) in the curriculum, appropriate to a liberal education, without unnecessary hedging due to trepidation concerning complaints and lawsuits. Finally, the approach must be unbiased, or to use the Court's term, neutral. The goal must be neither to promote one religion over another, nor to promote religion over nonreligion, or vice-versa. The approach must also avoid painting the rosy picture of relativism and indifferentism, glibly asserting that in the end

all religious and non-religious worldviews are basically the same and are all equally good. An unbiased approach will not hesitate to recognize real differences, to examine aspects of various religious and nonreligious ways of being in the world that are not worthy of respect or emulation (even as they demand understanding and study), and, conversely, to cull wisdom for personal growth and our public life together from both religious and non-religious sources. Special care must be taken to avoid the twin traps of cultural appropriation and government endorsement. Cultural appropriation refers to "the unacknowledged or inappropriate adoption of the practices, customs, or aesthetics of one social or ethnic group by members of another (typically dominant) community or society."[8] Government endorsement refers, of course, to a violation of the Establishment Clause of the First Amendment, which we will examine in detail in chapter 3.

In sum, to fail to include religion(s) in the curriculum of our public schools in this sophisticated and substantial way represents a "hostility of neglect" that implicitly or, in some cases, explicitly, demeans religion(s), religious people, and/or religious epistemologies. It fails to take faith seriously, and implies that faith and spirituality are unsophisticated, childish or foolish, and irrational—a mere "hobby" that is unimportant at best and dangerous at worst. When religion is left strictly to the private sector and to one's personal life, it is effectively denied a rightful voice in the public forum; or it finds a public voice with which the public is not adequately prepared to engage. This situation represents a violation of the First Amendment of the United States Constitution and

[8] Katherine Connor Martin, "New Words notes March 2018," Oxford English Dictionary online blog, March 29, 2018, https://public.oed.com/blog/march-2018-new-words-notes/ [Accessed 27 January 2020]. An example of cultural appropriation is the American takeover of the Hindi term "Namaste," discussed on NPR by Kumari Devarajan in "How 'Namaste' Flew Away from Us," January 17, 2020, https://www.npr.org/sections/codeswitch/2020/01/17/406246770/how-namaste-flew-away-from-us [Accessed 27 January 2020].

diminishes our ability to provide a liberal education that provides for both personal growth as well as for the common good. On the other hand, a robust inclusion of religion(s) in the curriculum, delivered by highly qualified educational professionals, will contribute to the intellectual and holistic development of students, to their preparedness for participation as citizens in a highly pluralistic democracy and a globalized society, and, most importantly, to our common effort to secure a more peaceful future.

### *1.2 Two Competing Myths of Origins*

In order to comprehend the current situation regarding religion and public education, it is necessary to survey the historical road that led us to this point. A particular lens I find useful in interpreting this history is the concept of a founding myth. The two dominant myths of origins that are at play in America's culture wars and, hence, in questions of religion in public education, are *The Myth of Christian Origins* and *The Myth of Religious Diversity.* By *myth*, I do not mean something that is not factual or historical. Both foundational myths are historical and grounded in American traditions. By *myth of origins*, then, I mean a particular historical narrative and lens that predominates in giving meaning to the history that follows and to the discussions of national identity that continue to this day. Discussing the "myths that made America," Heike Paul defines what I mean by *founding myths* and *myths of origins*: "popular and powerful narratives of US-American national beginnings which have turned out to be

anchors and key references in discourses of 'Americanness,' past and present."[9] The Christian origins myth and the religious diversity myth demand our attention precisely because they are *dominant* national myths in our society, and they feed the narratives surrounding questions of religion and public education. It is important to note that these two are not the only myths of origin. Some African-Americans and Native Americans (and those who view American history in solidarity with them), for example, would likely subscribe to very different myths of origin, which may have points of both divergence and convergence with the two more dominant myths I present here.[10]

In the exploration of the two dominant myths that follows, I will conclude each section with a *hermeneutic of suspicion*. In that subsection, we look more carefully at what the followers of each particular myth often leave out of the telling. There are indeed *dangerous memories*, some of which the non-dominant myths preserve but which are often missing in the popular narratives deriving from the two dominant myths. To prevent these *dangerous memories* from becoming a *dangerous amnesia*, the *hermeneutic of*

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[9] Heike Paul, *The Myths that Made America: An Introduction to American Studies, Volume 1* (Bielefeld, Germany: transcript Verlag, 2014), p. 11, http://oaresource.library.carleton.ca/oa-America9783839414859.pdf [Accessed 11 April 2021].

[10] Consider the words of Chief Red Jacket of the Seneca Tribe in 1805: "There was a time when our forefathers owned this great island. Their seats extended from the rising to the setting sun. The Great Spirit had made it for the use of Indians. He had created the buffalo, the deer, and other animals for food. He had made the bear and the beaver. Their skins served us for clothing. He had scattered them over the country and taught us how to take them. He had caused the earth to produce corn for bread. All this He had done for His red children because He loved them… But an evil day came upon us. Your forefathers crossed the great water and landed on this island. Their numbers were small. They found friends and not enemies. They told us they had fled from their own country for fear of wicked men and had come here to enjoy their religion. They asked for a small seat. We took pity on them, granted their request, and they sat down among us. We gave them corn and meat; they gave us poison in return… They wanted more land; they wanted our country… Wars took place… our seats were once large and yours were small. You have now become a great people, and we have scarcely a place left to spread our blankets. You have got your country, but are not satisfied; you want to force your religion upon us." (Chief Red Jacket, "We also have a religion," in *Living History America: The History of the United States in Documents, Essays, Letters, Songs and Poems*, Erik Bruun and Jay Crosby, eds. (New York: Black Dog & Leventhal Publishers, 1999), pp. 239-40).

*suspicion* will help us to raise up suppressed and forgotten stories and perspectives, and to keep them in mind as we consider the nature of this place we call America, and the place of religion(s) in American public education.

### *1.2.1 The Christian Origins Myth*

The first myth is captured in the refrain: "America is a Christian nation." Because it is either embraced as obviously true or dismissed as patently false, especially by those who hope to advance a pluralistic and multicultural society, I intend to explore the claim in some depth.[11] I call this *the Christian Origins Myth* of the founding and meaning of America. It looks to the pre-Constitutional, colonial era for its inspiration, though it is often expressed in more recent terms. Touchstones for this myth include the national motto, "In God We Trust," and the words of the Pledge of Allegiance, "One nation, under God," although both expressions are recent in American history, dating to the 1950's[12] — manifestations of America defining itself as a godly nation in contrast to the atheistic regime of the Soviet Union and of communism in general. Nonetheless, the phrases are

[11] How much has changed since 1960 when John Courtney Murray could confidently write that "The authentic voice of America" acknowledges "the sovereignty of God over society as well as over individual[s]." He recognized very little resistance to this hegemony of belief: "The United States has had, and still has, its share of agnostics and unbelievers. But it has never known organized militant atheism…" In fact, what little push-back he found mid-century, he found to be the error that proves the rule: "There is, of course, dissent from this principle, uttered by American secularism (which, at that, is a force far different in content and purpose from Continental laicism). But the secularist dissent is clearly a dissent; it illustrates the existence of the American affirmation." (John Courtney Murray, *We Hold These Truths: Catholic Reflections on the American Proposition* (Lanham, MD: Rowman & Littlefield Publishers, 1960), p. 45).

[12] "The president [Eisenhower] backed the Knights of Columbus's proposal to insert 'under God' into the Pledge of Allegiance, which Congress enshrined by statute on Flag Day, June 14, 1954. The administration issued a 1954 stamp bearing the motto 'In God We Trust' as an international 'postal ambassador.' A year later, Eisenhower approved adding the motto on U.S. currency." (Allan J. Lichtman, *White Protestant Nation: The Rise of the American Conservative Movement* (New York: Atlantic Monthly Press, 2008), p. 193).

seen to capture something more fundamental that dates to the first European conquests of the Americas, something expressed in part by the concept of "manifest destiny." America is a nation "under God," which puts its trust in God because God is seen as having providentially directed the development of the country.[13] The rationale is scriptural—nations that remain faithful to God are blessed and increase: "Blessed is the nation whose God is the LORD, the people chosen as [God's] inheritance" (Psalm 33:12).[14] Americans are, in this line of thinking, "recipients of the choicest bounties of Heaven."[15] Appropriate public gratitude is required to continue to secure what the Constitution calls "the Blessings of Liberty."

If "the nation whose God is the LORD" is blessed, then conversely, the nation for whom the Lord is not acknowledged as God is bound to suffer curses: "Just as the Lord once took delight in making you prosper and grow, so will the Lord now take delight in ruining and destroying you, and you will be plucked out of the land you are now entering to possess" (Deuteronomy 28:63). Maintaining the nation's public status, then, as a God-fearing land is existentially critical according to this myth of origin.

The term or name "God" in this formulation is ambiguous. In the Christian myth of origin, though, it clearly refers to the God of Christianity. There is plenty of historical

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[13] There is an important eschatological tone to this understanding of Divine providence and missionary zeal. In Scripture, we read, "But the gospel must first be preached to all nations" (Mark 13:10) before Christ's second coming at the end of time. Far from being perpetrators of deculturalization, then, Christian missionaries are seen by some Christians to have succeeded in Christianizing the land precisely because Christianity is superior to Native religions and has God's blessing. The success, they believe, brings us that much closer to the longed-for Parousia. For more on deculturalization, see Joel Spring, *Deculturalization and the Struggle for Equality: A Brief History of the Education of Dominated Cultures in the United States,* Sixth edition (Boston: McGraw-Hill, 2010).

[14] Unless noted otherwise, all Scripture quotations are from the *New American Bible Revised Edition* (NABRE).

[15] Abraham Lincoln, "Proclamation Appointing a National Fast Day," March 30, 1863, http://www.abrahamlincolnonline.org/lincoln/speeches/fast.htm [Accessed 16 February 2019].

evidence to back up the claim that America is not only a godly nation, but specifically a Christian godly nation. For example, in Christopher Columbus we find a complex identity that included being a missionary whose purpose, in part, was to convert the native peoples to Christianity. Columbus himself justified gifts he gave to the native people: "In order to win the friendship and affection of that people, and because I was convinced that their conversion to our Holy Faith would be better promoted through love than through force…" He concluded that the native people "...must be good servants and very intelligent, because I see that they repeat very quickly what I told them, …they would easily become Christians, for they seem not to have any sect."[16] Likewise, Francisco Vasquez de Coronado, exploring the regions of what today are the American Southwest and Mexico, wrote about a gift exchange with the "Indians," saying,

> They brought me some turquoises and poor mantles, and I received them in His Majesty's name with as good a speech as I could, making them understand the purpose of my coming to this country… that they and all others in this province should become Christians and should know the true God for their Lord…[17]

These Catholic leaders, of course, brought their Catholic faith in an age just prior to, or soon after, the Protestant Reformation, and they may, therefore, be more readily called upon in the mythic imagination of Catholics than of Protestants.

For Protestants, the myth of origins depends more emphatically on the colonists of the thirteen original colonies, especially those Protestants seeking freedom to worship

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[16] Christopher Columbus, in *Living History America: The History of the United States in Documents, Essays, Letters, Songs and Poems*, Erik Bruun and Jay Crosby, eds. (New York: Black Dog & Leventhal Publishers, 1999), pp. 30-31.

[17] Francisco Vasquez de Coronado, in *Living History America: The History of the United States in Documents, Essays, Letters, Songs and Poems*, Erik Bruun and Jay Crosby, eds. (New York: Black Dog & Leventhal Publishers, 1999), p. 36.

with what they considered purity. Thus, no origin myth would be complete without a reference to the Pilgrims and other Puritans. Their voyage to the New World was a distinctly religious expedition, as the very word *pilgrim* implies, and it was understood to be fulfilling God's will and to be under God's protection. Thus, "…they resolved to bear up again for the Cape [Cape Cod], and thought themselves happy to get out of those dangers [of the sea route to the Hudson River] before night overtook them, as by God's providence they did." This theme of God's providence is central to the Christian origins myth, as are the themes of gratitude to God and evangelical mission. "Being thus arrived in good harbor and brought safe to land, they fell upon their knees and blessed the God of heaven, who had brought them over the vast and furious ocean, and delivered them from all the perils and miseries thereof…"[18] In *The Mayflower Compact*, the majority of men aboard the ship had agreed that the purpose of their settlement was "the Glory of God, and Advancement of the Christian Faith…"[19]

A decade later, John Winthrop would pen words that get to the very heart of this idea that America was founded as a Christian nation. (It is no accident that President Ronald Reagan, knowing his base to be committed to this particular myth of our country's founding, would famously quote from this "City on a Hill" document). Winthrop wrote:

> When God gives a speciall commission he lookes to have it strictly observed in every article; When he gave Saule a commission to destroy Amaleck, Hee indented with him upon certain articles, and because hee failed in one of the least,

[18] William Bradford, in *Living History America: The History of the United States in Documents, Essays, Letters, Songs and Poems*, Erik Bruun and Jay Crosby, eds. (New York: Black Dog & Leventhal Publishers, 1999), p. 48.
[19] "The Mayflower Compact," in *Living History America: The History of the United States in Documents, Essays, Letters, Songs and Poems*, Erik Bruun and Jay Crosby, eds. (New York: Black Dog & Leventhal Publishers, 1999), p. 47.

> and that upon a faire pretense, it lost him the kingdom... Thus stands the cause betweene God and us. We are entered into Covenant with Him for this worke… Wee have hereupon besought Him of favour and blessing. Now if the Lord shall please to heare us, and bring us in peace to the place we desire, then hath hee ratified this covenant and sealed our Commission, and will expect a strict performance of the articles contained in it; but if wee shall neglect the observation of these articles which are the ends wee have propounded, and, dissembling with our God, shall fall to embrace this present world and prosecute our carnall intentions, seeking greate things for ourselves and our posterity, the Lord will surely breake out in wrathe against us; be revenged of such a [sinful] people and make us knowe the price of the breache of such a covenant.[20]

Of course, if they remained faithful to their end of the bargain, then "The Lord will be our God, and delight to dwell among us, as his oune people, and will command a blessing upon us in all our wayes."[21] The covenant, significantly, had implications beyond the colony of Puritans: "For wee must consider that wee shall be as a citty upon a hill. The eies of all people are uppon us. Soe that if wee shall deale falsely with our God in this worke wee haue undertaken, and soe cause him to withdrawe his present help from us, wee shall be made a story and a by-word through the world."[22]

Among the first things that the Massachusetts Bay colonists did was to found a college, the nation's oldest (and older than the nation). "Like many of America's private colleges," writes Diana Eck,

> Harvard College began as a religious school with a normative, Christian vision of itself. In 1636 the Puritans of New England founded it to educate Christian clergy. In their own words, so often quoted from *New England's First Fruits*, published in 1643, "After God had carried us safe to New England, and we had builded our houses, provided necessaries for our livelihood, reared convenient places for God's worship, and settled the civil government, one of the next things we longed for and looked after was to advance learning and perpetuate it to posterity; dreading to leave an illiterate ministry to the churches, when our present ministers

[20] John Winthrop, "A Modell of Christian Charity," 1630, https://history.hanover.edu/texts/winthmod.html [Accessed 27 November 2018].
[21] Ibid.
[22] Ibid.

> shall lie in the dust." Harvard was a Christian college, as exclusively and unapologetically as Massachusetts was a Christian commonwealth.[23]

It was not only the college that was dedicated to Christian learning either. "Massachusetts was the first colony to impose educational requirements… In 1642, the colony required parents and masters to take responsibility for teaching their charges to read and write. Five years later Massachusetts passed the first law requiring communities to establish schools…"[24] The law makes clear that the Christian reason for education was to promote the ability to read the Bible: "It being one chief project of that old deluder Satan to keep [people] from the knowledge of the Scriptures…"[25] In 1690, the *New England Primer* was first published to help accomplish these educational goals. Cullen Schippe and Chuck Stetson write in their popular *The Bible and Its Influence*, "The *New England Primer* was by far the most commonly used textbook for almost 200 years."[26] A few samples from the reader will give a sense of its Biblical and Christian religious orientation:

> The Dutiful Child's Promises,
> I will fear God, and honour the King…
> I will forgive my Enemies, and pray to God, and obey the Holy Commandments.
> I will learn my Catechism.
> I will keep the Lord's Day Holy.

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[23] Diana L. Eck, *A New Religious America: How a 'Christian Country' Has Become the World's Most Religiously Diverse Nation* (New York: HarperOne, 2001), pp. 14-15.

[24] Erik Bruun and Jay Crosby, eds., *Living History America: The History of the United States in Documents, Essays, Letters, Songs and Poems* (New York: Black Dog & Leventhal Publishers, 1999), p. 57. In 1836, Massachusetts became the first state to make school attendance mandatory. This time, the nemesis that spurred the legislation was not "that old deluder Satan," but rather the factories that were employing children and taking them away from school. (p. 289).

[25] "First Massachusetts School Law," in *Living History America: The History of the United States in Documents, Essays, Letters, Songs and Poems*, Erik Bruun and Jay Crosby, eds. (New York: Black Dog & Leventhal Publishers, 1999), p. 57.

[26] Cullen Schippe and Chuck Stetson, eds., *The Bible and Its Influence* (New York: BLP Publishing, 2006), p. 9.

> I will Revere God's Sanctuary, For our God is a consuming fire.[27]

A reading lesson arranged alphabetically is equally religious in nature and purpose:

> A wise Son makes a glad Father, but a foolish Son is the heaviness of his Mother.
> Better is a little with the fear of the Lord, than great treasure and trouble therewith.
> Come unto Christ all ye that labour and are heavy laden, and He will give you rest…[28]

For Catholics, despite the battles they fought against the Protestant establishment and despite the waves of anti-Catholic sentiment they endured, by at least the 19th century their bishops also considered America to be providentially established.

> In 1884 the Third Plenary Council of Baltimore made this statement: "We consider the establishment of our country's independence, the shaping of its liberties and laws, as a work of special Providence, its framers 'building better than they knew,' the Almighty's hand guiding them."[29]

It is not surprising, then, that Jay Sekulow, the Chief Counsel for the American Center for Law and Justice (ACLJ)[30]—an organization dedicated to fighting for the vision of religious liberty espoused by those whose myth of origin is the Christian version—would write that "It is time to regain our common Christian memory." What is that memory? It sounds like a synopsis of the influential Christian myth of origin:

> Look at our national beginnings… On Virginia's sandy beaches where the Chesapeake Bay joins the Atlantic Ocean is the site where the unfolding drama of the United States began. On April 29, 1607, British colonists landed at what they

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[27] "The New England Primer," in *Living History America: The History of the United States in Documents, Essays, Letters, Songs and Poems*, Erik Bruun and Jay Crosby, eds. (New York: Black Dog & Leventhal Publishers, 1999), p. 71.
[28] Ibid.
[29] Qtd. in John Courtney Murray, *We Hold These Truths: Catholic Reflections on the American Proposition* (Lanham, MD: Rowman & Littlefield Publishers, 1960), p. 46.
[30] "About Jay Sekulow," ACLJ website (Washington, D.C.: American Center for Law and Justice, 2021) https://aclj.org/jay-sekulow [Accessed 11 April 2021]. Also note: the ACLJ "…is a d/b/a for Christian Advocates Serving Evangelism, Inc."

> called Cape Henry. The first act of these 120 initial immigrants was to plant a wooden cross in the ground, kneel, and ask for God's blessing on this land. They arose to pursue their mission to bring morality to these shores through education and religion. In their charter of colonization they stated their intent clearly. They wanted to propagate "Christian Religion to such people, as is yet in Darkness and miserable ignorance of the true knowledge and worship of God..." Clearly, the United States of America began as a culture of conviction, not neutrality.[31]

The Christian myth of origin has a strength to its argument besides its chronological precedence over the second myth we will discuss. It has the benefit of continuity. There has been no period in American history when public prayers were not offered to (the Christian) God;[32] and only recently has this diminished in favor of either secular expressions on the one hand (the *thoughts* in "thoughts and prayers") or religiously plural but bland expressions on the other (the *prayers* in "thoughts and prayers" as a type of civic religion). We will examine this modern period more closely a bit later. For now, let us consider the continuity of the Christian origins myth.

Contrary to a popular understanding, the terms *religious liberty* and *the separation of church and state* have not always been near-synonyms in American history. In his exhaustive study of the history of the meanings of the concept *separation of church and state*, Philip Hamburger writes,

> …the idea of separation of church and state was very different from the religious liberty desired by the religious dissenters whose demands shaped the First Amendment... The dissenters were the adherents of minority denominations that refused to conform to the churches established by law. These established churches

[31] Jay Sekulow and Keith Fournier, *And Nothing But The Truth* (Nashville, TN: Thomas Nelson Publishers, 1996), p. 34.

[32] See Stephen L. Carter, *The Culture of Disbelief: How American Law and Politics Trivialize Religious Devotion* (New York: BasicBooks, 1993), pp. 100-101. "Religion has always been in the public square. The rhetoric of religion has always issued from the mouths of the nation's political leaders. And it has always been a part of the public dialogue of others, too." (p. 100). "Indeed, as such historians as Jon Butler and Cushing Strout have argued, there has been no era in the history of the United States when religion did not feature prominently both in the moral lives of citizens and in the public life of the nation." (p. 101).

> (Episcopal in the southern states and Congregationalist in most New England states) were established through state laws that, most notably, gave government salaries to ministers on account of their religion. Whereas the religious liberty demanded by most dissenters was a freedom from the laws that created these establishments, the separation of church and state was an old, anticlerical, and, increasingly, antiecclesiastical conception of the relationship between church and state. As might be expected, therefore, separation was not something desired by most religious dissenters or guaranteed by the First Amendment. Indeed, it was quite distinct from the religious liberty protected in any clause of an American constitution, whether that of the federal government or that of any state.[33]

Though Thomas Jefferson famously explained the First Amendment as creating "a wall of separation" between church and state in his 1802 letter to the Danbury Baptists,[34] his contemporaries, including the Baptists to whom he wrote, did not largely agree with that sentiment.[35] Historically speaking, "Separation became a substantial part of American conceptions of religious liberty only in the nineteenth and twentieth centuries, when Americans expressed a growing fear of institutional churches, especially the Catholic Church."[36] Concerning the "wall" metaphor for religious liberty, Hamburger writes, "…in the history of separation, Jefferson is but a passing figure, less important for what he wrote than for the significance later attributed to it."[37]

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[33] Philip Hamburger, *Separation of Church and State* (Cambridge, MA: Harvard University Press, 2002), p*p. 9-10.*

[34] Ibid., p. 1.

[35] Ibid., pp. 163-180. In sum, "Thus Jefferson sowed a truth or principle that was not likely to flourish among the Baptists—let alone other dissenters. As in the past Jefferson took a phrase developed in one context and brought it to bear in another, and he surely hoped… that his words would 'delight the Dissenters.' Undoubtedly, he said something original about the religious liberty protected by the U.S. Constitution, but he did not assist the dissenters. Nor did he 'delight' them. Instead, he asserted an idea that, at best, proved awkward for the Baptists and, more seriously, conflicted with much of what they sought." (p. 180).

[36] Ibid., p. 480.

[37] Ibid., p. 482.

It may surprise many modern Americans that Jefferson's contemporaries did not receive his metaphor of a "wall of separation" between church and state with enthusiasm. James Fraser reminds us that,

> For the most part, Colonial European settlers did not come to England's North American colonies seeking religious freedom writ large. The majority who came for religious reasons came for the freedom to practice their own form of religion and to impose it on all other residents of their colony.[38]

By Jefferson's time, although the federal government was prohibited by the First Amendment from establishing a religion, the various states were not. Or, more accurately, according to Yale legal scholar Stephen L. Carter, "The language of the Establishment Clause… prohibits Congress from making any law '*respecting* an establishment of religion.'" This key word, which he italicized, had an "evident purpose," which was

> …to prevent the Congress from interfering with state establishments of religion. Indeed, there is good reason to think that the principal purpose of the Establishment Clause, and maybe the sole one, was to protect state religious establishments from disestablishment by the federal government.[39]

These state religions, of course, were variations on a Christian theme, rooted in colonial history. "Puritanism—which became, eventually, Congregationalism—was the established religion in all of New England except Rhode Island. Anglicanism—the Church of England—was the established church in most of the southern colonies."[40] In words that echo the sentiments of many who hold to the Christian origins myth, former

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[38] James W. Fraser, *Between Church and State* (New York: St. Martin's Press, 1999), p. 9.
[39] Stephen L. Carter, *The Culture of Disbelief: How American Law and Politics Trivialize Religious Devotion* (New York: BasicBooks, 1993), p.118.
[40] Warren A. Nord, *Religion & American Education: Rethinking a National Dilemma* (Chapel Hill, NC: The University of North Carolina Press, 1995), p. 100.

Speaker of the House and Presidential hopeful Newt Gingrich wrote, "…these important words [of the First Amendment] were written to protect freedom *of* religion, not freedom *from* religion."[41] The states would eventually disestablish religion on their own and not because of the First Amendment.[42]

In his bestselling book (and accompanying video presentation), Gingrich does a fine job of summarizing the continuity of faith in God as a public aspect of American history. Though he makes concessions to non-Christians and non-theists,[43] his thesis is clear: America is a Christian nation (or, at very least, a theistic nation whose God is the God of the Bible), dependent upon a public profession of faith in God, and built on biblical values. Gingrich cites many examples to support his thesis. For example, he mentions George Washington's first act as president: kissing the Bible upon which he swore the oath of office—an oath he extended to include the words, "So help me God."[44] He mentions the first president's Thanksgiving Proclamation: "It is the duty of all Nations to acknowledge the Providence of Almighty God, to obey His will, to be grateful for His benefits, and humbly to implore His protection and favor."[45] He quotes the "Chief

[41] Newt Gingrich, *Rediscovering God in America: Reflections on the Role of Faith in Our Nation's History and Future* (Nashville, TN: Thomas Nelson, 2009), p. 7.
[42] "Protestant Christianity was formally disestablished early in the nineteenth century, Massachusetts being the last state to disestablish its state church in 1833. But it was so prevalent in American culture up to that time, that it could be said that the state was secular, but the nation was Christian." (David W. Machacek and Phillip E. Hammond, "Unsecular Humanism: The Supreme Court and American Public Culture," in *Taking Religious Pluralism Seriously: Spiritual Politics on America's Sacred Ground,* Barbara A. McGraw and Jo Renee Formicola, eds. (Waco, TX: Baylor University Press, 2005), chapter 12, p. 236).
[43] "All Americans—both those who believe in God and those who do not share this belief—are equal in rights and duties under our Constitution and equal in deserving the respect of their fellow citizens." Newt Gingrich, *Rediscovering God in America: Reflections on the Role of Faith in Our Nation's History and Future* (Nashville, TN: Thomas Nelson, 2009), p. 113.
[44] Ibid., p. xvi.
[45] George Washington, Thanksgiving Proclamation, October 3, 1789, in Newt Gingrich, *Rediscovering God in America: Reflections on the Role of Faith in Our Nation's History and Future* (Nashville, TN: Thomas Nelson, 2009), p. xvii.

Architect of the Constitution," James Madison: "And to the same Divine Author of every good and perfect gift (James 1:17) we are indebted for all those privileges and advantages, religious as well as civil, which are so richly enjoyed in this favored land."[46]

Concerning Lincoln, Gingrich speaks of the Second Inaugural Address, engraved on the Lincoln Memorial, saying,

> Although a mere 703 words, the address mentions God fourteen times and references the Bible four times… Lincoln reflects that the course of the Civil War was not controlled by man, but by the Almighty… [and then Lincoln's own words:] "The Almighty has his own purposes."[47]

From Calvin Coolidge, we hear: "The foundation of our society and our government rest so much on the teachings of the Bible that it would be difficult to support them if faith in these teachings would cease to be practically universal in our country."[48]

There are many more examples, of course, but Gingrich summarizes his argument by going back to the very beginning:

> We should ensure that every student's understanding and appreciation of America is enriched by learning about the significant meaning of the founding documents, beginning with the Declaration of Independence in which Jefferson wrote the original proposition that we are endowed by our Creator with unalienable rights. It was this single acknowledgement by the Founders that established the firm foundation upon which our Republic was created and has endured for more than two and a quarter centuries.[49]

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[46] James Madison, in Newt Gingrich, *Rediscovering God in America: Reflections on the Role of Faith in Our Nation's History and Future* (Nashville, TN: Thomas Nelson, 2009), p. 92 (Brackets changed to parentheses around the scripture verse).
[47] Newt Gingrich, *Rediscovering God in America: Reflections on the Role of Faith in Our Nation's History and Future* (Nashville, TN: Thomas Nelson, 2009), p. 30.
[48] Ibid., p. 50.
[49] Ibid., pp. 116-117.

Thomas Jefferson and the founders wrote more than just "their Creator" into the Declaration. The document is rooted in a political philosophy dependent on "the Laws of Nature and Nature's God." Furthermore, the founders appealed "to the Supreme Judge of the world for the rectitude" of their cause, and they sought protection from "Divine Providence."[50]

Robert H. Bork also argued for this understanding of America's religious origins. He sees the recent decades as marking a fundamental discontinuity. In his book, *Slouching Toward Gomorrah*, he writes:

> The first Congress, which proposed the First Amendment for ratification by the states, also appointed chaplains for the House, Senate, and the armed forces. The early Congresses regularly petitioned the president to issue Thanksgiving Day proclamations addressed to God. The framers and ratifiers could not conceivably have anticipated that the Supreme Court, sitting in a courtroom with a painting of Moses and the Ten Commandments, would hold it unconstitutional establishment of religion for a high school to have a copy of the Ten Commandments on a wall.[51]

For those who agree with Bork and Gingrich, this sense that continuity and faithfulness to our origins requires recognition of the United States as a Christian/biblical nation is bolstered by court decisions that affirm as much. Indeed, even as the march towards greater secularization took place, the Christian identity of the nation was sometimes affirmed. For example, the "Illinois Supreme Court… in striking down Bible reading [in public schools] in 1910, declared that 'All stand equal before the law – the Protestant, the Catholic, the Mohammedan, the Jew, the Mormon, the free thinker, the

[50] The Declaration of Independence, July 4, 1776, in *Living History America: The History of the United States in Documents, Essays, Letters, Songs and Poems*, Erik Bruun and Jay Crosby, eds. (New York: Black Dog & Leventhal Publishers, 1999), pp. 147-150.
[51] Robert H. Bork, *Slouching Toward Gomorrah: Modern Liberalism and American Decline* (New York: ReganBooks, 1996), p. 289.

atheist.' …while conceding that 'this is a Christian State… [even] a Protestant state'…"[52] Gingrich quotes Justice David Joseph Brewer (1837-1910) as saying, "The American nation from its first settlement at Jamestown to this hour is based upon and permeated by the principles of the Bible."[53] In the case *Church of the Holy Trinity v. United States* (1892), "…a unanimous [U.S.] Supreme Court made reference to 'a volume of unofficial declarations' that added weight to 'the mass of organic utterances that this is a Christian nation.'"[54] Later as Gingrich points out, "...Supreme Court Justice William O. Douglas wrote in *Zorach vs. Clauson* just two years before the Congress added the words 'under God' to the Pledge: 'We are a religious people and our institutions presuppose a Supreme Being.'"[55]

With this history and even official stamp of approval by presidents, courts, and the founders of the country, it is not surprising that the myth of Christian origins continues to have a hold on a large section of the American "social imaginary."[56] In the controversy concerning the place of religion in the public schools, the myth strikes a chord with those whom I have called restorationists, for it often provokes a nostalgic

[52] Damon Mayrl, *Secular Conversions: Political Institutions and Religious Education in the United States and Australia, 1800-2000* (New York: Cambridge University Press, 2016), p. 162.
[53] Newt Gingrich, *Rediscovering God in America: Reflections on the Role of Faith in Our Nation's History and Future* (Nashville, TN: Thomas Nelson, 2009), p. 68.
[54] Stephen L. Carter, *The Culture of Disbelief: How American Law and Politics Trivialize Religious Devotion* (New York: BasicBooks, 1993), p. 86. Carter also notes that "Justice David J. Brewer, the author of the opinion, later wrote a book entitled *The United States as a Christian Nation*." (p. 292n8).
[55] Newt Gingrich, *Rediscovering God in America: Reflections on the Role of Faith in Our Nation's History and Future* (Nashville, TN: Thomas Nelson, 2009), p. xi.
[56] Charles Taylor writes, "What is a 'Social Imaginary'?... What I'm trying to get at with this term is something much broader and deeper than the intellectual schemes people may entertain when they think about social reality in a disengaged mode. I am thinking rather of the ways in which they imagine their social existence, how they fit together with others, how things go on between them and their fellows, the expectations which are normally met, and the deeper normative notions and images which underlie these expectations." (Charles Taylor, *A Secular Age* (Cambridge, MA: The Belknap Press of Harvard University Press, 2007), p. 171).

approach, "…a longing for a past in which Protestant religion and Protestant values dominated all aspects of the nation's life, especially the curriculum and moral tone of the public schools."[57]

To those who interpret American history and culture through this lens, recent history (especially since the Supreme Court decisions of the 1960's that removed official prayer and devotional Bible reading from the public schools) seems like a discontinuity and a rupture in our public philosophy or public consensus, to borrow a phrase from John Courtney Murray.[58] The great threat to the Christian myth of origins is secularization, often specified as secular humanism and/or atheism, and sometimes expressed succinctly as "kicking God out" of the schools and public life. More recently it is characterized as a war on religion and religious freedom.

The fear that motivates this group is that without Christian/biblical moral foundations, the culture will suffer from a lack of coherence and republican virtue will abate. The expected result would be a national decline, a descent that would itself signal God's disfavor. Thus, former Secretary of Education William J. Bennett references George Washington's Farewell Address of September 19, 1796:

> Of all the dispositions and habits which lead to political prosperity, Religion and Morality are indispensable supports. In vain would that man claim the tribute of Patriotism, who should labor to subvert these great Pillars of human happiness, these firmest props of the duties of man and citizens… And let us with caution indulge the supposition, that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of

[57] James W. Fraser, *Between Church and State: Religion and Public Education in a Multicultural America*, (New York: St. Martin's Press, 1999), p. 238, where he credits the analysis of Justin Watson.
[58] John Courtney Murray, *We Hold These Truths: Catholic Reflections on the American Proposition* (Lanham, MD: Rowman & Littlefield Publishers, 1960), p. 87.

> peculiar structure, reason and experience both forbid us to expect that National morality can prevail in exclusion of religious principle.[59]

Bennett also cites Benjamin Rush's "Of the Mode of Education Proper in a Republic" in his own collection, *Our Sacred Honor.* Rush wrote, "…the only foundation for a useful education in a republic is to be laid in Religion. Without this there can be no virtue, and without virtue there can be no liberty, and liberty is the object and life of all republican governments… But the religion I mean to recommend… is that of the New Testament."[60]

If America ceases to be a Christian/biblical nation, then, the fear is not only moral decline but the resulting destruction of the foundation needed for self-government. This decline would signal the loss of God's blessing. Thus, the Christian origins narrative sees recent decades in American history (especially since the 1960's) as "Slouching Toward Gomorrah"[61] to use Robert Bork's vivid expression, evoking both the moral decay of biblical Gomorrah and the severe punishment inflicted by God.[62]

Politicians and preachers, among others, have picked up on this narrative of decline and have blamed everything from school shootings to terrorism on the lack of

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[59] George Washington, "The Farewell Address," September 19, 1796, in William J. Bennett, ed., *The Book of Virtues: A Treasury of Great Moral Stories* (New York: Simon & Schuster, 1993), p. 794.
[60] Benjamin Rush, "Of the Mode of Education Proper in a Republic," 1798, in William J. Bennett, ed., *Our Sacred Honor: Words of Advice from the Founders in Stories, Letters, Poems, and Speeches* (New York: Simon & Schuster, 1997), p. 412.
[61] Robert H. Bork, *Slouching Towards Gomorrah: Modern Liberalism and American Decline* (New York: ReganBooks, 1996). In the front matter of his book, Bork prints William Butler Yeats' poem, "The Second Coming," to indicate the apocalyptic theme of his text. Certain lines stand out: "Things fall apart; the centre cannot hold" and "Surely the Second Coming is at hand."
[62] There is an inverse parallel here with ancient Rome. When St. Augustine wrote *The City of God* in 426 A.D., he was in part refuting the claims that Christian rejection of the traditional Roman gods was the cause of Roman decline.

public acknowledgement of God, especially through prayer and Bible reading in the schools.[63] For example,

> [William] Bennett hit on the ingenious device of "quantifying America's decline." He contrived an "index of leading cultural indicators" to do for values what the index of leading economic indicators did for the economy… By 1993, according to Bennett's indicators, soaring rates of violent crime, teenage pregnancy and suicides, births out of wedlock, divorce, and other social pathologies revealed a nation in cultural decline.[64]

Bennett would go on to edit the popular *The Book of Virtues: A Treasury of Great Moral Stories* to help counteract this moral decline that he saw. The country, in his opinion, needed a stimulus of "moral literacy."[65]

When considering the First Amendment, then, those who hold to the myth of Christian origins emphasize the Free Exercise Clause as what demands our attention,

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[63] For example, Sam Harris, *The End of Faith: Religion, Terror, and the Future of Reason* (New York: W. W. Norton & Company, 2005), p. 156: "The House majority leader, Tom DeLay… attributed the shootings at the Columbine High School in Colorado to the fact that our schools teach the theory of evolution." Former Governor of Arkansas and Christian minister Mike Huckabee said, "We ask why there is violence in our schools but we have systematically removed God from our schools. Should we be so surprised that schools would become a place of carnage?" Likewise, "On his radio program on American Family Radio, Brian Fischer blamed the lack of prayer in public schools for the tragic shooting of 20 children and six adults at an elementary school in Connecticut…" Fischer said, "I thought God cared about the little children, God protected the little children. Where was God when all this went down? And here's the bottom line: God is not gonna go where he's not wanted. Now we have spent, since 1962, this, we're 50 years into this now, we have spent 50 years telling God to get lost." (Huckabee and Fischer qtd. in Chris Rodda, "No, Mr. Huckabee, It's Not Because God Has Been Removed From Schools," *Huffington Post*, December 17, 2012, https://www.huffingtonpost.com/chris-rodda/no-mr-huckabee-its-not-be_b_2311607.html [Accessed 16 February 2019]). *The Guardian* reported after the terrorist attacks of September 11, 2001: "The Rev Jerry Falwell and Pat Robertson set off a minor explosion of their own when they asserted on US television that an angry God had allowed the terrorists to succeed in their deadly mission because the United States had become a nation of abortion, homosexuality, secular schools and courts, and the American civil liberties union." (Laurie Goodstein, "Falwell: blame abortionists, feminists, gays," *The Guardian,* September 19, 2001, https://www.theguardian.com/world/2001/sep/19/september11.usa9 [Accessed 16 February 2019].

[64] Allan J. Lichtman, *White Protestant Nation: The Rise of the American Conservative Movement* (New York: Atlantic Monthly Press, 2008), p. 418.

[65] William J. Bennett, ed., *The Book of Virtues: A Treasury of Great Moral Stories* (New York: Simon & Schuster, 1993), p. 11.

precisely because they interpret the rupture they see as an attack on religious liberty. Philip Hamburger, writing from his position as Professor of Law at the University of Chicago, adds scholarly weight to their position:

> …separation [of church and state as it has developed] has had a severe effect, particularly upon individuals whose religious beliefs lead them to worship and otherwise act as part of a religious group. The federal and state constitutional provisions designed to protect religious liberty have, ironically, come to be understood in terms of an idea that substantially reduces this freedom.[66]

Gingrich summarized the feelings of this group very well when he wrote, "Contrary to those who want to eliminate religious expression from the public square, these important words [of the First Amendment] were written to protect freedom *of* religion, not freedom *from* religion."[67]

### *1.2.2 A Hermeneutic of Suspicion and a Dangerous Memory Re: The Christian Origins Myth*

A *hermeneutic of suspicion* refers to an approach to interpretation that keeps a careful eye out for what has been overlooked, suppressed, distorted, forgotten, or simply left out, often by centuries of androcentric, white, middle-class, European and American Christian scholarship and cultural narrative, which did not value the missing knowledge and voices. Thomas Groome summarizes the approach saying,

> The… task in hermeneutics of suspicion is first to look out for false consciousness and distortions in original texts and/or their accepted interpretations, to un-cover negative consequences they may have had over history or still legitimate now…

[66] Philip Hamburger, *Separation of Church and State* (Cambridge, MA: Harvard University Press, 2002), p. 14.
[67] Newt Gingrich, *Rediscovering God in America: Reflections on the Role of Faith in Our Nation's History and Future* (Nashville, TN: Thomas Nelson, 2009), p. 7.

> [and ultimately] to un-cover from the texts of tradition the subjugated or forgotten memories that can give new life.[68]

As we look at the two dominant myths of origins, we do well to employ a hermeneutic of suspicion. What is typically left out or suppressed in the telling? What does justice require us to reclaim in order to establish a more authentic understanding of the past? In the case of the Christian myth of America's origins, a hermeneutic of suspicion brings into relief what theologian Johann Baptist Metz popularized as *dangerous memories*, a recollection or *anamnesis* regarding the suffering, the oppression, the injustice, the resistance, and the victims of history—those who do not write the official accounts.[69]

It is important to note that the Christian myth has had a decidedly intolerant dimension. While the mythic version emphasizes the coming to America for religious freedom, the historical reality demands more nuance. "The Puritans came to America for religious liberty—their own, not anyone else's," writes Warren Nord. "Moved by a sense of divine mission and confident of the truth, they, like most believers of that day, were decidedly intolerant." Thus,

> …the New England Puritans saw fit, on occasion, to brand, bore the tongues, or cut the ears off heretics, and between 1649 and 1651 they hanged four Quakers. A

[68] Thomas H. Groome, *Sharing Faith: A Comprehensive Approach to Religious Education and Pastoral Ministry, The Way of Shared Praxis* (Eugene, OR: Wipf and Stock Publishers, 1991), p. 232.

[69] Groome writes, "As people uncover the social history of present praxis, an emancipatory interest also prompts them to search out the 'dangerous memories' embedded in the communal narrative behind this present praxis. These life-giving memories are 'dangerous' (popularized by Metz) in that they subvert rather than legitimate oppressive and unjust aspects of present praxis." He quotes Russell Butkus: "Dangerous memory refers to the remembrance of suffering and injustice and to the remembrance of freedom as it takes shape in commitment to and action for justice." (Ibid., p. 204). See also Candace McLean, "Theology 101: Dangerous Memories," *Daily Theology,* December 11, 2015, https://dailytheology.org/2015/12/11/theology-101-dangerous-memories/ [Accessed 5 May 2021].

> few years later, Puritans in Maryland outlawed Roman Catholicism, plundered Catholic estates, banished priests, and executed four Catholics.[70]

Sometimes, intolerance did not issue in violence, but in biased laws. For example, in 1659, the Massachusetts Bay Colony passed legislation to ban the public celebration of Christmas, declaring that "'whosoever shall be found observing any such day as Christmas or the like, either by forbearing of labor, feasting, or any other way' was subject to a 5-shilling fine."[71] (This is an ironic twist considering that many who hold to the Christian myth of origins see the public celebration of Christmas as a significant battle in the culture wars today). Christopher Klein notes the anti-Catholic bias that was present in the legislation. He quotes historian Stephen Nissenbaum:

> According to Nissenbaum, "Puritans believed Christmas was basically just a pagan custom that the Catholics took over without any biblical basis for it. The holiday had everything to do with the time of year, the solstice and Saturnalia and nothing to do with Christianity."[72]

The law was finally repealed under pressure from England in 1681, but the public celebration remained prohibited *de facto* for many years. "Until well into the 1800s," Klein writes, "businesses and schools in Massachusetts remained open on December 25 while many churches stayed closed. Not until 1856 did Christmas—along with Washington's Birthday and the Fourth of July—finally become a public holiday in Massachusetts."[73] It is indeed a *dangerous memory* to recall that anti-Catholicism was in the mix early on, and it would continue to be so.

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[70] Warren A. Nord, *Religion & American Education: Rethinking a National Dilemma* (Chapel Hill, NC: The University of North Carolina Press, 1995), pp. 99-100.
[71] Qtd. in Christopher Klein, "When Massachusetts Banned Christmas," History.com, Dec. 22, 2015, https://www.history.com/news/when-massachusetts-banned-christmas [Accessed 24 December 2018].
[72] Christopher Klein," When Massachusetts Banned Christmas," History.com, Dec. 22, 2015, https://www.history.com/news/when-massachusetts-banned-christmas [Accessed 24 December 2018].
[73] Ibid.

The *dangerous memories* run deeper still. Theologian Jeannine Hill Fletcher makes a strong case for Christian supremacism being the engine that drives White supremacism in American history. "The history of the United States," she writes, "has been that of a White Christian nation in which the dominant racial project has been to create the category of White, sort some people into it, and assign material benefits on the basis of it to the exclusion of non-White others."[74] The connection between Christian theology and White supremacism is precisely her interest. We have seen already the missionary zeal of Catholic explorers and the sense of Divine Providence and Manifest Destiny that accompanied the first European settlers on American soil. Fletcher implicates these in her thesis that "Whiteness and Christianness have been twin pillars of the dominant religio-racial project." More specifically, she claims that "the theology of Christian supremacy gave birth to the ideology of White supremacy… The systems and structures of White supremacy have been intimately joined with Christian supremacy, such that undoing White supremacy will also require relinquishing the ideologies and theologies of Christian supremacy."[75]

In short, there is a tragic underside to the idea that the United States is a Christian nation. Fletcher writes:

> As the architects of a foundling nation struggled to extend Christendom, they employed their theological heritage to construct what will become a lasting dominant way of thinking, what Joe Feagin calls the "white racial frame." In Feagin's explanation, this long-term and persisting way of framing reality was created in the origins of the United States as a way of justifying the exploitation on non-White, non-Christian peoples during the era of land theft from Native peoples and labor theft by enslavement.[76]

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[74] Jeannine Hill Fletcher, *The Sin of White Supremacy: Christianity, Racism, & Religious Diversity in America* (Maryknoll, NY: Orbis Books, 2017), p. 3.
[75] Ibid., p. 5.
[76] Ibid., p. 9.

The Christian supremacist view allowed for a theology by Catholics and Protestants alike that saw God's hand in the expansion of Christian territory—into the lands of Native Peoples—and saw God's will in the rule of Christians over non-Christians.

> The cosmology of a "great chain of being" functioned as a hierarchy with God, Christ, and Christians at the top, and the remainder of humanity hierarchically ordered below. Since Christians were almost exclusively White, the sliding scale reflected this Whiteness… The hierarchy of humanity with White Christians at the top reflected God's favor on virtuous human beings. If it was to Christians that God's favor was granted, non-Christians clearly had received the opposite in God's curse. If it was *White* Christians who demonstrated evidence of God's favor, Blackness could mark God's curse as well. The religious and the racial came together in the theo-logic of the "curse of Ham" that was mobilized by White Christians to justify enslaving Africans…[77]

Thus, Fletcher argues that "Christian supremacy underwrote White supremacy." In the Christian myth of origins, this is an important *dangerous memory* to reclaim and acknowledge. The devastation and deculturalization of the Native tribes, and the kidnapping, torture, and oppression of Black people and families as slaves are both part of America's original sin of racism.[78] That racism was justified and amplified by associating Whiteness with Christianity, and Christianity with God's supreme will. Perhaps this was never better expressed than on the floor of the Senate in a speech by Sen. Thomas Hart Benton regarding the annexation of Oregon in 1846, which Fletcher includes in her study:

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[77] Jeannine Hill Fletcher, *The Sin of White Supremacy: Christianity, Racism, & Religious Diversity in America* (Maryknoll, NY: Orbis Books, 2017), pp. 9-10.

[78] Sometimes the term "America's original sin" is used to refer more strictly to slavery. I am indebted to Cornel West for his repudiation of this limited view. "We saw… Barack Obama in Philadelphia, with the race speech: 'Slavery was America's original sin.' No, no, no. You had already conquered and dominated indigenous peoples. They're both affairs of white supremacy, but one came first." (Cornel West, "Prophetic Religion and the Future of Capitalist Civilization," in Judith Butler, Jürgen Habermas, et al., *The Power of Religion in the Public Sphere,* Eduardo Mandieta and Jonathan VanAntwerpen, eds. (New York: Columbia University Press, 2011), p. 97). For more on *deculturalization*, see footnote 13.

> "It would seem that the White race alone received the divine command, to subdue and replenish the earth! For it is the only race that has obeyed it—the only one that hunts out new and distant lands, and even a New World, to subdue and replenish… Three and a half centuries ago, this race, in obedience to the great command arrived in the New World, and found new lands to subdue and replenish." Benton employs a theo-logic of Christian supremacy to affirm "this Christian people" of the White race replacing "the wigwam" and "the savages," moving across the land in a God-ordained drive to perfection that Christianity brings to the world.[79]

For those whose narrative of American history includes and depends upon the myth of Christian origins, there is plenty to celebrate. Even John Courtney Murray wrote that "The American Bill of Rights is not a piece of eighteenth-century rationalist theory; it is far more the product of Christian history."[80] Nonetheless, this brief application of a hermeneutic of suspicion reminds us that the myth is not innocent, and that *dangerous memories* must be retrieved and embraced in our understanding as we move forward. The dark side of the myth, after all, is not absent today. The Ku Klux Klan as it was re-organized in the 20th century and the White nationalism/alt-right of today (people like the politically and socially influential Steve Bannon, of Breitbart News and early Trump administration fame) continue to rely on the myth of Christian origins to fuel their racist propaganda under the guise of innocent White pride and defense of Western values. Even in academia, we find writers at elite institutions who rely on the Christian myth in order to promote an arguably anti-immigrant and, admittedly, waspy view, such as the late Samuel P. Huntington at Harvard.[81] These views, decidedly adverse (even neuralgic in

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[79] Jeannine Hill Fletcher, *The Sin of White Supremacy: Christianity, Racism, & Religious Diversity in America* (Maryknoll, NY: Orbis Books, 2017), pp. 18-19.

[80] John Courtney Murray, *We Hold These Truths: Catholic Reflections on the American Proposition* (Lanham, MD: Rowman & Littlefield Publishers, 1960), p. 53.

[81] He wrote, "Dissenting Protestantism is central to America's [national identity]." (Samuel P. Huntington, *Who Are We? The Challenges to America's National Identity* (New York: Simon & Schuster Paperbacks, 2004), p. 365). He argued for a distinction, however: "This is, let me make clear, an argument for the

some cases) to religious pluralism, multiculturalism, and diversity,[82] directly impact how we think about religion(s) and education in our public schools.

### *1.2.3 A Second Myth of Origins: Religious Diversity*

As we consider the place of religion in American public life, and especially in the public schools, it is imperative to examine a second myth of origins. Whereas the first myth focused on the United States being a Christian country, and at very least, a country dedicated to the God of the Bible, the second myth focuses on religious diversity as a foundational narrative.

Those who hold to the religious diversity myth of origins hold much in common with those whose primary lens is the Christian myth. Both groups recognize the religious motivations (among others) that impelled the first European settlers to come to these shores. Both would acknowledge the role of Christianity in shaping the country, its institutions, its laws, and its culture(s). Both acknowledge the demographic dominance of Christianity throughout our history, and the persistent presence of Christianity in the

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importance of Anglo-Protestant culture, not for the importance of Anglo-Protestant people, I believe one of the greatest achievements, perhaps the greatest achievement, of America is the extent to which it has eliminated the racial and ethnic components that historically were central to its identity and has become a multiethnic, multiracial society in which individuals are to be judged on their merits." (p. xvii). His distinction seems to me to be untenable and his assessment of racial and ethnic progress a long way off from reality.

[82] For example: "Multiculturalism represented the culmination of a long erosion of the emphasis on national identity in American education." (Samuel P. Huntington, *Who Are We? The Challenges to America's National Identity* (New York: Simon & Schuster Paperbacks, 2004), p. 174). Of course, his "national identity" is what he calls "Anglo-Protestant" (p. xv, ff). Stephen Macedo gives a more nuanced view along the same lines, "…liberal institutions and practices shape all of our deepest moral commitments in such a way as to make them supportive of liberalism. That work is both legitimate and at odds with the notion that our basic commitment is to difference, diversity, or versions of multiculturalism designed without keeping civic aims in view." (Stephen Macedo, *Diversity and Distrust: Civic Education in a Multicultural Democracy* (Cambridge, MA: Harvard University Press, 2000), p. 164).

public square. Both groups would claim that the United States must respect religious liberty. This, though, is where they begin to differ. For example, to those whose myth of origins is the religious diversity version, the Pilgrims came to the so-called New World (which was not so new to those Native Peoples already living here!) precisely for religious liberty. It was not their Christianity, per se, that dominates in this narrative, but rather their search for peace and freedom to practice their religion; the Christianity is incidental.

The term *religious liberty* carries different meanings depending on one's myth of origins. In the Christian origins myth, it is primarily interpreted as freedom to bring one's faith (read: Christianity) into the public square; there is scant toleration for non-Christian religions, and virtually none for atheism and secular humanism. Martha Nussbaum describes the situation this creates quite well:

> Liberty of conscience is not equal… if the government announces a religious orthodoxy, saying that this, and not that, is the religious view that defines us as a nation. Even if such an orthodoxy is not coercively imposed, it is a statement that creates an in-group and an out-group. It says that we do not all enter the public square on the same basis: one religion is the American religion and others are not. It means, in effect, that minorities have religious liberty at the sufferance of the majority and must acknowledge that their views are subordinate, in the public sphere, to majority views.[83]

George Washington had said as much in a letter to a Jewish synagogue in 1790. Linda Monk summarizes the key portion of his letter this way: "…toleration implied the unacceptable premise that 'it was by the indulgence of one class of people that another

[83] Martha Nussbaum, *Liberty of Conscience: In Defense of America's Tradition of Religious Equality* (New York: BasicBooks, 2008), p. 2.

enjoyed the exercise of their natural rights.'"[84] Religious liberty, according to some in the Christian origins group, is a gift of a Christian nation, and one cannot undo the Christian foundations without threatening the liberty it bestows.[85] Hence, there is a preferential treatment of Protestant Christianity within this understanding.

On the other hand, those who subscribe to the religious diversity myth of origins understand *religious liberty* to have a more expansive meaning that embraces non-Christians and atheists as well. To this group, there is no discontinuity in what is seen as a gradual unfolding of the implications of the founding and the First Amendment over time. Instead, there is a continuous, though not always smooth, movement in American history to live up to the ideals of religious liberty in an increasingly religiously diverse society.

The religious diversity narrative emphasizes not the monolith of Christian missionary and colonial settlement work and foundations, but rather the diversity of those who came to America, who were violently brought to America and enslaved, and who were here already when Europeans arrived. John Courtney Murray put it concisely: "…pluralism was the native condition of American society."[86] The early Catholic explorers and the Puritan colonists were joined by…

> …Quakers and Moravians and Mennonites and Methodists and Lutherans and free-thinkers and the religiously indifferent and a few Jews and, on the colonial margins, Native Americans with their own religions. Even within the Calvinist tradition there were Congregationalists, Presbyterians, Baptists, and the Dutch and French Reformed, and there was constant warfare between the "Separationist"

[84] Linda R. Monk, *The Words We Live By: Your Annotated Guide to the Constitution* (New York: Hyperion, 2003), p. 129.
[85] One need only consider the association of all Muslims with an extremist interpretation of sharia law, and the fear that such an unwarranted association generates, to sense the Christian nationalist position.
[86] John Courtney Murray, *We Hold These Truths: Catholic Reflections on the American Proposition* (Lanham, MD: Rowman & Littlefield Publishers, 1960), p. 43.

> and "Non-Separationist" Puritans as there would be between New Light and Old Light Congregationalists… And there were Anglicans… In America, there were, almost from the start, twenty or thirty sects, and with the Great Awakening non-established religions flourished.[87]

Over time, this pluralism of religions (and spiritualities and varieties of non-religion) expanded. David Machecek and Phillip Hammond describe the growth:

> …there is no doubt that nineteenth century America experienced a vast multiplication of religions. Not only did Protestant groups proliferate, but Jews also increased in number and Roman Catholics came in massive waves. Meanwhile, Transcendentalists, Spiritualists, Millerites, Mormons, and many more religious groups added to the obvious religious heterogeneity. Pluralism took a quantum leap during this period.[88]

Diana L. Eck, the scholar responsible for Harvard's Pluralism Project, writes, "…America has always been a land of many religions… A vast, textured pluralism was already present in the lifeways of the Native peoples—even before the European settlers came to these shores..." and she concludes, "The United States has become the most religiously diverse nation on earth."[89]

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[87] Warren A. Nord, *Religion & American Education: Rethinking a National Dilemma* (Chapel Hill, NC: The University of North Carolina Press, 1995), p. 100.

[88] David W. Machacek and Phillip E. Hammond, "Unsecular Humanism: The Supreme Court and American Public Culture," in Barbara A. McGraw and Jo Renee Formicola, eds., *Taking Religious Pluralism Seriously: Spiritual Politics on America's Sacred Ground* (Waco, TX: Baylor University Press, 2005), chapter 12, p. 237.

[89] "Historians tell us that America has always been a land of many religions, and this is true. A vast, textured pluralism was already present in the lifeways of the Native peoples—even before the European settlers came to these shores... The people who came across the Atlantic from Europe also had diverse religious traditions—Spanish and French Catholics, British Anglicans and Quakers, Sephardic Jews and Dutch Reform Christians… this diversity broadened over the course of three hundred years of settlement. Many of the Africans brought to these shores with the slave trade were Muslims. The Chinese and Japanese who came to seek their fortune in the mines and fields of the West brought with them a mixture of Buddhist, Taoist, and Confucian traditions. Eastern European Jews and Irish and Italian Catholics also arrived in force in the nineteenth century… Punjabis from northwest India came in the first decade of the twentieth century. Most of them were Sikhs who settled in the Central and Imperial Valleys of California, built America's first gurdwaras, and intermarried with Mexican women, creating a rich Sikh-Spanish subculture… The immigrants of the last three decades [of the twentieth century], however, have expanded the diversity of our religious life dramatically, exponentially. Buddhists… Hindus… Muslims… Sikhs and Jains… Zoroastrians… Afro-Caribbean traditions, blending both African and Catholic symbols and images… the internal diversity of American Judaism is greater than ever before… Pentecostal communities… Indian Mar Thomas, and Egyptian Copts… The United States has become the most

The First Amendment developed as a compromise necessitated by the religious diversity of the times and by the desire to live in peace. The historical moment, following years of bloody religious wars in Europe, is the essential context. *Religious liberty* in this reading is both freedom from oppression and freedom of conscience. It is about living together in peace in a religiously plural society. James Fraser writes,

> …full religious freedom and equality came to the new nation because it was everyone's second choice… Everyone wanted religious freedom for themselves, and the only way they saw to get it was to grant it, however grudgingly, to others. Thus religious freedom came to the new United States not by ideology or design but by compromise and accident.[90]

For this very reason, Jesuit theologian John Courtney Murray referred to the religion clauses of the First Amendment as "Articles of Peace." He explained:

> If history makes one thing clear it is that these clauses were the twin children of social necessity, the necessity of creating a social environment, protected by law, in which [people] of differing religious faiths might live together in peace.[91]

He enumerated four reasons why the First Amendment became necessary:

> First, there was the great mass of the unchurched… The fact may be embarrassing to the highminded believer, but it is nevertheless a fact that the development of religious freedom in society bears a distinct relationship to the growth of unbelief and indifference… The second factor was the multiplicity of denominations… The sheer fact of dissent and sectarian antagonisms was a particularly important motive of the Federal constitutional arrangements… Thirdly, the economic factor

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religiously diverse nation on earth." (Diana L. Eck, *A New Religious America: How a "Christian Country" Has Become the World's Most Religiously Diverse Nation* (New York: HarperOne, 2001), pp. 3-4). John Dewey call this religiously plural setting in America "the greatest change that has occurred in religion in all history." (John Dewey, *A Common Faith* (New Haven: Yale University Press, 1934), p. 61).

[90] James W. Fraser, *Between Church and State: Religion and Public Education in a Multicultural America* (New York: St. Martin's Press, 1999), p. 17. He argues that this hasn't changed much either: "We would prefer an establishment of our particular beliefs, many seemed to say, but if we cannot have that, at least give us tolerance and do not establish someone else's beliefs. How little has changed in 220 years?" (p. 238).

[91] John Courtney Murray, *We Hold These Truths: Catholic Reflections on the American Proposition* (Lanham, MD: Rowman & Littlefield Publishers, 1960), p. 69. This, Murray claims, is why the First Amendment is good law. "All law," he wrote, "looks to the common good, which is normative for all law. And social peace, assured by equal justice in dealing with possibly conflicting groups, is the highest integrating element of the common good."

> was by no means unimportant… Persecution and discrimination were as bad for business affairs as they were for the affairs of the soul… A fourth factor of lesser importance was the pressure… exerted by the widening of religious freedom in England… These four factors, taken as a sociological complex, made it sufficiently clear to all reasonable [people] that under American conditions any other course but freedom of religion and separation of church and state would have been disruptive, imprudent, impractical, indeed impossible.[92]

The First Amendment, of course, has its precursors, and to those who hold to the religious diversity myth of origins, there is no figure more important than Thomas Jefferson. The touchstone of their argument is the famous "wall of separation" letter to the Danbury Baptists that we noted earlier. Philip Hamburger begins his thorough study, *Separation of Church and State,* with our third president:

> Jefferson's words seem to have shaped the nation. Beginning with his draft of the Declaration of Independence, Jefferson's taut phrases have given concentrated and elevated expression to some of the nation's most profound ideals… Few of Jefferson's phrases appear to have had more significance for the law and life of the United States than those in which he expressed his hope for a separation of church and state. In 1802, in a letter to the Danbury Baptist Association, he quoted the First Amendment and interpreted it in rather different words: "I contemplate with sovereign reverence that act of the whole American people which declared that *their* legislature should 'make no law respecting an establishment of religion, or prohibiting the free exercise thereof,' thus building a wall of separation between Church & State." … In the minds of many, his words have even displaced those of the U.S. Constitution, which, by contrast, seem neither so apt nor so clear.[93]

This metaphor of a wall took on special significance in the mid-twentieth century when the Supreme Court gave it legal standing. As we saw earlier, Stephen Carter noted that

> Justice Hugo Black, in *Everson v. Board of Education* (1947), often is said to have started the ball rolling when he wrote these words: "The First Amendment

[92] John Courtney Murray, *We Hold These Truths: Catholic Reflections on the American Proposition* (Lanham, MD: Rowman & Littlefield Publishers, 1960), pp. 70-71.
[93] Philip Hamburger, *Separation of Church and State* (Cambridge, MA: Harvard University Press, 2002), p. 1. Italics in the original.

> has erected a wall between church and state. That wall must be kept high and impregnable We could not approve the slightest breach."[94]

Carter would admit, though, that the ball which Justice Black got rolling made its way to the Supreme Court in the previous century when it ruled against polygamy in *Reynolds v. United States* (1878). The Court unanimously found that the government could not interfere with beliefs, but could, in fact, make laws regarding actions. Otherwise, the justices argued, even human sacrifice could be construed as beyond the scope of legislation under the mantle of religious liberty and the First Amendment. To reach their decision, the justices turned to none other than Jefferson and "even treated Jefferson's letter to the Danbury Baptist Association as an authoritative interpretation of the First Amendment."[95]

The concept of separation of church and state was not really "rolling" until *Everson*, though, for, in Hamburger's words, "the Court did not clearly rely upon separation and thus did not yet elevate it to constitutional law…"[96] Nonetheless, even the dissenting opinion, written by Justice Wiley B. Rutledge, affirmed the basic principle: "we have staked the very existence of our country on the faith that complete separation between the state and religion is best for the state and best for religion."[97] This harkens back to James Madison, that great proponent together with Jefferson of religious liberty

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[94] Stephen L. Carter, *The Culture of Disbelief: How American Law and Politics Trivialize Religious Devotion* (New York: BasicBooks, 1993), p. 109. Carter quotes *Everson v. Board of Education*, 330 U.S. 1, 18 (1947).
[95] Philip Hamburger, *Separation of Church and State* (Cambridge, MA: Harvard University Press, 2002), p. 260.
[96] Ibid. Hamburger also alludes to the fact that Nativism was in the air, and while he does not expressly say it, it seems implied that the fear of Catholic immigrants giving allegiance to church law over civil law may have been in the background of this decision as well.
[97] Justice Wiley B. Rutledge, dissenting opinion in *Everson v. Board of Education,* 330 U.S. 1, 18 (1947), https://www.law.cornell.edu/supremecourt/text/330/1#writing-USSC_CR_0330_0001_ZD1 [Accessed 15 December 2018].

in Virginia, who declared, "Religion and government will both exist in greater purity, the less they are mixed together."[98]

Madison joined primary author George Mason to give us the Virginia Declaration of Rights in 1776; this would influence both the Declaration of Independence and the Bill of Rights. In paragraph sixteen we read:

> That religion, or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence; and therefore all men are equally entitled to the free exercise of religion, according to the dictates of conscience; and that it is the mutual duty of all to practice Christian forbearance, love, and charity towards each other.[99]

It is clear that expansive language regarding religious liberty, though seen through a Christian lens, was prominent in our political philosophy even before the First Amendment, and helped to shape it. It included freedom from oppression ("not by force or violence") as well as freedom of expression ("the free exercise of religion") and conscience ("according to the dictates of conscience").

This would be echoed in Jefferson's famous Virginia Statute for Religious Freedom, ratified ten years later. In that document, Jefferson spoke of religious liberty as a "natural right," and Virginia established his words as law:

> …no man shall be compelled to frequent or support any religious worship, place, or ministry, whatsoever, nor shall be enforced, restrained, molested, or burthened in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief; but that all men shall be free to profess, and by argument to

[98] Qtd. in Alan Colmes, *Red, White, & Liberal: How Left is Right & Right is Wrong* (New York: ReganBooks, 2003), p. 217.
[99] Virginia Declaration [of Rights] (1776), in Erik Bruun and Jay Crosby, eds., *Living History America: The History of the United States in Documents, Essays, Letters, Songs and Poems* (New York: Black Dog & Leventhal Publishers, 1999), p. 146. For the sake of preserving the historical context, I have not changed "men" to inclusive language.

> maintain, their opinion in matters of religion, and that the same shall in no wise diminish enlarge, or affect their civil capacities.[100]

By this act, Virginia effectively disestablished the Church of England and opened itself to religious pluralism, not merely tolerating non-Anglicans, but expressing the full embrace as equal citizens before the law of religious people of every stripe. Jefferson himself understood this act to include not only the various denominations of Christians, but Jews, Muslims, and others as well. James Hutson writes:

> In his autobiography, Jefferson recounted with satisfaction that in the struggle to pass his landmark Bill for Establishing Religious Freedom (1786), the Virginia legislature "rejected by a great majority" an effort to limit the bill's scope "in proof that they meant to comprehend, within the mantle of its protection, the Jew and the Gentile, the Christian and Mahometan."[101]

The "effort to limit the bill's scope" was quite specifically an attempt to restrict religious liberty to Christian liberty: "Efforts to delete the entire preamble—an endorsement of Enlightenment principles and religious freedom—were defeated, as was an effort to modify Jefferson's generic reference to 'the holy author of our religion' so that it specified 'Jesus Christ.'"[102]

Madison, the Father of the Constitution, was first a Virginian, making the case for religious liberty writ large. Even after the passage of the Virginia Declaration of Rights, the state decided to impose a religious tax to benefit the various Christian sects. Madison

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[100] *Virginia Statute for Religious Freedom* (1786), in Alf J. Mapp, Jr., *The Faiths of Our Fathers: What America's Founders* Really *Believed* (New York: Fall River Press, 2003), pp. 159-60. See fn. 99 regarding inclusive language.

[101] James H. Hutson, "The Founding Fathers and Islam," May, 2002, https://web.archive.org/web/20050427225400/http://www.loc.gov/loc/lcib/0205/tolerance.html [Accessed December 15, 2018].

[102] John Ragosta, "Virginia Statute for Establishing Religious Freedom (1786)," *Encyclopedia Virginia*, Virginia Foundation for the Humanities, July 2, 2014, https://www.encyclopediavirginia.org/Virginia_Statute_for_Establishing_Religious_Freedom_1786#its2 [Accessed December 15, 2018].

responded to this with his famous "A Memorial and Remonstrance" of 1785: "Who does not see that the same authority which can establish Christianity, in exclusion of all other Religions, may establish with the same ease any particular sect of Christians, in exclusion of all other Sects?"[103]

In recent years, Alan Colmes, a popular media personality who offered one face of the American culture wars, represented the religious diversity myth of origins by reflecting on our founders:

> …our founding fathers realized that religious differences, which might become more pronounced down the road, could lead to division, as they did when the Puritans left England to form the Massachusetts Bay Colony, or even violence, as they did during the English civil war in the seventeenth century.[104]

He specifically refuted the Christian myth of origins, citing George Washington:

> The Treaty of Tripoli, which affirmed our friendship with the Barbary Coast nation, was negotiated during the administration of our nation's founder, George Washington, and signed on June 10, 1797, by our second president John Adams. Article XI of the treaty states, "As the government of the United States of America is not in any sense founded on the Christian Religion… no pretext arising from religious opinions shall ever produce an interruption of the harmony existing between the two countries… The United States is not a Christian nation any more than it is a Jewish or a Mohammedan nation."[105]

Thus, like the myth of Christian origins, the myth of religious diversity is rooted in American history and has its own canon of presidents, founding documents, and court decisions to back up its claim. Like the Christian myth, it must be taken seriously as we consider the place of religion(s) in public education.

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[103] James Madison (anonymously), "'Memorial and Remonstrance' by James Madison (1785)," https://www.encyclopediavirginia.org/A_Memorial_and_Remonstrance_by_James_Madison_1785 [Accessed 15 December 2018].
[104] Alan Colmes, *Red, White, & Liberal: How Left is Right & Right is Wrong* (New York: ReganBooks, 2003), p. 215.
[105] Ibid.

### *1.2.4 A Hermeneutic of Suspicion and a Dangerous Memory Re: The Religious Diversity Myth*

When we look at the religious diversity myth of origins with a hermeneutic of suspicion, our attention is brought to two extremes that are often left out of the telling. In both cases, the extremes represent a forgetfulness, intentional or not, about the origins and nature of religious liberty in American history.

#### *1.2.4a. One Extreme of the Religious Diversity Myth: Secularism*[106]

On one extreme is secularism. In this sub-grouping are those who subscribe to something akin to French *laïcité*. Symbolic of this approach is Michael Newdow, who

[106] I follow Charles Taylor, Warren Nord, and Damon Mayrl in discussing secularization. From Taylor, I find a worthwhile threefold distinction (see footnote 108 and its referent in the text). From Nord, I find this differentiation helpful: "*Secularization* is the multifaceted process by which people and institutions become secular. *Secularism* is an ideological or philosophical position; secularists favor secularization. But secularization may result from causes other than the actions and arguments of secularists." (Warren A. Nord, *Does God Make a Difference? Taking Religion Seriously in Our Schools and Universities* (Oxford: Oxford University Press, 2010), p. 76). Mayrl details the complex process by which American society, which is so religious in some senses of the word, has become uniquely secular in its institutional arrangements, especially in the schools. He attributes this largely to the ready access Americans have to the levers of democracy and to seeking redress from the courts. "When it comes to religion, therefore, I argue that American political institutions should be understood as *engines of conflict,* whose very structure encourages regular contestation. The issues may change, but the structure of the conflict has remained consistent since the late nineteenth century: conflict is channeled through those institutional vehicles most open and accessible to political actors—courts and local government." (Damon Mayrl, *Secular Conversions: Political Institutions and Religious Education in the United States and Australia, 1800-2000* (New York: Cambridge University Press, 2016), p. 252. Emphasis in the original). Also, "**Why is American Education so Secular?**... I have shown that the decentralized, democratic, accessible American state made the difference. It was not pluralism alone that led to American secularity, but where and how that pluralism found political expression. And it was not just America's strong constitutional protections, but how those protections shaped American culture and provided opportunities for controversies to make their way into the courts. America's strict separation in education thus reflects the democratic, permeable character of the American state as much as its demographics or Constitution." (Ibid., p. 248. Emphasis in the original as a section heading).

has worked for a solid wall of separation, in which the state is stripped of any religious accoutrements, and where religious voices are not welcomed, *qua* religious voices, in the public square.[107] The goal is total secularity, what Charles Taylor calls "secularity-1," that is, "secularized public spaces."[108] They adhere to an ideology of secularism,[109] and theirs is the second loud voice in the culture wars, opposing the Christian restorationists.

Some might argue that this sub-group should be a distinct third myth of origins: that the United States was founded as a secular nation. Certainly, many of the proponents of secularization would like to see the U.S. become a thoroughly secular society. However, in terms of a historical narrative, I find it better suited to locate this ideology as an extreme of the religious diversity myth. In short, their philosophy does not deny that the United States was settled and founded by many religious people (and that religious peoples were here before European settlement) and was founded, in part, for religious freedom, but defines religious liberty in terms of a strict separation of church and state. In this telling, the American solution to accommodating religious diversity, including the liberty to have no religion at all, was and is the secular state. The Freedom from Religion Foundation (FFRF) explains it this way:

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[107] Michael Newdow is most famous (or infamous, depending on who is reporting) for challenging the words "under God" in the Pledge of Allegiance. See *Elk Grove United School District v. Newdow,* 520 U.S. 1 (2004) in which the U.S. Supreme Court decided Newdow did not have standing to bring the case: https://www.oyez.org/cases/2003/02-1624 [Accessed 17 February 2019].

[108] Charles Taylor, *A Secular Age* (Cambridge, MA: The Belknap Press of Harvard University Press, 2007), p. 20. Secularity-2 refers to the "decline of belief and practice." Secularity-3, which is the main concern of his exhaustive study, refers to "a move from a society where belief in God is unchallenged and, indeed, unproblematic, to one in which it is understood to be one option among others, and frequently not the easiest to embrace" (p. 3).

[109] Warren Nord calls these "hard secularists" in *Does God Make a Difference? Taking Religion Seriously in Our Schools and Universities* (Oxford: Oxford University Press, 2010) p. 77: "Some secularists hold that belief in God is a mistake and a commitment to religious institutions is foolish (if not immoral). They are atheists (or agnostics, freethinkers, materialists, positivists, or naturalists). I will call them hard secularists."

> The Foundation recognizes that the United States was first among nations to adopt a secular Constitution. The founders who wrote the U.S. Constitution wanted citizens to be free to support the church of their choice, or no religion at all. Our Constitution was very purposefully written as a godless document, whose only references to religion are exclusionary… It is vital to buttress the Jeffersonian "wall of separation between church and state" which has served our nation so well.[110]

This view requires adopting a novel understanding of religious liberty that was not there during European settlement and the founding, as we have seen. It is this exact position that Gingrich and others attack when they speak of the First Amendment as guaranteeing freedom *of religion,* not freedom *from religion*.

Forgetting the religious nature of the American founding is a *dangerous amnesia*, for, as James Fraser points out, relying on the work of Michael Apple, "To the degree religious people have been marginalized and driven into the arms of political conservatives, who are not otherwise their allies, to that degree, educational liberals, secular and not quite so secular have failed." He goes on to quote Apple directly, "Making schools more open and responsive [to the various religious and non-religious constituencies]… is… absolutely crucial for interrupting the growth of rightist social movements."[111] This is not simply a fear that people will become political conservatives; rather, the worry is that the overwhelming majority of Americans, who remain religious, will feel disenfranchised. Can we deny that the populism of President Donald Trump played directly to this sense of religious disenfranchisement in the public square? Just as Huntington worried that abandoning an Anglo-Protestant cultural norm would leave the

[110] Freedom from Religion Foundation, "About the Foundation, FAQ," https://ffrf.org/faq/item/12602-why-is-the-foundation-concerned-with-state-church-entanglement? [Accessed 21 January 2019].
[111] James W. Fraser, *Between Church and State: Religion and Public Education in a Multicultural America* (New York: St. Martin's Press, 1999), p. 239.

country splintered and without a sense of who we are, and Bork quoted the poet William Butler Yeats that "Things fall apart; the centre cannot hold,"[112] so too Fraser and Apple worry that extreme secularism creates the conditions for the possibility of fragmentation and extremism. The national social fabric, they fear, will be torn asunder by distrust and disenfranchisement. Public education, which is both formative and performative of community, might diminish in favor of private and home school arrangements, hurting our hopes of *e pluribus unum*.[113]

Fraser had the Christian Coalition in mind when he wrote in 1999. Still, the urgency of what Apple called "Making schools more open and responsive" to the Muslim population in the United States following the attacks of September 11, 2001 cannot be understated if we are interested in "interrupting the growth of rightist social movements." Prior to the terrorist attacks and the socio-political and military responses to the attacks, Muslims in the United States were largely becoming what M.A. Muqtedar Khan calls

[112] See footnote 61.

[113] Michael Apple worries, in particular, that driving students away from public schools leads to drains on economic resources that exacerbate class and racial divisions in society, while also opening the doors for public funding being channeled to religious uses precisely because of lack of public oversight (including the use of funds to buy home school religious textbooks that denigrate non-Christians, especially Muslims). Nonetheless, he is sympathetic to the legitimate complaints that (typically) conservative Christian parents have about public education officials being dismissive and even disparaging about their values. Concerning the need for democratic engagement that takes both social justice concerns and concerns for recognition and representation seriously, Apple writes, "If schools do not do this, there may be all too many parents who are pushed in the direction of anti-school sentiment. This would be a tragedy both for the public school system and for our already withered sense of community that is increasingly under threat. Even though state-supported schools have often served as arenas through which powerful social divisions are partly reproduced, at least in the United States such schools have also served as powerful sites for the mobilization of collective action and for the preservation of the very possibility of democratic struggle (Hogan, 1983; Reese, 1986). As one of the few remaining institutions that is still public, struggles over it are crucial." (Michael W. Apple, "Away with All Teachers: The Cultural Politics of Home Schooling," 2000, published online March 4, 2011, *International Studies in Sociology of Education* 10:1, pp. 61-80, at 77, https://www.tandfonline.com/doi/pdf/10.1080/09620210000200049 [Accessed 17 February 2019].

"Muslim Democrats."[114] He contrasts them with "Muslim Isolationists [who] hold that the United States is an evil empire dedicated to global domination,"[115] and to "Muslim Assimilators… from the senior generation who chose assimilation, i.e., 'normalization,' into mainstream American culture, rather than challenging what assimilation entailed."[116] Muslim Democrats, on the other hand,

> …are… quick to acknowledge that Muslims are better treated in the United States than they are in Muslim countries. They have seen democracy, pluralism, and cultural and religious tolerance in action, and are fascinated by the ability to resolve political differences peacefully in the United States.[117]

Importantly, Khan notes about Muslim Democrats that

> They have emphasized Islamic principles of justice, religious tolerance, and cultural pluralism. They have Islamized Western values of freedom, human rights, and respect for tolerance by finding Islamic sources and precedence [such as, critically, the Quran] that justify them.[118]

Khan then goes on to share two important observations. First, "…in the battle for American Islam, Muslim Democrats have enjoyed a resounding success. They have gradually marginalized Muslim Isolationists and rendered their arguments and positions illegitimate."[119] But, to our point here, he also observes that

> The Muslim Isolationists had receded into the background after the triumph of the Muslim Democrats in the debate over participation during the presidential elections in 2000. But now, with the systematic profiling of Muslims by the Department of Homeland Security, increased negative media attention, and Muslims feeling estranged and marginalized, Muslim Isolationists have returned with great vigor.[120]

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[114] M.A. Muqtedar Khan, "American Muslims and the Rediscovery of America's Sacred Ground," in Barbara A. McGraw and Jo Renee Formicola, eds., *Taking Religious Pluralism Seriously: Spiritual Politics on America's Sacred Ground* (Waco, TX: Baylor University Press, 2005), chapter 7, p. 138.
[115] Ibid., p. 139.
[116] Ibid., p. 138.
[117] Ibid., p. 141.
[118] Ibid., p. 142.
[119] Ibid., p. 143.
[120] Ibid., p. 145.

This exemplifies Apple's concern that failure to be "open and responsive" leads to "growth of rightist social movements." In and of itself, secularization of the French *laïcité* sort, which bars and/or disparages religious voices from the public square, might lead to the sense of marginalization and disenfranchisement that foments radical uprisings. Couple that with a particularly anti-Muslim sentiment and the danger is clear. This is precisely what New Atheist[121] Sam Harris does in his book *The End of Faith* when he writes succinctly, "We are at war with Islam."[122]

In short, a rigid conception of the separation of church and state is not necessarily a guarantee of peace and harmony. It could lead religious people to feel marginalized and disenfranchised. It could lead to their feeling under attack. It could foment radicalism that undermines the common good.

There is another *dangerous memory* concerning the religious diversity myth. Although the public narrative evokes a secularized public square as a neutral place where believers of all sorts and non-believers of all sorts come together as citizens equal in the eyes of the law, the history is not so pristine. Hamburger indicates that it was anti-Catholicism that drove the movement towards conceiving of religious liberty as requiring a separation of church and state: "…the separation of church and state became popular mostly as an anti-Catholic and more broadly antiecclesial conception of religious

[121] I use the term *New Atheist* to refer to recent, militant anti-theists whose objective is to rid the world of religion, which they consider to be a major contributor to violence and war, violation of human rights and dignity, and assaults on scientific progress. They see religion as superstitious, unreasonable, and, worse, pathological; and they are resolute in their attempt to rid the world of this perceived virus. See James E. Taylor, "The New Atheists" in *International Encyclopedia of Philosophy*, https://iep.utm.edu/n-atheis/.
[122] Sam Harris, *The End of Faith: Religion, Terror, and the Future of Reason* (New York: W. W. Norton & Company, 2005), chapter 4, "The Problem with Islam," p. 109.

liberty."[123] Mark Massa writes about this in his study *Anti-Catholicism in America: The Last Acceptable Prejudice.* He quotes Lyman Beecher, who helped fire up the anti-Catholic sentiment in Massachusetts that led to the burning of the Ursuline Convent (and school) in Charlestown on August 11, 1834:

> On the extraordinarily hot evening of August 10, 1834, Lyman Beecher delivered the last of three virulently anti-Catholic sermons in as many churches in the city of Boston… Beecher declared that "the principles of this corrupt church are adverse to our free institutions, from the contempt and hostility which they feel towards all Protestants." The mesmerizing preacher announced to a sweltering but rapt audience that if Catholics had their way, especially through their crafty ruse of running schools like the one in Charlestown, they would "subvert our free institutions and bring into disgrace all ideas of an effective government."[124]

The sentiment of anti-Catholicism grew as waves of Catholic immigrants arrived in the U.S. It was exacerbated by events in the Catholic Church, such as Pope Pius IX's 1864 *Syllabus of Errors*, which considered an error "That the Church ought to be separated from the State, and the State from the Church."[125] Another exacerbating event was the First Vatican Council (1869-70), with its definitions of papal infallibility and papal supremacy. According to Fraser,

> The first Vatican Council… had moved the church in conservative and centralizing directions. Among the council's actions had been the declaration of Papal Infallibility concerning faith and morals. For many American Protestants, these actions confirmed deeply held fears of Catholic plans for world conquest that were to begin in the United States… American newspapers, overwhelmingly Protestant owned and dominated, played up the issue.[126]

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[123] Philip Hamburger, *Separation of Church and State* (Cambridge, MA: Harvard University Press, 2002), p. 252.
[124] Mark Massa, *Anti-Catholicism in America: The Last Acceptable Prejudice* (New York: The Crossroad Publishing Company, 2003), pp. 24-25.
[125] Pope Pius IX, "Syllabus of Errors," article 55, http://academic.brooklyn.cuny.edu/history/dfg/amrl/syl-err.htm, [Accessed 14 Jan 2019].
[126] James W. Fraser, *Between Church and State: Religion and Public Education in a Multicultural America*, (New York: St. Martin's Press, 1999), p. 110.

Nativist politics, even after the Know Nothing Party of the mid-19th century, continued to be successful, especially by focusing on two related issues: anti-Catholicism and education.

This long shadow of anti-Catholicism in American history is certainly part of the *dangerous memory* of the particularly Protestant Christian origins myth; but it is also related to the religious diversity myth as well. It was fear of Catholic institutions that drove the conceptual shift in meaning for our understanding of *religious liberty.* With the influx of Catholic immigrants and the attending prejudices, the American concept of religious liberty shifted towards separation of church and state, precisely what Pope Pius IX had decried as an error. In other words, the movement towards greater secularization of the government, including the schools, was inspired in large part by fear of Catholics or even the pope taking control. (Is not much of the current anti-Muslim rhetoric strikingly similar, *mutatis mutandis*?)

On this extreme end of the religious diversity spectrum, then, is the idea that religious liberty can only exist if religion is privatized, i.e. kept out of the public sphere, especially out of government and the schools. Though this may be promoted as neutrality, it may very well be hostility. Militant atheists, for example, are convinced that religion is ultimately a virus in society, a threat to science and reason, an enemy of human rights, and an instigator of division, violence, and war.[127] Their myth of

[127] This is the central argument of Sam Harris in *The End of Faith*. Here is a brief selection: "For anyone with eyes to see, there can be no doubt that religious faith remains a perpetual source of human conflict. Religion persuades otherwise intelligent men and women to not think, or to think badly, about questions of civilizational importance. And yet it remains taboo to criticize religious faith in our society, or even to observe that some religions are less compassionate and less tolerant than others. What is worst in us (outright delusion) has been elevated beyond the reach of criticism, while what is best (reason and intellectual honesty) must remain hidden…." (Sam Harris, *The End of Faith: Religion, Terror, and the Future of Reason* (New York: W. W. Norton & Company, 2005), pp. 236-7).

America's founding is an extreme version of the religious diversity myth that sees in the First Amendment a call to secularism and a solid wall between church and state. Their vision is what Richard John Neuhaus famously called the naked public square:

> The naked public square is the result of political doctrine and practice that would exclude religion and religiously grounded values from the conduct of public business. The doctrine is that America is a secular society. It finds dogmatic expression in the ideology of secularism.[128]

Neuhaus warned us, though, that "…the public square will not and cannot remain naked. If it is not clothed with the 'meanings' borne by religion, new 'meanings' will be imposed by virtue of the ambitions of the modern state."[129]

On the other hand, secularism may be the preferred reading of the religious diversity myth by religious people as well as atheists.[130] In this case, the *naked public square* appears as the best guarantor of their own freedom of religion. By keeping religion and religious discussions out of the schools, for example, they hope for a situation in which no religious viewpoint gains dominance over others, and where religious instruction can be safely guarded by families and religious communities. By endorsing a privatizing of religion, they have made unlikely bedfellows with militant atheists and other secularists in advocating for public schools that do not treat of religion(s) in any substantial way.

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[128] Richard John Neuhaus, *The Naked Public Square: Religion and Democracy in America*, second edition (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1984), p. ix.
[129] Ibid.
[130] "Other secularists [as opposed to the "hard secularists" defined in footnote 109] believe only that public institutions (including the laws and public education) should be secular. These secularists may be deeply religious, but they believe that religion is best kept private. I will call them soft secularists." (Warren A. Nord, *Does God Make a Difference? Taking Religion Seriously in Our Schools and Universities* (Oxford: Oxford University Press, 2010), p. 77).

*1.2.4b. The Other Extreme of the Religious Diversity Myth: Diversity Run Amok*

On the other end of the spectrum of those who hold to the religious diversity myth of origins is the advocate of unlimited multiculturalism and diversity. At this extreme, we must ask the question: what are the limits of toleration? Are there certain religious views and conceptions of the good (or what John Rawls called "comprehensive doctrines"[131]) that are beyond the pale of toleration, and thus, inclusion in our public schools? If so, how do we decide what those limits are without ourselves becoming intolerant? This is the famous *paradox of tolerance* proposed by Karl Popper in his work, *The Open Society and Its Enemies*:

> Unlimited tolerance must lead to the disappearance of tolerance. If we extend unlimited tolerance even to those who are intolerant, if we are not prepared to defend a tolerant society against the onslaught of the intolerant, then the tolerant will be destroyed, and tolerance with them.[132]

Michel Rosenfeld explains:

> Consistent with this paradox, tolerance of the intolerant is ultimately self-defeating as the latter will inevitably take advantage of being tolerated to gain the upper hand, and eventually to abolish tolerance.[133]

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[131] John Rawls, *Political Liberalism*, expanded edition (New York: Columbia University Press, 1993 and 2005), p. 12. "I assume all citizens to affirm a comprehensive doctrine to which the political conception they accept is in some way related. But a distinguishing feature of a political conception is that it is presented as free-standing and expounding apart from, or without reference to, any such wider background. To use a current phrase, the political conception is a module, an essential constituent part, that fits into and can be supported by various reasonable comprehensive doctrines that endure in the society regulated by it."

[132] Karl Popper, *The Open Society and Its Enemies,* in John Zijiang Ding, "Introduction: Pluralistic and Multicultural Reexaminations of Tolerance/Toleration," *Journal of East-West Thought,* December 2014, https://www.cpp.edu/~jet/Documents/JET/Jet13/ding1-12.pdf [Accessed 4 February 2019].

[133] Michel Rosenfeld, "On constitutionalism and the paradoxes of tolerance: Reflections on Egypt, the US, and beyond," *International Journal of Constitutional Law*, Volume 11, Issue 4, October 1, 2013, Pages 835–841, https://doi.org/10.1093/icon/mot055 and https://academic.oup.com/icon/article/11/4/835/698757 [Accessed 4 February 2019].

Long before Popper, John Locke wrote his famous *A Letter Concerning Toleration* (1689) in which he appealed to both Christian faith and human reason to defend a position of toleration of religious differences in society. "The Toleration of those that differ from others in Matters of Religion," he wrote, "is so agreeable to the Gospel of Jesus Christ, and to the Genuine Reason of Mankind, that it seems monstrous for [people] to be so blind, as not to perceive the Necessity and Advantage of it, in so clear a Light."[134] Nonetheless, as Stephen Macedo points out, "The limits of a right to toleration are reached, for Locke, when religious doctrines are advanced that deny the grounds and integrity of the social compact itself."[135] Thus, in the *Letter* we read, "No Opinions contrary to human Society, or to those moral Rules which are necessary to the preservation of Civil Society, are to be tolerated by the Magistrate."[136] In his context, he found that atheism was beyond the pale: "Those are not to be tolerated who deny the Being of a God. Promises, Covenants, and Oaths, which are the Bonds of a Humane Society, can have no hold upon an Atheist."[137] While we would likely (though not all) agree that atheism deserves toleration (at the very least) in contemporary American society, Locke once again begs the question: What are the limits of tolerance? What must we consider out of bounds for toleration precisely because it erodes the ground upon which tolerance is built?

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[134] John Locke, *A Letter Concerning Toleration* (October 3, 1689), James H. Tully, ed. (Indianapolis: Hackett Publishing Company, 1983), p. 25.
[135] Stephen Macedo, *Diversity and Distrust: Civic Education in a Multicultural Democracy* (Cambridge, MA: Harvard University Press, 2000), p. 34.
[136] John Locke, *A Letter Concerning Toleration* (October 3, 1689), James H. Tully, ed. (Indianapolis: Hackett Publishing Company, 1983), p. 49.
[137] Ibid., p. 51. See also Stephen Macedo, *Diversity and Distrust: Civic Education in a Multicultural Democracy* (Cambridge, MA: Harvard University Press, 2000), p. 287n44.

Rawls wrote about such limits in *Political Liberalism*. When discussing the *priority of right*, he expressed one aspect of one particular view of government neutrality: "that the state is to ensure for all citizens equal opportunity to advance any conception of the good they freely affirm…" Immediately, he rejected this conception of neutrality, saying, "The priority of right excludes… [this] meaning of neutrality of aim, for it [the priority of right] allows that only permissible conceptions (those that respect the principles of justice) can be pursued."[138] In other words, the state is rightfully intolerant of those conceptions of the good that are at odds with justice, which is to say, are at odds with "certain political virtues—the virtues of fair social cooperation such as the virtues of civility and tolerance, of reasonableness and the sense of fairness…"[139] Likewise, in *A Theory of Justice*, he wrote,

> Knowing the inherent stability of a just constitution, members of a well-ordered society have the confidence to limit the freedom of the intolerant only in the special cases when it is necessary for preserving equal liberty itself… only when the tolerant sincerely and with reason believe that their own security and that of the institutions of liberty are in danger.[140]

If "the core value of democracy" is "conscious social reproduction in its most inclusive form"[141] as Amy Gutmann claims in *Democratic Education,* then it makes sense to recognize some conceptions of the good as incompatible with that core value.

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[138] John Rawls, *Political Liberalism*, expanded edition (New York: Columbia University Press, 2005), pp. 192-193. Rawls also writes, "…the priority of right means… that the principles of justice set limits to permissible ways of life… the claims that citizens make to pursue ends transgressing those limits have no weight. The priority of right gives the principles of justice a strict precedence in citizens' deliberations and limits their freedom to advance certain ways of life." (p. 209). Again, he writes, "The priority of right… allows that only permissible conceptions [of the good] (those that respect the principles of justice) can be pursued." (p. 193).

[139] Ibid, p. 194.

[140] John Rawls, *A Theory of Justice,* revised edition (Cambridge, MA: Harvard University Press, 1971, 1999), p. 193.

[141] Amy Gutmann, *Democratic Education* (Princeton: Princeton University Press, 1987 and 1999), p. 42.

Thus, when Gutmann speaks of the commitments of a democratic state, one of those commitments is to allocate "educational authority [e.g. of individuals, parents, educational experts, the state] in such a way as to provide its members with an education adequate… to choosing among (a limited range of) good lives…"[142] This "limited range" is consistent with Rawlsian principles and Popper's concerns.

Finally, Michael Sandel speaks about the need for a public philosophy commensurate with the demands of a democracy. He defines "public philosophy" as "the political theory implicit in our practice, the assumptions about citizenship and freedom that inform our public life."[143] He worries that contemporary liberalism (writing in 1996)—the liberalism of what he calls "the procedural republic"[144]—lacks a sustaining civic underpinning, necessary for what Gutmann calls "conscious social reproduction." In other words, "The public philosophy by which we live cannot secure the liberty it promises, because it cannot inspire the sense of community and civic engagement that liberty requires."[145] This philosophy, precisely as a "political theory implicit in our practice," begs us to ask whether the practice of public education contributes to the securing of the liberty it promises and upon which it is based. We saw that Michael Apple's concern was a secularist system that pushes some religious citizens out of public education, harming the community. Might not the community also be harmed by admission of unlimited religious perspectives into the curriculum? Are there some that

[142] Amy Gutmann, *Democratic Education* (Princeton: Princeton University Press, 1987 and 1999), p. 42.
[143] Michael J. Sandel, *Democracy's Discontent: America in Search of a Public Philosophy* (Cambridge, MA: The Belknap Press of Harvard University Press, 1996), p. 4.
[144] Ibid.
[145] Ibid., p. 6.

should not be tolerated (and therefore, not taught) because they undermine the very liberty upon which a tolerant society is structured?

As we consider the place of religion(s) in the curriculum of the public secondary schools of the United States, this question of the limits of tolerance will remain pertinent. Following in the Rawlsian tradition, Stephen Macedo reminds us of the centrality of public reason:

> Civic liberalism does not require people to run from their religious faith. It is, indeed, prepared to affirm that many religious communities make a vital contribution to liberal civil society. Civic liberalism does argue, however, that when we seek to shape the political power that is our common property as citizens—when, that is, we act as *citizens* as opposed to private people—we owe our fellow citizens reasons that they can share with us. This is not antireligious; it is simply a basic requirement of mutual respect. It is also a duty of political civility that is in danger of being compromised by a misguided notion of fairness and toleration.[146]

To put it another way, modern American liberalism may have become "…so riveted by interesting questions concerning the boundaries and limits of individual rights and the content of fundamental justice that we forget the larger project of sustaining healthy patterns of liberal democratic social life."[147] Macedo contends that "We should adopt an adequately subtle account of the virtues on which a healthy liberal democracy depends, and a correspondingly complex account of the institutional means of political education."[148] Determining those virtues will necessarily mean limiting our toleration of diversity. Macedo captures quite well the danger of the extreme embrace of diversity and multiculturalism:

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[146] Stephen Macedo, *Diversity and Distrust: Civic Education in a Multicultural Democracy* (Cambridge, MA: Harvard University Press, 2000), pp. 186-7.
[147] Ibid., p. 278.
[148] Ibid.

> By all means, let us celebrate a mutually respectful liberal democratic diversity… But let us also recognize that the celebration of peaceful diversity behooves us to try and understand what must be done from a political standpoint to keep Sydney from becoming Sarajevo, or Boston from becoming Beirut…. There are groups and ways of life that thrive on ignorance and the demonization of outsiders. Surely, a world in which such groups are marginalized is exactly what we want.[149]

Richard Dawkins makes an example of Emmanuel College in Gateshead, England, a school that received a government subsidy even though it taught "literal biblical creationism." Prime Minister Tony Blair, "…invoked 'diversity' when challenged in the House of Commons…" about the legitimacy of such an arrangement.[150] Dawkins further reports on a lecture delivered by the school's head of science, Stephen Layfield, on September 21, 2001, entitled, "The Teaching of Science: A Biblical Perspective." In that lecture, Layfield reportedly said, "Let us state then right from the start that we reject the notion… that there are 'Two Books' (i.e. the Book of nature & the Scriptures) which may be mined independently for truth. Rather, we stand firm upon the bare proposition that God has spoken authoritatively and inerrantly in the pages of holy Scripture."[151] Dawkins assesses the situation with astonishment: "You have to keep pinching yourself. You are not dreaming. This is not some preacher in a tent in Alabama but the head of *science* at a school into which the British government is pouring money, and which is Tony Blair's pride and joy."[152] His flabbergasted reaction to the entire scenario summarizes well this extreme pole of the religious diversity narrative: "Diversity may be a virtue, but this is diversity gone mad."[153]

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[149] Stephen Macedo, *Diversity and Distrust: Civic Education in a Multicultural Democracy* (Cambridge, MA: Harvard University Press, 2000), p. 26.
[150] Richard Dawkins, *The God Delusion* (Boston: Houghton Mifflin Company, 2006), p. 372.
[151] Ibid., pp. 373-5.
[152] Ibid., p. 375. Emphasis in original.
[153] Ibid.

## CHAPTER 2: From Myths to Models-

## Religion(s) and the Curriculum in Current Practice

The degree to which proponents and opponents of religion(s) in American public schools either approve or disapprove of various curricular proposals regarding religion(s) varies according to their commitment to one or the other dominant myths we have discussed. We see this in four common approaches in our schools today.

### *2.1 The Subversive Approach*

For those to whom the Christian origins myth predominates, the nature of public schools in the U.S. as decentralized entities under local authority lends itself to subversion of the famous Supreme Court cases of the 1960's that allegedly "kicked God out of the schools." As we shall see in the next chapter, the Court did no such thing. Nonetheless, the Court did bring a *de iure* end to the devotional use of the Bible and to school-led prayer in the public schools. The Court's decisions, however, require implementation; and *de facto*, there have been (and probably still are) schools and school systems that have not fully implemented the Court's decisions. They continue(d) to function in a way that favors Protestant Christian hegemony. When this happens in a homogenous community, there is likely to be no perceived harm, and no foul is called. On the other hand, it only takes one member of a community to recognize the subversion of the Court's decisions and to begin a process for redress of grievances that begins usually with the local school's principal and school board, and might end by making its way into the court system, even as far as the Supreme Court.

Concerning the Supreme Court's decisions about school-led prayer and devotional Bible use, Damon Mayrl writes that "Religious and political leaders denounced the decision, school officials around the country defiantly vowed to continue the practices irrespective of the decision…"[1] And yet, Mayrl asserts, "…these efforts ultimately failed, and within twenty years official Bible reading and school prayer had virtually vanished from schools outside the South, while even in the South their frequency had declined substantially."[2] Regardless of the trend, the desire to make public schooling a Christian affair has not subsided. In 2019, President Donald Trump tweeted his support for Bible literacy classes in the schools.

> Shortly after *Fox & Friends* aired a segment about proposed legislation to incorporate Bible classes into public schools… President Donald Trump cheered the efforts on Twitter… The segment followed a *USA Today* report on January 23 that conservative Christian lawmakers in at least six states have proposed legislation that would "require or encourage public schools to offer elective classes on the Bible's literary and historical significance."[3]

While such classes do not inherently violate the First Amendment as interpreted by the Supreme Court, they may have the intent of promoting Christianity, which would be unconstitutional.

> "It's a historical fact that the Bible has influenced Western civilization and U.S. history," [said John Inazu, a law and religion professor at Washington University in St. Louis], "so it's plausible that you could teach a class like this if it is done in a way that promotes cultural literacy." Inazu added that the courts would also likely consider the motive behind instituting such classes. If they determine that the motivation behind Bible-literacy bills is to privilege Christianity, the classes could be ruled unconstitutional. That's bad news for those pushing these bills

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[1] Damon Mayrl, *Secular Conversions: Political Institutions and Religious Education in the United States and Australia, 1800-2000* (New York: Cambridge University Press, 2016), p.1.
[2] Ibid. (Mayrl cites Reichard B. Dierenfield. 1986. "Religious Influence in American Public Schools." *The Clearing House* 59(9): 390-92, p. 391).
[3] Jonathan Merritt, "Teaching the Bible in Public Schools is a Bad Idea—for Christians," *The Atlantic,* January 30, 2019, https://www.theatlantic.com/ideas/archive/2019/01/bible-literacy-bills-could-backfire-on-conservatives/581593/ [Accessed 6 February 2019].

> because, as *USA Today* reported, they are the product of "an initiative called Project Blitz coordinated by conservative Christian political groups" who seek to "advocate for preserving the country's Judeo-Christian heritage."[4]

For many who believe the Bible is the Word of God, the goal is simply to get the Bible into the hands of students, even without officially sanctioned devotional use. "'State legislators should not be fooled that these are anything more than part of a scheme to impose Christian beliefs on public schoolchildren,' said Rachel Laser, president and CEO of Americans United for Separation of Church and State."[5] It is the latest in an ongoing battle in which those who believe this to be a Christian nation attempt to restore the public schools to the (Protestant) Christian and biblical practices and culture that once predominated in them.

Besides these official moves to subvert the decisions of the Supreme Court and to restore Protestant Christian hegemony to the public schools, there are likely countless individual acts of subversion as well. Stephen Carter addresses one such case (though he does not consider the action subversive, and considers the court's decision to be wrong): *Roberts v. Madigan* (1990). In short, the school district in Denver that includes Berkeley Gardens Elementary School "forbade a teacher to display his personal Bible where his students could see it, or to read it silently when his students were involved in work that did not require his direct supervision…"[6] The United States Court of Appeals for the

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[4] Jonathan Merritt, "Teaching the Bible in Public Schools is a Bad Idea—for Christians," *The Atlantic,* January 30, 2019, https://www.theatlantic.com/ideas/archive/2019/01/bible-literacy-bills-could-backfire-on-conservatives/581593/ [Accessed 6 February 2019].

[5] Erin Richards, "Bible Classes in Public Schools? Why Christian Lawmakers are Pushing a Wave of New Bills," *USA Today*, January, 23, 2019, https://www.usatoday.com/story/news/education/2019/01/23/in-god-we-trust-bible-public-school-christian-lawmakers/2614567002/ [Accessed 6 February 2019].

[6] Stephen Carter, *The Culture of Disbelief: How American Law and Politics Trivialize Religious Devotion* (New York: BasicBooks, 1993), p. 189.

Tenth District ruled that "…the school district acted for the valid purpose of preventing him from promoting Christianity in a public school."[7] In other words, the court recognized that Kenneth Roberts was using his position and influence as a public school teacher to promote the Bible and Christianity. Even where the official curriculum of a school lines up with the demands of the First Amendment, the actual, delivered, and implicit curriculum in any given teacher's classroom may be subversive. Unless there is a complaint, the violation of the Supreme Court's decisions may continue and a *de facto* return to the *status quo ante* can go on unabated.

### *2.2 The Non-Inclusion Approach*

For followers of the religious diversity myth, especially its secularist pole, the preferred academic arrangement is to place religion(s) in what Elliot Eisner called "the null curriculum."[8] Of course, there is no such thing as perfect non-inclusion. Religion(s) is always in the curriculum in one way or another. Diane Moore writes,

> It is important to note… that religion is *already* being taught in the schools… Unintentional sectarianism, antireligious biases and the intentional promotion of particular religious worldviews are already manifest in schools across the nation, though often unwittingly and/or without understanding the problematic nature of these practices.[9]

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[7] *Roberts v. Madigan*, 921 F.2d 1047 (1990), https://www.leagle.com/decision/19901968921f2d104711752 [Accessed 6 February 2019].

[8] "The null curriculum is what is taught, ironically, by what is *not* taught. 'It is my thesis that what schools do not teach may be as important as what they do teach… because ignorance is not simply a neutral word.'" Thomas Groome quoting Elliot Eisner, *The Educational Imagination* (New York: Macmillan, 1979), p. 74. (Thomas H. Groome, *Sharing Faith: A Comprehensive Approach to Religious Education and Pastoral Ministry, The Way of Shared Praxis* (Eugene, OR: Wipf and Stock Publishers, 1991), p.453n5. Emphasis in the original).

[9] Diane L. Moore, *Overcoming Religious Illiteracy: A Cultural Studies Approach to the Study of Religion in Secondary Education* (New York: Palgrave Macmillan, 2007), p. 6. Emphasis in the original.

Nonetheless, there is an approach that attempts to keep religion(s) out of the explicit curriculum of our public schools. It may result from ignorance of the demands of the First Amendment as outlined by the Supreme Court (an ignorance we will address in the next chapter) and/or from fear of litigation, or even just tensions in the community, related to the Establishment Clause. Perhaps it comes from an over-zealous concern for separation of church and state.

Diane Moore acknowledges that among the "strong dissenting voices across the ideological spectrum," that are opposed to any inclusion of religion in the public school curriculum are sometimes "orthodox practitioners from a variety of traditions [who] object on the grounds that they believe the academic approach to the study of religion (as opposed to the devotional approach) contradicts their theological convictions."[10] Additionally, "many do not want their children to be taught about their own faith tradition (or others) in school because they feel that is the responsibility of the parents in concert with their faith communities."[11] A further example is presented by Richard Dawkins, who writes, "Religious apologists themselves realize this [that a study of comparative religions might lead to doubts and even disbelief] and it often frightens them."[12] He presents as evidence a "negative letter… from 'The Campaign for Real Education,' whose spokesman, Nick Seaton, said multi-faith religious education was extremely dangerous because 'Children these days are taught that all religions are of equal worth, which means that their own has no special value.'"[13] Seaton's valid

[10] Diane L. Moore, *Overcoming Religious Illiteracy: A Cultural Studies Approach to the Study of Religion in Secondary Education* (New York: Palgrave Macmillan, 2007), p. 6.
[11] Ibid.
[12] Richard Dawkins, *The God Delusion* (Boston: Houghton Mifflin Company, 2006), p. 382.
[13] Ibid.

concerns about what Catholics call relativism and indifferentism are certainly not without warrant; but do they necessarily lead us away from any explicit treatment of religion(s) in the schools? Ironically, for Dawkins, that very concern leads to an affirmation of religion(s) in the curriculum: "Let children learn about different faiths, let them notice their incompatibility, and let them draw their own conclusions about the consequences of that incompatibility. As for whether any are 'valid,' let them make up their own minds when they are old enough to do so."[14]

Returning to the voices of opposition to religion(s) in public education, Moore finds them on the progressive end of the spectrum as well. She points out that "…many progressive religious and secular voices fear that sectarian biases will inevitably prevail when religion is taught in public school, in spite of the best intentions of teachers, administrators, and school boards."[15] And finally, the Non-inclusion Approach could be part of a militant secularization attempt, which seeks to diminish and even eliminate religion from public life (or from life altogether). Although Dawkins supports religion in the curriculum, including the study of the Bible for literary and cultural reasons,[16] it is hard to imagine Michael Newdow or Sam Harris doing the same. Their ideology of hard secularism fits best with this non-inclusion paradigm.

When we see such a diversity of voices coming together to affirm the Non-inclusion Approach concerning religion(s) in public education, it might seem that we are

[14] Richard Dawkins, *The God Delusion* (Boston: Houghton Mifflin Company, 2006), pp. 382-3. In this, Dawkins resembles Nel Noddings, an advocate for *Educating for Intelligent Belief or Unbelief*, whom we will bring into the conversation more fully in a later chapter.
[15] Diane L. Moore, *Overcoming Religious Illiteracy: A Cultural Studies Approach to the Study of Religion in Secondary Education* (New York: Palgrave Macmillan, 2007), p. 6.
[16] He concludes, "We can give up belief in God while not losing touch with a treasured heritage." (Richard Dawkins, *The God Delusion* (Boston: Houghton Mifflin Company, 2006), pp.383-7, at 387.

heading towards what Rawls demanded of legitimate public policy: "overlapping consensus."[17] It seems that many have decided, even if not in Rawlsian terms, that this is indeed the case, and that non-inclusion is the only legitimate arrangement, even if the myriad parties have come to this political conception by different roads. This is unfortunate for at least two reasons. First, it only *appears* that we have an overlapping consensus. The existence of those who embrace the subversive approach are evidence already of a lack of genuine overlapping consensus. (We will look at another arrangement momentarily, which I call the Superficial Approach, whose members also do not fit into this supposed consensus). Second, the Non-inclusion Approach is always an ideal and cannot meet the demand of "possibility." John Courtney Murray explained this problem of the law when he considered the moral overreach of civil legislation. He wrote, "A legal ban on an evil must consider what St. Thomas calls its own 'possibility.' That is, will the ban be obeyed, at least by the generality?"[18] Whether non-inclusion were to be imposed by legislation or judicial decisions, or simply by local school board policy, the fact of the matter remains that religion(s) cannot be fully extricated from the curriculum, nor will the "ban be obeyed." In short, the non-inclusion approach is a chimera, and what appears in its place is our next topic.

[17] John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993 and 2005), p. 134. In a society of "reasonable pluralisms," Rawls explains that "…a reasonable comprehensive doctrine cannot secure the basis of social unity, nor can it provide the content of public reason on fundamental political questions." Instead, there must be "…an overlapping consensus of reasonable comprehensive doctrines. In such a consensus, the reasonable doctrines endorse the political conception, each from its own point of view." (pp. 133-4).

[18] John Courtney Murray, *We Hold These Truths: Catholic Reflections on the American Proposition* (Lanham, MD: Rowman & Littlefield Publishers, 1960), p. 158.

### *2.3 The Negative Inclusion Approach*

When religion(s) is not explicitly and intentionally addressed in the curriculum by teachers who are trained in the subject area as in any other specialty, religion and religious topics do not simply disappear. Religion(s) has been and continues to be important in our various cultures and in American and world history and civilization; it can hardly be disentangled from the curriculum. In this sense, we might have called this the Incidental Inclusion Approach or the Unintentional Inclusion Approach. On closer inspection, though, when religion(s) is only incidentally included in the curriculum, it tends to end up more often in a negative light. Hence, we will call this the Negative Inclusion Approach.

Among the ways that religion(s) enters into the curriculum without explicit endorsement is what Moore described earlier: "Unintentional sectarianism, antireligious biases and the intentional promotion of particular religious worldviews…"[19] It would be difficult, if not impossible, to quantify how many teachers promote religion(s) versus how many denigrate religion(s). For our purposes, though, both forms of bias fall short of the intellectual rigor and honesty that students deserve when encountering religion(s) in the curriculum.

A systematic approach to analyzing the problem was taken by Warren Nord. In his final book, published in 2010, after a long career as a leading academic voice for religion(s) in public education, he wrote, "What do students learn about God and religion in American [public] schools and universities? The answer: not much."[20] To back up his

[19] Diane L. Moore, *Overcoming Religious Illiteracy: A Cultural Studies Approach to the Study of Religion in Secondary Education* (New York: Palgrave Macmillan, 2007), p. 6.
[20] Warren A. Nord, *Does God Make a Difference? Taking Religion Seriously in Our Schools and Universities* (Oxford: Oxford University Press, 2010), p. 41.

claim, he wrote, "Happily, there is a fairly straightforward way of determining whether God measures up to American standards in public schools, for there have been for more than a decade now national content standards for K-12 education."[21] Nord also examined the standard textbooks ("for the third time"[22]), including science, history, and economics. For a taste of his findings, consider what he discovered looking only at American and world history:

- In the history standards, "…religion comes into play (in some way) in about 10 percent of the world history standards, and something under 5 percent of the American history standards."[23]
- "The history texts say a good deal about religion. Moreover, they're getting somewhat better."[24]
- Nonetheless, "Given everything that must be crammed into the texts, there simply isn't enough space to make religion intelligible. World history texts typically devote about three pages (including pictures and charts) to explaining the origins, basic teachings, and early development of each of the great world religions."[25]
- "The standards and the textbooks understate the importance of religion in the modern world. Religion largely, though not entirely, disappears from both the world and the American history standards and texts as we page past the seventeenth century."[26]

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[21] Warren A. Nord, *Does God Make a Difference? Taking Religion Seriously in Our Schools and Universities* (Oxford: Oxford University Press, 2010), p. 41.
[22] Ibid, p. 42.
[23] Ibid, p. 43.
[24] Ibid.
[25] Ibid.
[26] Ibid.

- "Perhaps because of the frequent focus on military and political history, when religion is mentioned it is typically for its contribution to violence or conflict."[27]
- "…the texts encourage students to think of religion in the twentieth century largely in the context of war and they typically fail to give religion its due as a cause of peace and justice."[28]
- While the standards note that religions "grow and change dynamically," Nord does not see this emphasized enough. He says, "Still, the texts and the standards largely freeze the theological development of Christianity in the Reformation, while other religions are frozen much earlier in their classical shapes… they appear to be fossilized remnants of the past."[29]

Concluding his overview of the history curriculum, Nord writes,

> While it is widely acknowledged that students must learn something about religion in the course of studying history, we typically take this to mean that some mention of religious leaders, movements, and institutions should be incorporated into our historical narratives, but of course those narratives must be secular narratives… [we] have not recognized the importance of enabling students to understand the events and themes of history from religious perspectives.[30]

Diane Moore agrees with these assessments, writing, "…most of the depictions [of religion in history textbooks] are limited to the origins of the traditions and significant moments in political history where religion played a major political role (e.g. the Crusades, the witch trials…, the founding of the State of Israel, etc.)"[31] She concludes that the presentation "reinforces the belief that religion is fundamentally separate from

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[27] Warren A. Nord, *Does God Make a Difference? Taking Religion Seriously in Our Schools and Universities* (Oxford: Oxford University Press, 2010), p. 44.
[28] Ibid., p 45.
[29] Ibid.
[30] Ibid., p. 47.
[31] Diane L. Moore, *Overcoming Religious Illiteracy: A Cultural Studies Approach to the Study of Religion in Secondary Education* (New York: Palgrave Macmillan, 2007), pp. 70-1.

other dimensions of human life except in premodern times and in exceptional modern expressions that are often negative or portrayed in a negative light (e.g. religious forms of terrorism, the Islamic revolution in Iran, etc.)"[32]

Stephen Carter is also concerned about the negative implications of leaving religion(s) in the null curriculum. He worries that we trivialize religion, relegate it to the private sphere, and treat it as "just another hobby."[33] Far from being neutral, then, this stance amounts to discrimination. He writes,

> One problem with the public school curriculum—a problem, happily, that has lately had much attention—is that the concern to avoid even a hint of forbidden *endorsement* of religion has led to a climate in which teachers are loathe to *mention* religion. A number of studies have concluded that the public school curriculum is actually biased against religion.[34]

This is, perhaps, the most pernicious effect of the Negative Inclusion Approach. By not including religion in the explicit curriculum of the school, among all the other subjects that we consider important as sources of knowledge, wisdom, beauty, goodness, meaning, and truth, we make an unwarranted epistemological claim. We deny that religious ways of knowing are valid, and that faith perspectives are worthy of thoughtful and rational consideration. We implicitly, and without intellectual warrant, denigrate faith as old-fashioned, unsophisticated, superstitious, unreasonable, and childish. We deny that religion(s) is important and worthy of study, and that religious experience is a serious aspect of human existence historically, universally, and still today. We deny the ongoing

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[32] Diane L. Moore, *Overcoming Religious Illiteracy: A Cultural Studies Approach to the Study of Religion in Secondary Education* (New York: Palgrave Macmillan, 2007), p. 71.
[33] See, for example, Stephen L. Carter, *The Culture of Disbelief: How American Law and Politics Trivialize Religious Devotion* (New York: BasicBooks, 1993), pp. 16, 22.
[34] Ibid., p. 206.

public significance of religion(s). In all of this, we deny religious people the power to be democratic contributors in curriculum building. Michael W. Apple writes,

> Schools do not only control people; they also help control meaning. Since they preserve and distribute what is perceived to be 'legitimate knowledge'—the knowledge that 'we all must have,' schools confer cultural legitimacy on the knowledge of specific groups. But this is not all, for the ability of a group to make its knowledge into 'knowledge for all' is related to that group's power in the larger political and economic arena.[35]

All of this, I call *the hostility of neglect*. It is not a mere lacuna in the curriculum. The absence speaks loudly and teaches forcefully. From the void, students learn a message that is hostile to religion(s), religious people, and religious epistemologies and arguments.

### *2.4 The Superficial Approach*

While followers of the Christian origins myth are likely to prefer the Subversive Approach (for now, with the hopes of Protestant hegemony restored in the future), and while some followers of the religious diversity myth, especially those at the secularist pole, are attracted to the Non-inclusion Approach (which, as we have seen, devolves into the Negative Inclusion Approach), there is nonetheless a final paradigm to examine. Some adherents of each myth prefer to have religion(s) taught in the public schools in some fashion. For those who call this a Christian nation, the tolerance of other religions in the curriculum is a price worth paying to ensure that Christianity and the Bible make an appearance. For those who consider this a nation built on and for religious liberty and diversity, a multiculturalist approach to religion(s) in the curriculum seems fair and

[35] Michael W. Apple, *Ideology and Curriculum* (London: Routledge, 1979), pp. 63-4, http://newlearningonline.com/new-learning/chapter-8/michael-apple-on-ideology-in-curriculum [Accessed 18 February 2019].

promotes tolerance. The problem with this arrangement, though, is that in the limited cases where religion(s) is introduced into the curriculum in an intentional way, the treatment tends to be superficial and lacks the academic rigor and critical thinking we would expect in every other course of study.

The two most common ways that religion(s) is explicitly introduced into the curriculum of public schools are through (elective) courses on the Bible and (less frequently) on world religions.[36] The elective nature of these courses is the first problem that lands this approach in the category of superficiality. If we deem that a subject is universally important at some fundamental level, we typically require its study. We cannot imagine making mathematics, science, or English classes elective precisely because we agree that an educated citizen must have at least a basic familiarity with these topics to be a successful, intelligent, and contributing member of the community. When religion(s) appears in the curriculum only as an elective, it signals to students that it is unimportant, or at least less serious as an academic study. It turns the communal, intellectual work of addressing religion(s) into a specialty for those who have the interest and aptitude, no different from taking extra classes in a musical instrument. It makes religion what Stephen Carter called "just another hobby."[37]

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[36] Warren A. Nord, *Does God Make a Difference? Taking Religion Seriously in Our Schools and Universities* (Oxford: Oxford University Press, 2010), p 57. He makes another astute observation: "In spite of the importance we attach to morality, there are no (or very, very few) high school courses in ethics or morality. There are character education programs in many schools—usually in the lower grades—most of which ignore religion as too controversial." Concerning the Bible courses, he writes, "According to one survey, about 8 percent of high schools offer courses in the Bible, but they are always elective courses, and few students take them." Concerning world religions courses, he writes, "I don't know the number of schools that offer courses in world religions, but my impression is that they are less common than Bible courses (and, with only one exception that I know of, they too are always elective.)"

[37] Stephen L. Carter, *The Culture of Disbelief: How American Law and Politics Trivialize Religious Devotion* (New York: BasicBooks, 1993), p. 22.

*2.4.1 Bible Courses*

Turning to Bible courses in particular, we find two further problems. The first we already addressed: sometimes the Bible is introduced into the curriculum in a subversive manner in order to promote Protestant Christianity. Thus, when Dr. Mark Chancey, a professor of biblical studies at Southern Methodist University in Dallas, reviewed the 2005 *The Bible in History and Literature* curriculum distributed by the National Council on Bible Curriculum in Public Schools (NCBCPS), he concluded, "In my professional judgment as a biblical scholar… this curriculum on the whole is a sectarian document, and I cannot recommend it for usage in a public school setting."[38] Sectarianism is also a form of superficiality when considering the academic rigor required of a public school course. As Nord writes, "An introductory Bible course should be neutral among religious interpretations and neutral between religious and secular interpretations, a daunting task… The purposes of a liberal education require that students be introduced to a variety of ways of interpreting Scripture, theological and secular."[39] Failing to achieve, or even to aspire to, this level of complexity in the academic study of the Bible is the very definition of superficiality.[40]

Even when the Bible is introduced into the explicit curriculum in non-sectarian ways, there is still the problem of insufficient depth. *The Bible and Its Influence* is a popular curriculum published by the Bible Literacy Project, and, according to Nord, "has

[38] Mark A, Chancey, "The Bible and Public Schools: Report on the National Council on Bible Curriculum in Public Schools (NCBCPS)," published by The Texas Freedom Network Education Fund, undated (post-2005), p. 2. The reach of the curriculum is indicated on p. 4: "The Web site of the NCBCPS claims that it is used in 308 school districts in 36 states, including 14 districts in Louisiana, and that more than 175,000 students have taken courses utilizing it."

[39] Warren A. Nord, *Does God Make a Difference? Taking Religion Seriously in Our Schools and Universities* (Oxford: Oxford University Press, 2010), p. 236.

[40] Merriam-Webster dictionary app [Accessed 9 February 2019] defines "superficial" in part as, "not thorough or complete" and also "not deep or serious."

been favorably reviewed by many religious journals and both secular and religious scholars from diverse traditions."[41] Even so, Nord points out some serious weaknesses:

> …it says little about scholarly textual and historical criticism, avoids any discussion of the relationship of science and the Bible, says little about the relationship of biblical texts to controversial moral issues, and is not very helpful in enabling students to understand the differences between the ways conservatives and liberals read the Bible.[42]

These themes are avoided, one infers, for practical reasons: controversy won't get the book into school systems. The question, then, is whether the sacrifice is worth it.

One final way in which Bible courses prove to be superficial is the most obvious: they are selective about the parts of the Bible to have students read and study. Any such selection is already an interpretive act and may, once again, betray a theological bias. Moreover, one must wonder whether it is reasonable to expect students to read the whole Bible (and *which* whole Bible: do we stop at the end of the Jewish Tanakh? Do we stop at the end of the Protestant canon? Do we include the Catholic texts not in the Protestant canon? etc.) How much must be included to avoid superficiality? Nord suggests that "Students should read enough of the Bible to acquire some sense of its recurring themes and internal emphases, but if they can't read all of the Bible (an unlikely possibility) teachers must be careful in selecting (and interpreting) the parts they do assign."[43] Study of the Bible is, of course, an incredibly complex field; and like any other discipline, an introductory course is unlikely to avoid being superficial to some extent. To use a biblical

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[41] Warren A. Nord, *Does God Make a Difference? Taking Religion Seriously in Our Schools and Universities* (Oxford: Oxford University Press, 2010), p. 233. He adds, "Not surprisingly, it has been denounced by advocates of the National Council on Bible Curriculum in Public Schools curriculum, often for discussing multiple interpretations of the Bible, as well as by (the liberal) Americans United for the Separation of Church and State, which finds it too uncritically sympathetic to religion."

[42] Ibid.

[43] Ibid., p. 234.

analogy, St. Paul wrote to the neophytes in Corinth, "I fed you with milk, not solid food, for you were not ready for solid food" (1 Corinthians 3:2, NRSV).

### *2.4.2 World Religions Courses*

When we look at world religion courses, one model demands our attention above all. It is the course required of all students in Modesto, California. Nord, as we saw earlier, notes that world religion courses are almost always elective. "The sole exception," he writes, "is a nine-week course required in the Modesto, California schools that has been offered since 2001 without incident."[44] Emile Lester has written in depth about the Modesto Model. Here is his description of the requirement: "… the course takes place in the ninth grade, lasts for nine weeks, and examines six different religious traditions. The course involves significantly, although not exclusively, what I would describe as a community consensus approach for its deep concern with accommodating the interests of Modesto's religiously pluralistic community."[45] This community consensus involved designing a course and then submitting it for review to various religious leaders in Modesto.[46] Lester remarks that "…the course's designers cautiously confined themselves to, for the most part, *describing* the religions studied."[47]

> Students were to learn about the major beliefs and ritual practices of the seven religions studied but they would not be challenged explicitly to contrast or evaluate the religions… The course had only one week to devote to each religion… The course made students aware of basic denominational differences

[44] Warren A. Nord, *Does God Make a Difference? Taking Religion Seriously in Our Schools and Universities* (Oxford: Oxford University Press, 2010), p. 298n29.
[45] Emile Lester, "To Change Society or Reflect It: Comparing the Cultural Studies and Community Consensus Approaches to Teaching about Religion," in Michael D. Waggoner, ed., *Religion in the Public Schools: Negotiating the New Commons* (Lanham, MD: Rowman & Littlefield Education, 2013), Chapter 7, pp. 111- 128, at 112.
[46] Ibid., p. 114.
[47] Ibid., pp. 114-5. Emphasis in the original.

> within religions, but focused more on common denominators uniting these denominations… Lesson plans and text, for instance, made sure students were aware of the difference between Sunnis and Shiites, but devoted more time to the five tenets of Islam and the life of Muhammed. Controversial elements of each religion, such as the treatment of women in Islam, received sparse treatment lest some religions receive more criticism…[48]

Lester and Patrick Roberts conducted a study of the effectiveness of the Modesto Model and found that the program did increase students' tolerance and willingness to stand up against discrimination.[49] Significantly, though, Lester writes:

> Rabbi Paul Gordon of Modesto's Beth Shalom Congregation suggested to us that the wariness of administrators about controversy led the course to shy away from any critical evaluation of religion in general or the religions studied. Our research supports Gordon's claim that the course tended to bathe each religion in a "warm and fuzzy" light. For instance, the initial textbook Modesto used made only scant and passing references to religious persecution or other forms of violence inspired by religion.[50]

Perhaps because of this "warm and fuzzy" approach and the strong aversion to conflict and controversy, Lester remarks that "Indeed, Modesto's course has not been the subject of legal complaints or community protests in the decade since its implementation."[51]

When students finished the Modesto course on world religions, it appears that the lack of controversy and depth led them to the conclusion that all religions have the same basic values and that all religions are basically the same.[52] Lester admits, "The assimilation and valorization of minority faiths may have nudged students toward a soft

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[48] Emile Lester, "To Change Society or Reflect It: Comparing the Cultural Studies and Community Consensus Approaches to Teaching about Religion," in Michael D. Waggoner, ed., *Religion in the Public Schools: Negotiating the New Commons* (Lanham, MD: Rowman & Littlefield Education, 2013), Chapter 7, p. 115. Lester mentions six religions on page 112, and then seven on page 115. It appears that seven is the correct number: Buddhism, Christianity, Confucianism, Hinduism, Islam, Judaism, and Sikhism.
[49] Ibid., pp. 119-21.
[50] Ibid., p. 120.
[51] Ibid., p. 121.
[52] Ibid., p. 121-2.

form of relativism, even as the uncritical attitude toward the faiths may have reinforced students' view of religion as a force for good."[53] Because of this, he also questioned the practical outcome:

> The results might even call into question whether the primary benefit of Modesto's approach, the promotion of tolerance, is as substantial as it appears. Genuine tolerance involves reconciling ourselves to what we disagree with. If students are assimilating other beliefs to their own, what appears as tolerance may simply involve students accepting what [others] believe to be slightly divergent versions of their own beliefs.[54]

Nonetheless, Lester appears to accept the "soft relativism" and to accept the finding of increased tolerance as genuine and commendable. He seems to be among the Modesto Model defenders, whom he says acknowledge that the perfect is the enemy of the good and that "…the perfect is truly unobtainable."[55] In a "…community that had been deeply split along religious lines over a culture war issue [i.e. homosexuality] just prior to the course's implementation," Lester is happy to see the very practical result of increased tolerance, however thin that tolerance may be.

The Modesto Model is a clear example of the Superficial Approach. It does not give enough time to the study of religion(s), nor does it permit the level of rigor needed to examine a complex topic critically. It shies away from controversy. Diane Moore, whose own cultural studies approach diverges greatly from the Modesto methodology, is a harsh critic of the model. It falls into what she describes as the "phenomenological approach,"

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[53] Emile Lester, "To Change Society or Reflect It: Comparing the Cultural Studies and Community Consensus Approaches to Teaching about Religion," in Michael D. Waggoner, ed., *Religion in the Public Schools: Negotiating the New Commons* (Lanham, MD: Rowman & Littlefield Education, 2013), Chapter 7, pp. 124-5.

[54] Ibid., p. 122. He goes on to say the opposite may be true as well, or that the survey questions may have been interpreted in different ways than intended. In short, he suggests "More detailed research… would be fruitful" (p. 123).

[55] Ibid., p. 125.

which is largely an anodyne, "descriptive study of the beliefs, symbols, practices, and structures of religion and religious expression."[56] She gives the Huston Smith classic *The World's Religions* as an example. What is her (and many other scholars') critique? She worries about "the ahistorical nature of the method itself. Traditions are often presented as timeless, uniform, and unchanging systems of belief that betray the social/historical dimensions that define all religious expressions and interpretations."[57] In particular, she mentions as problematic "essentialized expressions that are uniform as opposed to internally diverse" and expressions that are "idealized in that they are represented in an uncritical light."[58]

On the surface, this may seem to promote peace, or tolerance as Lester concludes, but we may well wonder whether this is what Martin Luther King, Jr, described as "negative peace which is the absence of tension" and whether a less superficial approach would yield something deeper, "a positive peace which is the presence of justice."[59]

### *2.5 A New Way Forward: The Meaningful Inclusion Approach (MIA)*

Having exposed some of the inadequacies of the current approaches, I propose a fifth way that I call the Meaningful Inclusion Approach (MIA). To have any chance of being practical and implemented, without succumbing to the "soft relativism" of a "warm

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[56] Diane L. Moore, *Overcoming Religious Illiteracy: A Cultural Studies Approach to the Study of Religion in Secondary Education* (New York: Palgrave Macmillan, 2007), p. 68.
[57] Ibid., p. 69.
[58] Ibid.
[59] Martin Luther King, Jr., "Letter from Birmingham Jail," April 16, 1963, https://www.africa.upenn.edu/Articles_Gen/Letter_Birmingham.html [Accessed 9 February 2019].

and fuzzy" approach, it will have to take seriously the historical perspectives and the political philosophies that arise from both the Christian origins myth and the religious diversity myth, while also attending to the *dangerous memories* that are present in both. It will take what is good from the current arrangements and add to it, while avoiding the deficiencies in each. In the final chapter, I will lay out a detailed proposal and a pedagogy for the Meaningful Inclusion Approach. For now, let us examine a framework upon which this proposal will be built.

To call the proposal *Meaningful* invites the questions: meaningful in what way; meaningful to whom? First of all, it is a meaningful treatment of the subject matter. In contrast to the Superficial Approach, which did not give religion(s) its due as a subject worthy of in-depth study with critical academic rigor, the MIA treats religion(s) itself as meaningful. Religion(s) is recognized as meaningful for its power in people's lives and in world history and world affairs. It is meaningful for its contribution to culture, and for its ability to help people to transcend selfish concerns and to connect with others in community, with nature, and even with God or gods. It is meaningful for its manner of asking and answering the big questions of life concerning our origin, purpose, and final end or *telos.* It engages the perennial questions of good and evil, suffering and death, justice and the common good. Religions are not static as they address these questions (and the new questions that arise with each age), but rather, they develop dynamically, offering new insights and wisdom over time, including the wisdom of letting go those ideas deemed to be erroneous or no longer life-giving.[60] The MIA treats religions in their

[60] John Dewey reflects on this phenomenon in his own age, writing, "The crisis today as to the intellectual content of religious belief has been caused by the change in the intellectual climate due to the increase of our knowledge and our means of understanding. I have tried to show that this change is not fatal to the

dynamism and diversity. This includes internal diversity, recognizing that there is no one Buddhism, for instance, but rather a multitude of expressions of Buddhism that are worthy of our study. It acknowledges religions as potential sources of knowledge and wisdom. It takes faith and spirituality seriously. Hence, it does not relegate religion(s) to history, as if its lingering presence in the world were merely vestigial, but instead presents religions as "live options."[61]

Second, the approach I am proposing is meaningful to students. The trend in American education is towards STEM-focused education (Science, Technology, Engineering, and Mathematics) and towards ever more high-stakes testing. Without denying the importance of STEM subject areas for the common good and also the need to assess quality and require accountability in education, I nonetheless fear that we are experiencing the reduction of the student to an individual cog in our economic machine and an empty mind to be filled with the knowledge needed for that machine.[62] We have

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religious values in our common experience, however adverse its impact may be upon historic religions." (John Dewey, *A Common Faith* (New Haven: Yale University Press, 1934), p. 56). Dewey makes a distinction between the religious values and the religions themselves that may or may not embody and engender those values. To the degree that the historic religions grow and develop, they may survive; the religious values, though, under the guidance of intelligence, will persist, and, he says, "the change is liberating." (ibid.) His view of this "natural intelligence" that guides the growth and development includes the idea that "we cease to depend upon belief in the supernatural." (Ibid, p. 57). He really is talking about a "humanistic religion." (Ibid., p. 54). "Religion," he says, "would then be found to have its natural place in every aspect of human experience that is concerned with estimate of possibilities, with emotional stir by possibilities as yet unrealized, and with all action in behalf of their realization." (Ibid., p. 57). While Dewey sees this as the endpoint of religious development, I see religions themselves as also demonstrably capable of change as they address new situations and new questions. What he says about our ideals, I would say is true about religions as well: "It relieves us of the incubus of thinking of them as fixed, as without power of growth. It discloses that they develop in coherence and pertinency with increase of natural knowledge." (Ibid.)

[61] Warren A. Nord, *Does God Make a Difference? Taking Religion Seriously in Our Schools and Universities* (Oxford: Oxford University Press, 2010), p. 169.

[62] Nel Noddings writes, "In the past, great educators have devoted much thought to the issue of aims [in education], but today we hear little such debate. It is as though our society has simply decided that the purpose of schooling is economic – to improve the financial condition of individuals and to advance the prosperity of the nation. Hence students should do well on standardized tests, get into good colleges,

been losing our sense of holistic education. This is indeed a double loss: on the one hand, we lose sight of the child as a whole, complex person who exists always in relationship with others and with the natural world, whose very being is spiritual and longs for meaning and transcendence.[63] On the other hand, we lose sight of the liberal promise of education itself. Education becomes a narrow endeavor that is increasingly indistinguishable from job and career training. Such preparation is, of course, necessary, but it is not sufficient for the demands of a liberal education. Nel Noddings calls such a narrowing of what we teach and learn a "trend toward bland and boring curriculum,"[64] and I have to agree.

Taking students seriously as whole persons brings greater vigor, vibrancy, and meaning back into the formal educational project. Noddings says that "the treatment of religious topics can contribute to intellectual, moral, and emotional as well as spiritual development."[65] John Dewey proposed that the real curriculum for education is nothing other than life itself. Education is not preparation for life, but rather an engagement with life and experience: life examined, as Socrates called it.[66] Bell hooks would agree. She

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obtain well-paying jobs, and buy lots of things. Surely there is more to education than this." Nel Noddings, *Happiness and Education* (New York: Cambridge University Press, 2003), p. 4.

[63] John Dewey argues that we need both the connection to others and the connection to nature. He writes, "A religious attitude… needs the sense of a connection of man, in the way of both dependence and support, with the enveloping world that the imagination feels is a universe" and then, "A humanistic religion, if it excludes our relation to nature, is pale and thin, as it is presumptuous, when it takes humanity as an object of worship." (John Dewey, *A Common Faith* (New Haven: Yale University Press, 1934), pp. 53-54).

[64] Nel Noddings, *Educating for Intelligent Belief or Unbelief* (New York: Teachers College Press, 1993), p. xv.

[65] Ibid., p. 2.

[66] "In this school the life of the child becomes the all-controlling aim. All the media necessary to further the growth of the child center there. Learning? Certainly, but living primarily, and learning through and in relation to this living." (John Dewey, "The School and Society," in *The School and Society and The Child and the Curriculum* (Chicago: The University of Chicago Press, 1990), p. 36). "Life is the great thing after all; the life of the child at its time and in its measure no less than the life of the adult. Strange would it be, indeed, if intelligent and serious attention to what the child *now* needs and is capable of in the way of a

says of her college students something that may easily be applied to younger students as well: "They… want knowledge that is meaningful. They rightfully expect that… I will not offer them information without addressing the connection between what they are learning and their overall life experiences."[67] Anthony Cernera refers to education as "the [lifelong] task of becoming human" and praises as wisdom the Catholic tradition which proposes that "the education of the person is the education of the *whole* person." Through this "lifelong project," he says that "Education at every level must be devoted to contributing something meaningful to this task of becoming fully human."[68]

Education is meaningful and less prone to being dull and boring when it takes seriously the real life experience of students, including their concerns and questions, their fears and their faith, their doubts and their hopes, and their relationships and longing for connection both human and sometimes divine. Noddings proposes that

> Existential questions should form the organizing backbone of the curriculum, and they should be appropriate everywhere. We rob study of its richness when we insist on rigid boundaries between subject matters, and the traditional disciplinary

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rich, valuable, and expended life should somehow conflict with the needs and possibilities of later, adult life." (Ibid., p. 60). "All studies arise from aspects of the one earth and the one life lived upon it… Relate the school to life, and all studies are of necessity correlated." (Ibid. p. 91). Michael Schiro names Dewey as one of the key figures of the Learner Centered Ideology regarding curriculum theory. He quotes Roland Barth in a line that could have come straight from Dewey: "…the organic school cherishes childhood and 'stresses the present, not the future; living, not preparing for life…'" (Michael Stephen Schapiro, *Curriculum Theory: Conflicting Visions and Enduring Concerns* (Los Angeles: SAGE Publications, 2008), p. 98). Dewey wrote, "The ideal of using the present simply to get ready for the future contradicts itself. It omits, and even shuts out, the very conditions by which a person can be prepared for his [or her] future. We always live at the time we live and not at some other time, and only by extracting at each present time the full meaning of each present experience are we prepared for doing the same thing in the future. This is the only preparation which in the long run amounts to anything." (John Dewey, *Experience and Education: The 60th Anniversary Edition* (West Lafayette, Indiana: Kappa Delta Pi, 1998), p. 51). Dewey conceived of "teaching and learning as a continuous process of reconstruction of experience." (Ibid., p. 111).

[67] bell hooks, *Teaching to Transgress: Education as the Practice of Freedom* (New York: Routledge, 1994), p. 19.

[68] In Michael James, Thomas Masters, and Amy Uelmen, *Education's Highest Aim: Teaching and Learning through a Spirituality of Communion* (Hyde Park, New York: New City Press, 2010), p. 8.

> organization makes learning fragmentary and—dare I say—boring and unnecessarily separated from the central issues of life.[69]

These "central issues of life" are what the Meaningful Inclusion Approach addresses. As such it connects to the real questions students ask, giving life and meaning to what might otherwise be "inert ideas."[70] In this sense, the MIA helps students to see the unity of truth and knowledge, a vision associated especially with John Henry Newman.[71] With bell hooks, it imagines that "the classroom should be an exciting place, never boring" and that "learning should be exciting, sometimes even 'fun'" and further, "that this excitement could co-exist with and even stimulate serious intellectual and/or academic engagement."[72]

By taking the student seriously as a whole-person-in-relationship and by taking the demands of a liberal education seriously as well, the MIA invites students into the meta-cognitive work of making connections and synthesizing knowledge from various

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[69] Nel Noddings, *Educating for Intelligent Belief or Unbelief* (New York: Teachers College Press, 1993), p. 8.
[70] Alfred North Whitehead proposed that "inert ideas" were "ideas that are merely received into the mind without being utilised, or tested, or thrown into fresh combinations." (Alfred North Whitehead, *The Aims of Education and Other Essays* (New York: The Free Press, 1929), p. 1). John Henry Newman agrees with this sentiment, writing, "The enlargement [of the mind] consists, not merely in the passive reception into the mind of a number of ideas hitherto unknown to it, but in the mind's energetic and simultaneous action upon and towards those new ideas, which are rushing in upon it…" (Qtd. in Ian Ker, *The Achievement of John Henry Newman* (Notre Dame, Indiana: University of Notre Dame Press, 1990), p. 10).
[71] According to Newman, "all knowledge forms one whole." He writes, "All that exists, as contemplated by the human mind, forms one large system or complex fact, and this of course resolves itself into an indefinite number of particular facts, which, as being portions of the whole, have countless relations of every kind, one towards another. Knowledge is the apprehension of these facts, whether in themselves, or in their mutual positions and bearings. And, as all taken together form one integral subject for contemplation, so there are no natural or real limits between part and part; one is ever running into another; all as viewed by the mind, are combined together, and possess a correlative character one with another…" (Qtd. in Ian Ker, *The Achievement of John Henry Newman* (Notre Dame, Indiana: University of Notre Dame Press, 1990), pp. 23-24). What Newman describes as the purpose of a university education, I suggest applies to primary and secondary education as well: "real cultivation of mind" by which he means "the intellect…properly trained and formed to have a connected view or grasp of things" (Ibid., p. 20).
[72] bell hooks, *Teaching to Transgress: Education as the Practice of Freedom* (New York: Routledge, 1994), p. 7.

fields into a coherent view of the human person and society. They are invited to think critically, employing not only secular epistemologies, but religious ways of knowing and making sense as well. They are invited to bring their critical thinking skills to every area of life; but also to bring their whole lives as spiritual, relational, emotional, physical beings to their thinking and meaning-making.

An important third way in which the MIA is meaningful regards parents and faith communities. I agree with Kent Greenawalt when he writes, "Education that disregards religion may implicitly communicate its unimportance."[73] Conversely, by including the study of religion(s) in the public school curriculum, we signal that religion is something we take seriously to parents who value their own religion and their children's religious upbringing. We create stronger public schools, that are more welcoming and inclusive, and that are less likely to suffer attrition to sectarian schools and home-schools. This further results in a greater religious pluralism within the schools, aiding our project of learning about and from one another and learning to live in mutual respect and peace.

Finally, the MIA will be meaningful to the local community, to our country, and to our globalized society. When students develop religious literacy,[74] they are more capable of rejecting prejudices and stereotypes about the religious "other." This helps to form a community rooted in mutual respect, trust, and cooperation. In a country as religiously diverse as the United States, this education is a necessary component of civic education. I agree with Diane Moore when she writes,

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[73] Kent Greenawalt, *Does God Belong in Public Schools?* (Princeton: Princeton University Press, 2005), p. 5.
[74] Stephen Prothero defines "religious literacy" in the United States as "the ability to understand and use the religious terms, symbols, images, beliefs, practices, scriptures, heroes, themes, and stories that are employed in American public life." He adds, "religious literacy … is the ability to participate in our ongoing conversation about the private and public powers of religions." (Stephen Prothero, *Religious literacy: What Every American Needs to know—and Doesn't* (New York: HarperOne, 2007), pp. 17-18).

> …our lack of understanding about the ways that religion itself is an integral dimension of social/historical/political experience coupled with our ignorance about the specific tenets of the world's religious traditions significantly hinder our capacity to function as engaged, informed, and responsible citizens of our democracy.[75]

Concerning the place of religion at the world table, Pope Benedict XVI wisely noted:

> The Christian religion and other religions can offer their contribution to development *only if God has a place in the public realm*… Denying the right to profess one's religion in public and the right to bring the truths of faith to bear upon public life has negative consequences for true development. The exclusion of religion from the public square—and, at the other extreme, religious fundamentalism—hinders an encounter between persons and their collaboration for the progress of humanity.[76]

It is precisely this encounter which the Meaningful Inclusion Approach will foster in the public schools. The competencies and the wisdom that students gain in this formative environment shape young people into caring adults who have the capacity to promote "collaboration for the progress of humanity." On the other hand, according to the pope's analysis, when religion is kept out of public life, serious problems arise:

> Public life is sapped of its motivation, and politics takes on a domineering and aggressive character. Human rights risk being ignored either because they are robbed of their transcendent foundation or because personal freedom is not acknowledged. Secularism and fundamentalism exclude the possibility of fruitful dialogue and effective cooperation between reason and religious faith… Any breach in this dialogue comes only at an enormous price to human development.[77]

Inclusion of religion(s) in the curriculum of American public schools will engage students in this dialogue between reason and faith and will prepare students to participate in this ongoing dialogue long after school is over. They will be well-formed agents of

[75] Diane L. Moore, *Overcoming Religious Illiteracy: A Cultural Studies Approach to the Study of Religion in Secondary Education* (New York: Palgrave Macmillan, 2007), pp. 3-4.
[76] Pope Benedict XVI, *Caritas in Veritate,* #56.
[77] Ibid.

"fruitful dialogue" and "effective cooperation" in the efforts for human development worldwide. As former Secretary of State John Kerry wrote, "Leaders in public life need to recognize that in a world where people of all religious traditions are migrating and mingling like never before, we ignore the global impact of religion at our peril."[78] In a democracy, those future leaders are in our classrooms. The world is depending on us to teach them well. Nothing less than world peace depends on the quality of this education. I can think of nothing more meaningful than that.

[78] John Kerry, "John Kerry: 'We ignore the global impact of religion at our peril,'" *America: The Jesuit Review* online, September 2, 2015, https://www.americamagazine.org/issue/religion-and-diplomacy [Accessed 14 April 2020].

## CHAPTER 3: The Constitutional Question

### *3.1 The Constitution Itself: Text and Context*

Any proposal to teach religion(s) in the public schools in the United States will have to address the requirements of the United States Constitution, and in particular the constraints imposed by the First Amendment. That crucial amendment regarding the "first freedom" reads:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech…

These three clauses—the Establishment Clause, the Free Exercise Clause, and the Free Speech Clause—together form the constitutional basis for the law regarding the relationship between religion(s) and public education.[1]

Concerning the question of whether the founders considered this a "Christian nation," which must necessarily support a Christian educational project, we also have the words of the original Constitution, predating the Bill of Rights. In Article VI, part 3, we read what Martha Nussbaum calls "a radical statement of religious equality" that is "bold and striking, given the prominence of [religious] test oaths in Britain." It is noteworthy, as well, for being "passed without demur" in 1787 when Charles Pinckney introduced it.[2]

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[1] Although the first two clauses are, technically, the "religion clauses" of the First Amendment, the Supreme Court has also decided religion-related cases based on the Free Speech Clause, especially in more recent years. Warren Nord writes, "One result of the Court's weakening of the Free Exercise Clause [in *Employment Division v. Smith* (1990)] is that the Free Speech Clause has been increasingly called into service to protect religious speech." (Warren A. Nord, *Does God Make a Difference? Taking Religion Seriously in Our Schools and Universities* (Oxford: Oxford University Press, 2010) p. 155).

[2] Martha Nussbaum, *Liberty of Conscience: In Defense of America's Tradition of Religious Equality* (New York: BasicBooks, 2008) p. 97.

The text reads: "No religious Test shall ever be required as a Qualification to any Office or Public Trust under the United States." Thus, although the states had established (Christian) religions, the Constitution makes clear that the federal government would not require Christian faith (or any other) as a prerequisite for public service at the federal level.

Concerning the states, the situation was different. At the outset, we should notice that neither the No Religious Test Clause nor the Religion Clauses of the First Amendment constrained the states but only the "United States" and its "Congress." The various states were allowed to have established religions, and indeed they did. Joan DelFattore reminds us, for example, that "Delaware's 1776 state constitution… required officeholders to profess belief in the Holy Trinity and in the divine inspiration of the Old and New Testaments."[3] Stephen Carter points out that "The language of the Establishment Clause… prohibits the Congress from making any law '*respecting* an establishment of religion.'" He argues, "The evident purpose of this… word was to prevent the Congress from interfering with state establishments of religion."[4] For most of our history, then, the constitutional arrangement concerning church and state was interpreted to apply to the federal government only.

There is good reason for this long-standing position. After all, the question of applying to the states at least some of what became the federal Bill of Rights was debated at the founding. Nussbaum writes, "…Madison all along wanted at least some provision

[3] Joan DelFattore, *The Fourth R: Conflicts Over Religion in America's Public Schools* (New Haven: Yale University Press, 2004), p. 61.
[4] Stephen L. Carter, *The Culture of Disbelief: How American Law and Politics Trivialize Religious Devotion* (BasicBooks: New York, 1993), p. 118. Italics in Carter's text.

of the Bill of Rights to be binding on the state governments…"[5] For this reason, he proposed an amendment that read: "No state shall violate the equal rights of conscience, or the freedom of the press…"[6] He considered this "the most valuable amendment in the whole list."[7] Though the amendment passed in the House, it was rejected by the Senate and the issue was not revisited until after the Civil War.[8]

Nonetheless, the states themselves were prepared to defend religious liberty. According to Nussbaum, "All state constitutions had free exercise clauses, and most had, or shortly came to have, some type of anti-establishment provision."[9] Massachusetts was the last state to disestablish its official religion in 1833.

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[5] Martha Nussbaum, *Liberty of Conscience: In Defense of America's Tradition of Religious Equality* (New York: BasicBooks, 2008) p. 98.

[6] James Madison, in Martha Nussbaum, *Liberty of Conscience: In Defense of America's Tradition of Religious Equality* (New York: BasicBooks, 2008) p. 98.

[7] James Madison, in Martha Nussbaum, *Liberty of Conscience: In Defense of America's Tradition of Religious Equality* (New York: BasicBooks, 2008) p. 100.

[8] According to Nussbaum, "…there was an unsuccessful effort in 1875 to amend the Constitution so as to 'incorporate' the religion clauses…" The Blaine Amendment, though, had as its political purpose the prevention of public monies flowing to Catholic schools, and used "…the high-minded words of the existing First Amendment… to wrap his [former Speaker of the House James Blaine's] anti-Catholic nativism in the mantle of the Constitution." (Ibid., p. 132). Philip Hamburger gives more context. Congress had already defeated similar amendments in 1870 and 1871; and in 1874 (and then again in 1876), "Liberals initially proposed a new version of the First Amendment, which would require both the federal government and the states to extend equal religious liberty to atheists and unconventional theists." These "Liberals" were "theologically liberal, anti-Christian secularists." After President Grant called for an amendment that would "Keep the Church and State forever separate," Blaine (like Grant, a Republican), saw an opportunity to advance his career. He did not become the party's next candidate for President, as he would have liked, but the platform of Rutherford B. Hayes and the Republican Party included his amendment. Hamburger writes, "The Liberals regretted this 'non-committal' Blaine amendment because it conformed to the Protestant or nativist conception of separation. Although it provided that no public lands or public funds devoted to school purposes shall 'ever be under the control of any religious sect' or 'be divided between religious sects or denominations,' it thereby would 'still leave the Protestant sects undisturbed in their present collective mastery over the public school system.'" No amendments passed. The Blaine Amendment advanced the farthest: it passed in the House, but failed narrowly (28-16, with a two-thirds majority needed) in the Senate. (Philip Hamburger, *Separation of Church and State* (Cambridge, MA: Harvard University Press, 2002), pp. 287ff., at 298n28, 296, 287, 322, 298).

[9] Martha Nussbaum, *Liberty of Conscience: In Defense of America's Tradition of Religious Equality* (New York: BasicBooks, 2008) p. 130.

Disestablishment at the state level was not envisioned in the federal Constitution, as we have seen, nor did the Supreme Court claim jurisdiction over the question when first given the opportunity to render an opinion. In 1845, the Supreme Court ruled that it had no jurisdiction in a case involving a Catholic priest being fined for violating the health regulations of New Orleans when he prayed over a corpse. The Court wrote: "The Constitution makes no provision for protecting the citizens of the respective states in their religious liberties; this is left to the state constitution and law: nor is there any inhibition imposed by the Constitution of the United States in this respect on the states."[10]

### *3.2 Incorporation—The Federal Constitution Applied to the States: Cantwell, Everson, and the Fourteenth Amendment*

It was only in 1940 that the Supreme Court incorporated the First Amendment into the Fourteenth Amendment in *Cantwell v. Connecticut*. The Fourteenth Amendment, passed during Reconstruction, reads:

> All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

[10] *Permoli v. Municipality No. 1 of the City of New Orleans,* 44 U.S. (3 How.) 589 (1845). Qtd. in Martha Nussbaum, *Liberty of Conscience: In Defense of America's Tradition of Religious Equality* (New York: BasicBooks, 2008) p. 131. The case was argued that the Supreme Court had jurisdiction because of federal laws that later applied to territories within the Louisiana Purchase (specifically, The Ordinance of 1787). Since these federal laws predated the Louisiana state constitution (1812), the argument was that they were foundational and hence, still operative at some level. The Court decided that state laws now supersede those previous federal laws, and hence, dismissed the case: "…the laws of Congress were all superseded by the state constitution; nor is any part of them in force unless they were adopted by the Constitution of Louisiana as laws of the state."

The *Cantwell* case involved the right of Jehovah's Witnesses to proselytize in the streets of New Haven without a permit—proselytizing with anti-Catholic rhetoric in a Catholic neighborhood. On the question of whether there was a breach of the peace or incitement to violence, which the government could rightly punish even if the speech were religious in nature, the Court found none. Then, in a unanimous decision, the Court overturned the state's ruling, which had upheld the permitting requirement. The justices found in Connecticut law a burden (technically, a "prior/previous restraint") on the free exercise of religion (and speech). *Cantwell* affirmed that the manner of issuing permits amounted to a form of censorship, and that "…a censorship of religion as the means of determining its right to survive is a denial of liberty protected by the First Amendment and included in the liberty which is within the protection of the Fourteenth."[11]

[11] Cantwell v. Connecticut, 310 U.S. 296 (1940), https://supreme.justia.com/cases/federal/us/310/296/#tab-opinion-1936773 [Accessed 13 April 2019]. *Cantwell* concerned the right of Jehovah's Witnesses to proselytize without a state permit. The Court decided that the required permit, because it involved the power of the state to decide what qualified as a religion and the power of the state to refuse a permit, amounted to the state's ability to censor religions. The Court's decision reads in part: "We find in the instant case no assault or threatening of bodily harm, no truculent bearing, no intentional discourtesy, no personal abuse. On the contrary, we find only an effort to persuade a willing listener to buy a book or to contribute money in the interest of what Cantwell, however misguided others may think him, conceived to be true religion.
In the realm of religious faith, and in that of political belief, sharp differences arise. In both fields the tenets of one man may seem the rankest error to his neighbor. To persuade others to his own point of view, the pleader, as we know, at times resorts to exaggeration, to vilification of men who have been, or are, prominent in church or state, and even to false statement. But the people of this nation have ordained, in the light of history, that, in spite of the probability of excesses and abuses, these liberties are, in the long view, essential to enlightened opinion and right conduct on the part of the citizens of a democracy.
The essential characteristic of these liberties is that, under their shield, many types of life, character, opinion and belief can develop unmolested and unobstructed. Nowhere is this shield more necessary than in our own country, for a people composed of many races and of many creeds. There are limits to the exercise of these liberties. The danger in these times from the coercive activities of those who in the delusion of racial or religious conceit would incite violence and breaches of the peace in order to deprive others of their equal right to the exercise of their liberties, is emphasized by events familiar to all. These and other transgressions of those limits the States appropriately may punish."

Writing for the Court, Justice Owen J. Roberts ruled that "The First Amendment declares that Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof. The Fourteenth Amendment has rendered the legislatures of the states as incompetent as Congress to enact such laws."[12] By so incorporating it, the Supreme Court eviscerated the long-standing literal interpretation of the First Amendment, which applied its restrictions to the federal government only. From this point on, the First Amendment has been interpreted to apply not only to the United States, but to each of the states individually, and to all levels of government, right down to the local school board.

*Cantwell* formally and explicitly incorporated the Free Exercise Clause, but only *indicated* that the Establishment Clause applied to the states as well. In 1947, the Court made the incorporation of the Establishment Clause explicit.[13] The question before the Court was whether public funds could be used for busing students to Catholic schools. In

[12] *Cantwell v. Connecticut*, 310 U.S. 296 (1940), www.oyez.org/cases/1940-1955/310us296 [Accessed 2 July 2019].

[13] In my review of the literature, *Everson* (1947) is consistently named the case in which the Establishment Clause was formally and explicitly incorporated. However, *Everson* itself cites *Murdoch v. Pennsylvania* (1943) as a precedent. In *Murdoch,* the Court explicitly states, "The First Amendment, which the Fourteenth makes applicable to the states, declares that 'Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press . . .'" (Murdock v. Pennsylvania, 319 U.S. 105 (1943), https://supreme.justia.com/cases/federal/us/319/105/ [Accessed 30 August 2019]). The case, like *Cantwell*, involved the right of Jehovah's Witnesses to evangelize. Whereas the issue in *Cantwell* was the Free Exercise and Free Speech rights to evangelize without a permit (issued by the state only if the Secretary determined the cause to be religious), the *Murdoch* case involved the Free Exercise, Free Speech, and Free Press rights to evangelize by selling books without being charged a permitting fee, holding that these sales were religious in nature and substantially different from commercial vending, which may be subject to a fee: "Freedom of speech, freedom of the press, freedom of religion are available to all, not merely to those who can pay their own way" and "The power to tax the exercise of a privilege is the power to control or suppress its enjoyment… A state may not impose a charge for the enjoyment of a right granted by the Federal Constitution." (Murdoch v. Pennsylvania, 319 U.S. 105 (1943), https://supreme.justia.com/cases/federal/us/319/105/ [Accessed 31 August 2019].

*Everson v. Board of Education of the Township of Ewing,* the New Jersey town's arrangement of reimbursing parents for the cost of public transportation of their children to school, regardless of whether the school was public or parochial, was challenged. The Court ruled in favor of the town. Nonetheless, the decision is important for recognizing that

> The "establishment of religion" clause of the First Amendment means at least this: neither a state nor the Federal Government can set up a church. Neither can pass laws which aid one religion, aid all religions, or prefer one religion over another. Neither can force nor influence a person to go to or to remain away from church against his will or force him to profess a belief or disbelief in any religion. No person can be punished for entertaining or professing religious beliefs or disbeliefs, for church attendance or non-attendance. No tax in any amount, large or small, can be levied to support any religious activities or institutions, whatever they may be called, or whatever form they may adopt to teach or practice religion. Neither a state nor the Federal Government can, openly or secretly, participate in the affairs of any religious organizations or groups, and vice versa. In the words of Jefferson, the clause against establishment of religion by law was intended to erect "a wall of separation between church and State." *Reynolds v. United States, supra,* at 98 U. S. 164.[14]

Despite the lofty language about separation, the Court, in a 5-4 decision, upheld the lower court's ruling, finding the reimbursement of parents' transportation expenses to be in accord with the requirements of the First Amendment. Balancing the demands of the Establishment Clause with those of the Free Exercise Clause, Justice Hugo Black wrote for the Court:

> New Jersey cannot, consistently with the "establishment of religion" clause of the First Amendment, contribute tax raised funds to the support of an institution which teaches the tenets and faith of any church. On the other hand, other language of the amendment commands that New Jersey cannot hamper its citizens in the free exercise of their own religion. Consequently, it cannot exclude individual Catholics, Lutherans, Mohammedans, Baptists, Jews, Methodists,

[14] *Everson v. Board of Education*, 330 U.S. 1 (1947), https://supreme.justia.com/cases/federal/us/330/1/#T23 [Accessed 31 August 2019].

> Nonbelievers, Presbyterians, or the members of any other faith, *because of their faith, or lack of it,* from receiving the benefits of public welfare legislation.[15]

The Court considered bus transportation for all students to be a neutral act related to the general welfare, akin to police, fire, sewer, and highway expenditures, which are also extended to, and benefit, religious organizations. Thus, while maintaining that "The First Amendment has erected a wall between church and state. That wall must be kept high and impregnable. We could not approve the slightest breach," the Court also ruled that the "[First] Amendment requires the state to be a neutral in its relations with groups of religious believers and nonbelievers; it does not require the state to be their adversary. **State power is no more to be used so as to handicap religions than it is to favor them.**"[16]

Thus, in one and the same case, the Establishment Clause was incorporated into the Fourteenth Amendment (and thereby construed to apply to all levels of government), the metaphor of a wall of separation between church and state gained further constitutional standing, and the judicial concept of neutrality in church and state cases became the law of the land. All of these developments have significant bearing on the question before us of teaching about religion(s) in American public schools.

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[15] *Everson v. Board of Education*, 330 U.S. 1 (1947), https://supreme.justia.com/cases/federal/us/330/1/#T23 [Accessed 31 August 2019]. Emphasis in the original.

[16] Ibid. Emphasis mine. The wording "a neutral" is in the original.

### *3.3 Limits and Latitude—First Amendment Precedents*

With the First Amendment incorporated into the Fourteenth, we are now in a position to see what precedents the Court set as it began to look at cases involving religion and public education.

#### *3.3.1 McCollum v. Board of Education* (1948)*: Religious Education on School Property*

Whereas *Everson* permitted the reimbursement to parents of transportation costs related to busing their children to religious schools as a requirement of nondiscrimination against religion, the Court felt differently about bringing religious education onto the grounds of public schools. In Champaign County, Illinois, public schools allowed, but did not require, students to be released from a portion of their normal school routine to attend religious instruction on the school property. Vashti McCollum claimed that the "released time" program violated her rights as an atheist and a taxpayer—forcing her to support religious education—and that it harmed her son by causing him to be ostracized for not attending the religious education classes. Although the instructors were chosen and paid for by religious denominations outside the school, and although theoretically any religious denomination could be included in the program (though there were only three options at the time: Protestant, Catholic, and Jewish), and although students had to opt into the classes (by their parents' written consent), the Supreme Court decided 8-1 that the arrangement violated the Establishment Clause. The Court found that using the system of compulsory public education to provide religious instruction was enough to invalidate the release time arrangement.

What is interesting and important for our purposes in this present study is the concurring opinion of Justice Robert Jackson. He makes clear that he agrees with the majority opinion, stating that "…we may and should end such formal and explicit [religious] instruction as the Champaign plan, and can at all times prohibit teaching of creed and catechism and ceremonial, and can forbid forthright proselyting in the schools…"[17] But, he warns about the precedent this case might set:

> Authorities list 256 separate and substantial religious bodies to exist in the continental United States. Each of them… has as good a right as this plaintiff to demand that the courts compel the schools to sift out of their teaching everything inconsistent with its doctrines. If we are to eliminate everything that is objectionable to any of these warring sects or inconsistent with any of their doctrines, we will leave public education in shreds.[18]

It is a helpful reminder that educational curricula of any sort, not only when they touch directly on religion, remain open to contention. Have we not seen as much with questions of sex education, gay rights, the portrayal of Columbus, the manner of celebrating Thanksgiving, the teaching of evolution, and many other issues? Tension is to be expected in the choosing of curricula, especially for a heterogeneous community. School boards and administrators, like (and before) the courts, will need wisdom and courage to decide what it objectionable and deserving of change while not giving in to the "demand that… schools… sift out of their teaching everything inconsistent" or "objectionable" to various individuals and sects. When we look at my curricular proposals for including religion(s) in public education, this will be an important point to keep in mind. There will

[17] *McCollum v. Board of Education*, 333 U.S. 203 (1948), Justice Robert H. Jackson concurring opinion, https://supreme.justia.com/cases/federal/us/333/203/ [Accessed 4 November 2019].
[18] Ibid.

be objections. However, “to eliminate everything that is objectionable” would, indeed, “leave public education in shreds.”

A second point worthy of notice is that Jackson remains skeptical about the possibility of a purely “secular” educational curriculum. He writes in a passage worth quoting at length:

> Perhaps subjects such as mathematics, physics or chemistry are, or can be, completely secularized. But it would not seem practical to teach either practice or appreciation of the arts if we are to forbid exposure of youth to any religious influences. Music without sacred music, architecture minus the cathedral, or painting without the scriptural themes would be eccentric and incomplete, even from a secular point of view. Yet the inspirational appeal of religion in these guises is often stronger than in forthright sermon. Even such a "science" as biology raises the issue between evolution and creation as an explanation of our presence on this planet. Certainly a course in English literature that omitted the Bible and other powerful uses of our mother tongue for religious ends would be pretty barren. And I should suppose it is a proper, if not an indispensable, part of preparation for a worldly life to know the roles that religion and religions have played in the tragic story of mankind.[19]

Far from endorsing a sterile and hard secularism that suffers from amnesia about the important role of religion(s) in history and culture, Jackson recognizes that a total separation is both impossible and undesirable. He continues:

> The fact is that, for good or for ill, nearly everything in our culture worth transmitting, everything which gives meaning to life, is saturated with religious influences, derived from paganism, Judaism, Christianity -- both Catholic and Protestant -- and other faiths accepted by a large part of the world's peoples. One can hardly respect a system of education that would leave the student wholly ignorant of the currents of religious thought that move the world society for a part in which he [or she] is being prepared.[20]

[19] *McCollum v. Board of Education*, 333 U.S. 203 (1948), Justice Robert H. Jackson concurring opinion, https://supreme.justia.com/cases/federal/us/333/203/ [Accessed 4 November 2019].
[20] Ibid.

More than simply rejecting the notion of a purely secular curriculum, Justice Jackson is giving voice to the idea that religion is and has been important across time and disciplines; and that to neglect this connection in the curriculum is to do harm to society by leaving students unprepared for "the real world." To leave students ignorant is to betray the role of educators. Jackson has it right: "One can hardly respect [such] a system of education"!

### 3.3.2 *Engel v. Vitale (1962): School Prayer*

Two cases are especially critical for understanding the constitutionality of teaching about religion(s) in our public schools: *Engel v. Vitale* (1962) and *Abington v. Schempp* (1963). They concern school-sponsored prayer and devotional Bible reading, but have much wider implications.

In *Engel*, the Court had to decide whether a prayer composed by the New York Board of Regents and authorized (but not required) to be used in the public schools violated the Establishment Clause. A group of parents, led by Steven Engel, challenged Union Free School District No. 9 in New Hyde Park (under School Board president, William J. Vitale, Jr.) when the district required the "prayer to be said aloud by each class in the presence of a teacher at the beginning of each school day."[21] The prayer read: "Almighty God, we acknowledge our dependence upon Thee, and we beg Thy blessings upon us, our parents, our teachers and our Country."[22] Writing for the 6-1 majority (2 justices did not take part in the case), Justice Black wrote, "…the constitutional

[21]*Engel v. Vitale*, 370 U.S. 421 (1962), https://supreme.justia.com/cases/federal/us/370/421/#tab-opinion-1943887 [Accessed 1 September 2019].
[22]Ibid.

prohibition against laws respecting an establishment of religion must at least mean that, in this country, it is no part of the business of government to compose official prayers for any group of the American people to recite as a part of a religious program carried on by government."[23]

The argument that the prayer was ostensibly nonsectarian was dismissed, for it nonetheless promoted religion over nonreligion in violation of the standard of neutrality. Likewise, the fact that students were not compelled to recite the prayer, nor even to remain in the room during the prayer, was not seen by the Court as relevant to the violation of the Establishment Clause:

> The Establishment Clause, unlike the Free Exercise Clause, does not depend upon any showing of direct governmental compulsion and is violated by the enactment of laws which establish an official religion whether those laws operate directly to coerce nonobserving individuals or not.[24]

Significantly, Justice Black indicated some ways that religious language may enter into the school day in a constitutionally sound manner. In footnote 21, he wrote:

> There is, of course, nothing in the decision reached here that is inconsistent with the fact that school children and others are officially encouraged to express love for our country by reciting historical documents such as the Declaration of Independence which contain references to the Deity or by singing officially espoused anthems which include the composer's professions of faith in a Supreme Being, or with the fact that there are many manifestations in our public life of belief in God. Such patriotic or ceremonial occasions bear no true resemblance to the unquestioned religious exercise that the State of New York has sponsored in this instance.[25]

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[23] *Engel v. Vitale*, 370 U.S. 421 (1962), https://supreme.justia.com/cases/federal/us/370/421/#tab-opinion-1943887 [Accessed 1 September 2019].
[24] Ibid.
[25] Ibid., Footnote 21.

Newt Gingrich's entire thesis, as we saw earlier, was based on recalling the "many manifestations in our public life of belief in God." To the degree that these "patriotic or ceremonial occasions" of reference to belief in God (what Robert Bellah called American civil religion) are absent in our public schools, Gingrich and his allies are correct in recognizing something gone awry—something significant is missing. It is worth noting, though, that these expressions are explicitly NOT rejected as unconstitutional by the Court.

The Court's argument against school prayer was not a case of "throwing God out of the schools," as its opponents characterize it. Rather, Justice Black recognized in the separation of church and state a protection of religious minorities and a boon to freedom of conscience. He drew on the same history we reviewed earlier to conclude:

> When the power, prestige and financial support of government is placed behind a particular religious belief, the indirect coercive pressure upon religious minorities to conform to the prevailing officially approved religion is plain. But the purposes underlying the Establishment Clause go much further than that. Its first and most immediate purpose rested on the belief that a union of government and religion tends to destroy government and to degrade religion.[26]

These words bring to mind James Madison's observation that "Religion and government will both exist in greater purity, the less they are mixed together."[27] Concluding his argument for the majority, Justice Black quotes Madison concerning what we might call the slippery slope of violating Church-State neutrality, or simply, an ever creeping

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[26] *Engel v. Vitale*, 370 U.S. 421 (1962), https://supreme.justia.com/cases/federal/us/370/421/#tab-opinion-1943887 [Accessed 1 September 2019]. He also referenced "an expression of principle on the part of the Founders of our Constitution that religion is too personal, too sacred, too holy, to permit its 'unhallowed perversion' by a civil magistrate," quoting Madison directly.

[27] Qtd. in Alan Colmes, *Red, White, & Liberal: How Left is Right & Right is Wrong* (New York: ReganBooks, 2003), p. 217.

establishment. Thus, while he acknowledges that the prayer in question "does not amount to a total establishment of one particular religious sect to the exclusion of all others" and "seems relatively insignificant when compared to the governmental encroachments upon religion which were commonplace 200 years ago," nonetheless he considers the danger of encroachment to be real. In the words of Madison:

> [I]t is proper to take alarm at the first experiment on our liberties. . . . Who does not see that the same authority which can establish Christianity, in exclusion of all other Religions, may establish with the same ease any particular sect of Christians, in exclusion of all other Sects? That the same authority which can force a citizen to contribute three pence only of his property for the support of any one establishment may force him to conform to any other establishment in all cases whatsoever?[28]

### *3.3.3 Abington v. Schempp (1963): Bible Reading and Required Neutrality*

The following year, 1963, the Court heard two cases concerning the Establishment Clause as it related to public schools. In *Murray v. Curlett*, atheist petitioners from Maryland, including Madalyn Murray (later, O'Hair), famously (or infamously, depending on one's position) opposed the practice of school-sponsored Bible reading and recitation of the Lord's Prayer. The case was decided together with *School District of Abington Township, Pennsylvania v. Schempp,* in which required Bible reading and recitation of the Lord's Prayer in public schools was also at issue. Over the objections of Justice Potter Stewart, who worried that the Court's majority decision did not achieve "the realization of state neutrality, but rather the establishment of a religion of

[28] James Madison, "Memorial and Remonstrance against Religious Assessments," in *Engel v. Vitale*, 370 U.S. 421 (1962), https://supreme.justia.com/cases/federal/us/370/421/#tab-opinion-1943887 [Accessed 7 September 2019].

secularism,"[29] the eight other justices concluded that state-sponsored Bible readings, like state-sponsored prayer, violate the Establishment Clause.

Let's attend to these proceedings in more detail. Contrary to the opinion that the school prayer cases were the work of atheists intent on destroying religion in America, the appellees in *Abington* were the Schempp family, who were active members of the Unitarian faith. The specific statute in Pennsylvania law that the family objected to read:

> At least ten verses from the Holy Bible shall be read, without comment, at the opening of each public school on each school day. Any child shall be excused from such Bible reading, or attending such Bible reading, upon the written request of his parent or guardian.[30]

At Abington Senior High School, the ten Bible verses, followed by the reading of the Lord's Prayer, were read over the intercom and thus broadcast into every classroom. In the various classrooms, students were asked to stand and recite the Lord's Prayer together with the student reader on the intercom. According to the revised version of the statute, "The students and parents are advised that the student may absent himself from the classroom or, should he elect to remain, not participate in the exercises."[31]

The issue of Bible reading "without comment" proved troublesome. A Jewish expert, for example, noted that many verses of the New Testament portray Jews in a very negative light. Dr. Solomon Grayzel testified before a lower court that with careful commentary students might come away from such readings without harm; but, without

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[29] *School District of Abington Township, Pennsylvania v. Schempp*, 374 U.S. 203 (1963), Justice Stewart's Dissent, https://supreme.justia.com/cases/federal/us/374/203/#tab-opinion-1944457 [Accessed 23 September 2019].
[30] *School District of Abington Township, Pennsylvania v. Schempp*, 374 U.S. 203 (1963), https://supreme.justia.com/cases/federal/us/374/203/#tab-opinion-1944457 [Accessed 13 October 2019].
[31] Ibid.

commentary, the verses "could be, and, in his specific experience with children… had been, psychologically harmful to the child…" and had become "a divisive force" in the school.[32]

In Baltimore, a similar issue had arisen from the Board of School Commissioners' rule requiring the "reading, without comment, of a chapter in the Holy Bible and/or the use of the Lord's Prayer."[33] Madalyn Murray and her son William J. Murray III protested the rule, as they were atheists. They contended that their rights under the First and Fourteenth Amendments were violated by the practice…

> in that it threatens their religious liberty by placing a premium on belief as against non-belief and subjects their freedom of conscience to the rule of the majority; it pronounces belief in God as the source of all moral and spiritual values, equating these values with religious values, and thereby renders sinister, alien and suspect the beliefs and ideals of your Petitioners, promoting doubt and question of their morality, good citizenship and good faith.[34]

In rendering an opinion on the two cases, taken together under the name of *Abington*, the Court reflected on the religious history of the country and also its dedication to religious freedom, recounting the history we reviewed in the first part of this dissertation. Justice Tom C. Clark, writing for the 8-1 majority, reminded us that "…the views of Madison and Jefferson, preceded by Roger Williams, came to be incorporated not only in the Federal Constitution but likewise in those of most of our States."[35] Furthermore, he noted, as we did earlier, the religious pluralism of the United

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[32] *School District of Abington Township, Pennsylvania v. Schempp*, 374 U.S. 203 (1963), https://supreme.justia.com/cases/federal/us/374/203/#tab-opinion-1944457 [Accessed 13 October 2019].
[33] Ibid.
[34] Ibid.
[35] Ibid.

States: "This freedom to worship was indispensable in a country whose people came from the four quarters of the earth and brought with them a diversity of religious opinion."[36] Concerning the Free Exercise Clause, then, the Court found that while the right to *freedom of belief* is absolute, the *freedom to act* may be circumscribed.[37] One particular boundary was the Establishment Clause itself. The Court wrote, "While the Free Exercise Clause clearly prohibits the use of state action to deny the rights of free exercise to anyone, it has never meant that a majority could use the machinery of the State to practice its beliefs."[38]

Concerning the Establishment Clause, and drawing from *Everson,* Justice Clark quoted and reaffirmed the opinion of Justices Rutledge, Frankfurter, Jackson, and Burton, who had previously declared,

> The [First] Amendment's purpose was not to strike merely at the official establishment of a single sect, creed or religion, outlawing only a formal relation such as had prevailed in England and some of the colonies. Necessarily, it was to uproot all such relationships. But the object was broader than separating church and state in this narrow sense. It was to create a complete and permanent

[36] *School District of Abington Township, Pennsylvania v. Schempp*, 374 U.S. 203 (1963), https://supreme.justia.com/cases/federal/us/374/203/#tab-opinion-1944457 [Accessed 13 October 2019].

[37] There was precedent, of course. Most famously, perhaps, was *Reynolds v. United States* 98 U.S. 145 (1878), in which the religious liberty of Mormons to engage in polygamy was restricted. Making a distinction, based on Jefferson's writings, between religious belief and action, the Court found that the government could not impinge, naturally, upon the former, but must sometimes impinge on the latter, lest it "…permit every citizen to become a law unto himself" with no government ability even to stop human sacrifice (*Reynolds v. United States* 98 U.S. 145 (1878), https://supreme.justia.com/cases/federal/us/98/145/ [Accessed 14 October 2019]). In *Abington,* the beginning of a standard of non-coercion was enunciated: "it is necessary in a free exercise case for one to show the coercive effect of the enactment as it operates against him in the practice of his religion" (*School District of Abington Township, Pennsylvania v. Schempp*, 374 U.S. 203 (1963), https://supreme.justia.com/cases/federal/us/374/203/#tab-opinion-1944457 [Accessed 14 October 2019]). This standard would be fleshed out later by Justice Anthony Kennedy in *Lee v. Weismann 505* U.S. 577 (1992).

[38] *School District of Abington Township, Pennsylvania v. Schempp*, 374 U.S. 203 (1963), https://supreme.justia.com/cases/federal/us/374/203/#tab-opinion-1944457 [Accessed 16 October 2019]

> separation of the spheres of religious activity and civil authority by comprehensively forbidding every form of public aid or support for religion.[39]

How, then, were legislatures and courts to determine whether a law achieved this "complete separation"? The Court introduced **The Secular Purpose and Primary Effect Test**.

> The test may be stated as follows: what are the purpose and the primary effect of the enactment? If either is the advancement or inhibition of religion, then the enactment exceeds the scope of legislative power as circumscribed by the Constitution. That is to say that, to withstand the strictures of the Establishment Clause, there must be a secular legislative purpose and a primary effect that neither advances nor inhibits religion.[40]

When we consider the teaching of religion(s) in public schools, this test will be essential. No curriculum or pedagogy will pass constitutional muster that has as its primary purpose and effect the advancement of religion in general or of a specific religion in particular. This is precisely the problem with what I have called above The Subversive Approach.

This required "secular purpose" is not the same as imposing "a religion of secularism" as Justice Stewart feared. Far from "kicking God out" of our public life and public schools, the *Abington* decision held religion in high regard. Consider the words with which Justice Clark re-committed the Court to the position of neutrality:

> The place of religion in our society is an exalted one, achieved through a long tradition of reliance on the home, the church and the inviolable citadel of the individual heart and mind. We have come to recognize through bitter experience that it is not within the power of government to invade that citadel, whether its purpose or effect be to aid or oppose, to advance or retard. In the relationship

[39] Ibid.

[40] *School District of Abington Township, Pennsylvania v. Schempp*, 374 U.S. 203 (1963), https://supreme.justia.com/cases/federal/us/374/203/#tab-opinion-1944457 [Accessed 14 October 2019].

> between [the human person] and religion, the State is firmly committed to a position of neutrality.[41]

Thus, if we have allowed a "religion of secularism" to dominate in some of our public schools, it is not because of *Abington.* It is more likely due to misinterpreting the demands of *Abington*, and out of fear of litigation. In any case, what I have called *the hostility of neglect* is clearly prohibited upon a close reading of the *Abington* decision. For not only is the law constrained from promoting religion(s), but it is equally constrained from inhibiting religion and preferring "the religion of secularism" over other religious orientations. Neutrality is demanded.

The question of whether religion(s) may be discussed and studied in public schools, assuming a curriculum and pedagogy that meet the Secular Purpose and Primary Effect Test, should be beyond contention. After all, the Court made unambiguous its intentions in this regard. On the one hand, the Court took seriously Justice Stewart's dissent. Addressing this, and quoting from the 1952 case *Zorach v. Clauson,* Justice Clark wrote for the majority:

> It is insisted that, unless these religious exercises are permitted, a "religion of secularism" is established in the schools. We agree, of course, that the State may not establish a "religion of secularism" in the sense of affirmatively opposing or showing hostility to religion, thus "preferring those who believe in no religion over those who do believe."[42]

The majority, on the other hand, did not agree with Stewart that the effect of their decision would be, in fact, to promote secularism over religious belief. Nonetheless, the opinions of both the majority and the dissenter make clear that "hostility to religion"

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[41] *School District of Abington Township, Pennsylvania v. Schempp*, 374 U.S. 203 (1963), https://supreme.justia.com/cases/federal/us/374/203/#tab-opinion-1944457 [Accessed 16 October 2019].
[42] Ibid.

violates the Establishment Clause. Yet, I argue, this very hostility exists in many or most public schools through the null curriculum in a *hostility of neglect*. In many cases, "the religion of secularism" has indeed been established. We are not yet meeting the demands of *Abington.*

This neglect of religion(s) in the curriculum is a clear violation of the First Amendment. Justice Clark was careful to pen an opinion that excluded devotional practices as an unconstitutional endorsement of religion, but that continued to support the study of religion(s) as part of a "secular program." Significantly, he wrote these key words:

> …it might well be said that one's education is not complete without a study of comparative religion or the history of religion and its relationship to the advancement of civilization. It certainly may be said that the Bible is worthy of study for its literary and historic qualities. Nothing we have said here indicates that such study of the Bible or of religion, when presented objectively as part of a secular program of education, may not be effected consistently with the First Amendment.[43]

This is precisely the constitutional keystone holding together the arch that includes instruction in secular disciplines and the study of religion(s) as part of a "complete" education. Without this keystone, the archway of a truly liberal education collapses. We deprive our students access to a myriad of fundamental human questions and forms of inquiry, which leaves them less educated than we promise, and less capable of democratic citizenship in a religiously plural world.

[43] *School District of Abington Township, Pennsylvania v. Schempp*, 374 U.S. 203 (1963), https://supreme.justia.com/cases/federal/us/374/203/#tab-opinion-1944457 [Accessed 16 October 2019].

*3.3.4 Lemon v. Kurtzman (1971): No Excessive Entanglement*

Any discussion of the Secular Purpose and Primary Effect Test would be incomplete without recognizing the importance of *Lemon v. Kurtzman* (1971) in its further development. In an 8-1 decision, the Court held unconstitutional a set of laws from Rhode Island and Pennsylvania which arranged for partial funding of non-public (most often, religious) schools through either salary supplementation for teachers who do not teach religion or reimbursements to schools for secular teaching materials.

In reaching its decision, the Court quoted extensively from *Walz v. Tax Comm'n of City of New York (1970)*, a case in which the tax-exemption granted to religious organizations was upheld. In that case, the justices had found that tax-exemption actually furthered the desired end of separation of church and state, whereas taxation would necessarily entangle the two. Chief Justice Warren Burger, writing for the 7-1 majority in *Walz*, had expressed some key constitutional points that relate to our question of the study of religion(s) in public education. First, he affirmed the decision of Justice Douglas in *Zorach v. Clauson (1952)*, when he wrote for the Court that "The First Amendment… does not say that, in every and all respects, there shall be a separation of Church and State."[44] Burger then gave this opinion more flesh, writing,

> The general principle deducible from the First Amendment and all that has been said by the Court is this: that we will not tolerate either governmentally established religion or governmental interference with religion. Short of those expressly proscribed governmental acts, there is room for play in the joints productive of a benevolent neutrality which will permit religious exercise to exist without sponsorship and without interference.[45]

[44] *Walz v. Tax Comm'n of City of New York*, 397 U.S. 664 (1970), https://supreme.justia.com/cases/federal/us/397/664/#F1 [Accessed 4 November 2019].
[45] Ibid.

As we have seen, the Court had already advanced a legal theory of *neutrality* related to its interpretation of the First Amendment. Here, we have an indication of the nature of that neutrality. It is a "benevolent neutrality" that does not require an absolute separation of church and state, but rather, has "room for play in the joints." Astutely, the Chief Justice notes that "No perfect or absolute separation is really possible; the very existence of the Religion Clauses is an involvement of sorts -- one that seeks to mark boundaries to avoid excessive entanglement."[46] This is the key: "excessive entanglement" must be avoided. In addition to questioning whether a law has a secular purpose and a primary effect that neither advances nor inhibits religion, "We must also be sure that the end result -- the effect -- is not an excessive government entanglement with religion."[47]

It is this last point that *Lemon* picks up and which makes *Lemon* an important successor to *Abington*, one which develops its legal doctrine beyond the two prongs of secular purpose and primary effect. Here we have the addition of a third prong, The Entanglement Test, which taken together with the other two become known as **The Lemon Test:**

> In the absence of precisely stated constitutional prohibitions, we must draw lines with reference to the three main evils against which the Establishment Clause was intended to afford protection: "sponsorship, financial support, and active involvement of the sovereign in religious activity." Every analysis in this area must begin with consideration of the cumulative criteria developed by the Court over many years. Three such tests may be gleaned from our cases. First, the statute must have a secular legislative purpose; second, its principal or primary

[46] *Walz v. Tax Comm'n of City of New York*, 397 U.S. 664 (1970), https://supreme.justia.com/cases/federal/us/397/664/#F1 [Accessed 4 November 2019].
[47] Ibid.

> effect must be one that neither advances nor inhibits religion… finally, the statute must not foster "an excessive government entanglement with religion."[48]

Concerning the Rhode Island and Pennsylvania salary and reimbursement arrangements, the Court did not find that the laws had anything other than a secular purpose. The Court preferred not to opine concerning whether the primary effect was to advance religion (though the major beneficiaries in both cases were Roman Catholic schools or school personnel). Instead, the Court found the laws to violate the Establishment Clause because they required an excessive entanglement between church and state, one in which the State would have to surveil and inspect the religious schools in question and audit them in ways that would permit an undue influence of the State in the religious sphere.

Significantly, the Court disposed of the wall metaphor for understanding the separation of church and state. Justice Burger wrote, "Judicial caveats against entanglement must recognize that the line of separation, far from being a 'wall,' is a blurred, indistinct, and variable barrier depending on all the circumstances of a particular relationship."[49] Thus we have moved from Roger Williams' and Jefferson's metaphor of a wall to Madison's "line of separation."[50] For those who would oppose the introduction

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[48] *Lemon v. Kurtzman*, 403 U.S. 602 (1971), https://supreme.justia.com/cases/federal/us/403/602/#tab-opinion-1949379 [Accessed 4 November 2019].

[49] Ibid.

[50] James Madison, "Letter to Rev. Adams," 1832, in *The Founders' Constitution*, Volume 5, Amendment I (Religion), Document 68, The University of Chicago Press, http://press-pubs.uchicago.edu/founders/print_documents/amendI_religions68.html [Accessed 4 November 2019]. Madison wrote, "I must admit moreover that it may not be easy, in every possible case, to trace the line of separation between the rights of religion and the Civil authority with such distinctness as to avoid collisions & doubts on unessential points. The tendency to a usurpation on one side or the other, or to a corrupting coalition or alliance between them, will be best guarded agst. by an entire abstinance [sic] of the Govt. from interference… in any way whatever, beyond the necessity of preserving public order, & protecting each sect agst. trespasses on its legal rights by others." See also "The Writings, vol. 9 (1819-

of any instruction about religion(s) in the public schools, appeal to a wall of separation between church and state will not make for a valid constitutional argument. As Yale legal scholar Stephen Carter notes, "…the wall has to have a few doors in it."[51]

*3.3.5 Sherbert v. Verner (1963), Employment Division v. Smith (1990), and RFRA's*

In 1963, the Court began a protracted battle that would involve Congress and the States regarding accommodations based on religious liberty. The flagship case here was *Sherbert v. Verner* (1963), in which a Seventh-Day Adventist woman, Adell Sherbert, who was fired for her unwillingness to show up for work on a Saturday when her company switched from a 5-day to a 6-day work week, sought unemployment benefits. She was denied benefits for her unwillingness to accept other suitable work, which also would have required Sabbath violations. She contended that her right to the free exercise of religion had been violated.

In a 7-2 decision, the Court agreed with Sherbert. While acknowledging the precedent that free exercise involves both *beliefs,* which are inviolable, and *actions*, which may be controlled for secular legislative purposes (heretofore related to "some substantial threat to public safety, peace or order,"[52]) the Court nonetheless found that "minority religions can easily be 'trod upon' by majority practices."[53] Therefore, a test was developed to

1836)," Online Library of Liberty (OLL), https://oll.libertyfund.org/titles/madison-the-writings-vol-9-1819-1836 [Accessed 4 November 2019].

[51] Stephen L. Carter, *The Culture of Disbelief: How American Law and Politics Trivialize Religious Devotion* (New York: BasicBooks, 1993), p. 109.

[52] Sherbert v. Verner, 374 U.S. 398 (1963), https://supreme.justia.com/cases/federal/us/374/398/#tab-opinion-1944463 [Accessed 11 November 2019].

[53] Martha Nussbaum, *Liberty of Conscience: In Defense of America's Tradition of Religious Equality* (New York: BasicBooks, 2008) p. 136.

determine whether a generally-applicable law was unfairly burdening someone's free exercise of religion. The test has come to be known as **The Sherbert Test**:

> First, it must be determined whether government's conduct imposes a "substantial burden" on the person's free exercise of religion. If it does, then we must ask whether that interference can be justified by a "compelling state interest." … It must be an unusually weighty interest. And the law must be narrowly tailored to achieve this interest in the least burdensome manner possible: "no alternative forms of regulation" could be envisaged that would advance that interest "without infringing First Amendment rights."[54]

This question of "compelling state interest" relates to public schools and their curricula. Two cases will help to illustrate the relationship. First, in *Wisconsin v. Yoder* (1972),

> Jonas Yoder and Wallace Miller, both members of the Old Order Amish religion, and Adin Yutzy, a member of the Conservative Amish Mennonite Church, were prosecuted under a Wisconsin law that required all children to attend public schools until age 16. The three parents refused to send their children to such schools after the eighth grade, arguing that high school attendance was contrary to their religious beliefs.[55]

The Court acknowledged that "…the values of parental direction of the religious upbringing and education of their children in their early and formative years have a high place in our society."[56] The question was whether the state had a compelling interest in mandating two years of schooling beyond what the families found religiously acceptable.

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[54] Martha Nussbaum, *Liberty of Conscience: In Defense of America's Tradition of Religious Equality* (New York: BasicBooks, 2008) p. 137.

[55] *Wisconsin v. Yoder 406 U.S. 205* (1972). "Facts of the Case," *Oyez,* www.oyez.org/cases/1971/70-110 [Accessed 11 November 2019].

[56] *Wisconsin v. Yoder 406 U.S. 205* (1972), https://supreme.justia.com/cases/federal/us/406/205/#tab-opinion-1949691 [Accessed 11 November 2019].

The Court found no such compelling interest, especially in light of a very substantial burden on the free exercise of religion particular to the Amish way of life.

Writing for the Court, Chief Justice Burger first asserted that "Although a determination of what is a 'religious' belief or practice entitled to constitutional protection may present a most delicate question, the very concept of ordered liberty precludes allowing every person to make his own standards on matters of conduct in which society as a whole has important interests."[57] This caveat will lead to a full-blown reversal of course in 1990, as we shall see, but for now it remains as a reminder that the "substantial burden" prong of the test must be met, and that not every conscientious objector will have success in such a claim. Concerning the case at hand, though, the Court found that "…the traditional way of life of the Amish is not merely a matter of personal preference, but one of deep religious conviction…," one that warrants accommodation.

Martha Nussbaum offers the cynical view that the Amish also "get a break in part because they are wealthy and established, and don't pose any big challenge to majority Protestant values of thrift and virtue."[58] Nonetheless, she admits that "*Sherbert* produced a climate of heightened sympathy to religious interests, particularly those of small and odd minorities"[59] such as the Amish in the *Yoder* case. She presents important evidence:

> A recent thorough study of all Free Exercise cases after *Sherbert* shows clearly that minorities (particularly small sects and denominations) are the standard plaintiffs in such cases and that, while they lose more than half the time, they do

[57] *Wisconsin v. Yoder 406 U.S. 205* (1972), https://supreme.justia.com/cases/federal/us/406/205/#tab-opinion-1949691 [Accessed 11 November 2019].
[58] Martha Nussbaum, *Liberty of Conscience: In Defense of America's Tradition of Religious Equality* (New York: BasicBooks, 2008) p. 145.
[59] Ibid., p. 147.

> much better under the *Sherbert* framework, and under the Religious Freedom Restoration Act [RFRA], which restored the *Sherbert* framework, than they did under the more restrictive framework established by the *Smith* decision in 1990.[60]

Let's turn, then, to *Employment Division of Oregon v. Smith* (1990). The question before the Court was whether banning the religious ritual use of an illegal drug was an unconstitutional abridgement of one's right to the free exercise of religion. Alfred Smith and Galen Black argued that they were unjustly fired and then denied unemployment benefits for ingesting peyote, an illegal drug under Oregon law, although their use of the drug was part of a ritual with the Native American Church. Justice Antonin Scalia, writing for a 6-3 majority, dispensed with the Sherbert Test and found in favor of the State of Oregon. His reasoning ignited a constitutional wildfire that spread to Congress, back to the Court, and to the states.

According to Scalia, the issue was not a question of weighing the state's compelling interest against the substantial burden placed on the individual's free exercise right, but rather a question of whether the burden was "merely the incidental effect of a generally applicable and otherwise valid provision."[61] Quoting from *Reynolds v. United*

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[60] Martha Nussbaum, *Liberty of Conscience: In Defense of America's Tradition of Religious Equality* (New York: BasicBooks, 2008) p. 146. Warren A. Nord gives a different perspective, stating that "*Yoder* was the only case other than a series of unemployment compensation cases in which the Court used the Sherbert Test to protect free exercise. Almost always the Court decided that whatever the government interest, it was sufficiently compelling to override the right of free exercise. Nonetheless, the test did seem to capture something of what a broad consensus of jurists believed to be the proper way to adjudicate free exercise clauses." (Warren A. Nord, *Does God Make a Difference? Taking Religion Seriously in our Schools and Universities* (New York: Oxford University Press, 2010), pp. 112-13).

[61] Employment Division v. Smith., 494 U.S. 872 (1990), https://supreme.justia.com/cases/federal/us/494/872/#tab-opinion-1958253 [Accessed 17 November 2019].

*States* (1878), in which the Court had rejected Mormon claims to free exercise and affirmed the authority to decree polygamy illegal, Scalia wrote,

> To make an individual's obligation to obey such a law contingent upon the law's coincidence with his religious beliefs, except where the State's interest is 'compelling' -- permitting him, by virtue of his beliefs, 'to become a law unto himself,'… -- contradicts both constitutional tradition and common sense.[62]

It would require the courts to determine the relative significance and centrality of religious beliefs and practices, and it would invite exemptions from all sorts of civic duties and generally applicable laws, from the military draft and taxes that support the military to health and safety regulations and child labor laws. In short, it would be "courting anarchy" and the danger "increases in direct proportion to the society's diversity of religious beliefs."[63] The proper recourse for a minority religion's oppression under generally applicable laws, according to Scalia, would be to engage the democratic process and change the law, not to ask the courts for accommodations. Perhaps the key line from the ruling is this:

> It may fairly be said that leaving accommodation to the political process will place at a relative disadvantage those religious practices that are not widely engaged in; but that unavoidable consequence of democratic government must be preferred to a system in which each conscience is a law unto itself or in which judges weigh the social importance of all laws against the centrality of all religious beliefs.[64]

*Employment Division v. Smith* was immediately condemned in many quarters for abandoning the Sherbert Test and for failing to give religious freedom its due. Stephen

[62] Employment Division v. Smith., 494 U.S. 872 (1990), https://supreme.justia.com/cases/federal/us/494/872/#tab-opinion-1958253 [Accessed 17 November 2019].
[63] Ibid.
[64] Ibid.

Carter called the case, "…much criticized—and justly criticized…"[65] while also pointing to the case as a bellwether of the late twentieth century's judicial orientation concerning religious liberty. He feared that the United States was becoming "…a world in which citizens who adopt religious practices at variance with official state policy are properly made subject to the coercive authority of the state, which can, without fear of judicial intervention, pressure them to change those practices."[66] This no longer sounds like neutrality. This sounds like hostility. It sounds like the establishment of a state religion, perhaps one that matches the majority's affiliation, or perhaps the religion of secularism that Justice Stewart foretold.

The wildfire was thus ignited. "The U.S. public was outraged by *Smith.* Citizens of many sorts, and groups of many sorts, rose up to protest it."[67] Congress responded to the pressure by passing the Religious Freedom Restoration Act (RFRA) in 1993, with nearly unanimous bipartisan support in both chambers. President Bill Clinton signed the bill into law in November of the same year. The law articulated displeasure with the

[65] Stephen L. Carter, *The Culture of Disbelief: How American Law and Politics Trivialize Religious Devotion* (BasicBooks: New York, 1993), p. 127.

[66] Ibid. This, of course, is beginning to look different since the 2016 presidential election. Senate Majority Leader Mitch McConnell denied President Barack Obama a Supreme Court appointment after the death of conservative Justice Antonin Scalia, refusing to even consider his nominee, Merrick Garland on the grounds that it was an election year. President Donald Trump filled that vacancy, which did not significantly alter the ideological balance on the Court. However, with the resignation of the Court's swing vote, Justice Anthony Kennedy, President Trump was able to move the Court in a more conservative direction. Then, with the death of Justice Ruth Bader Ginsburg, McConnell reversed his policy and though it was immediately before an election, he allowed Trump to fill that vacancy, significantly altering the makeup of the Court. It remains to be seen how this will affect the issues discussed here. It seems fair to say that Carter's assessment of the Court in the late twentieth century no longer holds in the beginning of the third decade of the twenty-first.

[67] Martha Nussbaum, *Liberty of Conscience: In Defense of America's Tradition of Religious Equality* (New York: BasicBooks, 2008) p. 157. Stephen Macedo writes, "The *Smith* decision caused a torrent of academic and political outrage." (Stephen Macedo, *Diversity and Distrust: Civic Education in a Multicultural Democracy* (Cambridge, MA: Harvard University Press, 2000), p. 155).

*Smith* decision and required the courts, state and federal, to use the Sherbert framework of strict scrutiny henceforth in its jurisprudence:

> **(a) In general**
>
> Government shall not substantially burden a person's exercise of religion even if the burden results from a rule of general applicability, except as provided in subsection (b).
>
> **(b) Exception**
>
> Government may substantially burden a person's exercise of religion only if it demonstrates that application of the burden to the person—
>
> **(1)** is in furtherance of a compelling governmental interest; and
>
> **(2)** is the least restrictive means of furthering that compelling governmental interest.[68]

In 1997 the Court finally had its chance to revisit the issue in *City of Boerne v. Flores*, and it promptly ruled the RFRA unconstitutional inasmuch as it applied to the states. "Although it took a while for this to become clear, RFRA remained valid law as applied to the federal government…"[69] The wildfire then spread to the states, many of which passed their own versions of the RFRA. At this writing, there are 30 states that have some version of an RFRA, either passed legislatively or decided by the judiciary.[70]

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[68] Religious Freedom Restoration Act of 1993 (Pub. L. 103–141, § 3, Nov. 16, 1993, 107 Stat. 1488.), https://www.law.cornell.edu/uscode/text/42/2000bb-1 [Accessed 17 November 2019].

[69] Martha Nussbaum, *Liberty of Conscience: In Defense of America's Tradition of Religious Equality* (New York: BasicBooks, 2008) p. 159. In the end, even Justice Scalia admitted that "the success of the peyote exemption [that Congress passed in 1994] is a 'demonstration you can make an exception without the sky falling.'" (p. 164).

[70] "The National Conference of State Legislatures reports that 21 states have added constitutional or statutory provisions similar to the RFRA, while protections in at least 10 other states have come from judicial interpretations of existing laws." (Thomas Jipping and Sarah Perry, "The Religious Freedom Restoration Act: History, Status, and Threats," The Heritage Foundation, May 4, 2021, https://www.heritage.org/civil-rights/report/the-religious-freedom-restoration-act-history-status-and-threats#). Wikipedia has the only current and updated list of state RFRA's that I could find, which is unfortunate due to the online encyclopedia's credibility issues. Nonetheless, for those interested in learning more about state RFRA's, the entry may provide a starting point for further research and

As *Yoder* exemplifies, the reach of the RFRA's is as local as the schoolhouse. Because public schooling is compulsory and is an action of the government, there will be cases involving curriculum and pedagogy wherein citizens seek relief from majority-imposed schooling in areas that are seen to impinge on religious belief. (We need only to think of sex education or evolutionary biology to make this point). These cases, inasmuch as they involve the First Amendment, and religious liberty in particular, will be decided by applying the strict scrutiny required by *Sherbert* and the RFRA's. One particularly important question in this regard has already reached the courts, although it was not taken up by the Supreme Court. That is the question of whether exposure to various religions and beliefs in-and-of-itself constitutes a violation of religious liberty. For that question, we turn to the U.S. Court of Appeals for the Sixth Circuit.

### *3.3.6 Mozert v. Hawkins (6th Cir. 1987): Exposure to Religious Pluralism*

In 1983, fundamentalist Christian families in Tennessee complained about the reading series (Holt, Rinehart, and Winston) used in Hawkins County schools from first through eighth grade. "It was alleged that the texts taught, among other things, value relativism, disrespect toward parents, the theory of evolution, humanistic values, and the notion that any belief in the supernatural is adequate to attain salvation."[71] What is especially

verification. See "State Religious Freedom Restoration Acts," last edited January 22, 2021, https://en.wikipedia.org/wiki/State_Religious_Freedom_Restoration_Acts#Pre_Hobby_Lobby [Accessed 14 April 2021]. According to this website, the states are: Alabama, Alaska, Arkansas, Connecticut, Florida, Hawaii, Idaho, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, New Mexico, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, Washington, and Wisconsin. Arizona and Colorado passed RFRA's that were then vetoed. Other states are considering RFRA's currently.

[71] Stephen Macedo, *Diversity and Distrust: Civic Education in a Multicultural Democracy* (Cambridge, MA: Harvard University Press, 2000), p. 158.

important for our purposes here, and central to the Circuit Court of Appeal's decision, is one additional contention: "If their children were to be taught about the religious views of others, the parents insisted, they should learn that the other religious views are false while theirs are true."[72] Vicki Frost, one of the parents in the case, argued together with the other complainants that *mere exposure* to the materials was a violation of their religious liberty. Stephen Macedo summarizes their argument by saying that "…she and the other parents insisted it would be sinful to allow their children to use the readers."[73] This was the heart of the case. "This very exposure to diversity, they claimed, interfered with the free exercise of their religious beliefs by in effect denigrating the truth of their particular religious views."[74]

Quoting from *West Virginia State Board of Education v. Barnette* (1943), which found it unconstitutional to require Jehovah's Witnesses to salute the flag against their religious beliefs, Chief Judge Pierce Lively wrote, "It is abundantly clear that the exposure to materials in the Holt series did not compel the plaintiffs to 'declare a belief,' 'communicate by word and sign [their] acceptance' of the ideas presented, or make an 'affirmation of a belief and an attitude of mind.'"[75] He thus agreed with the affidavit written by the school superintendent, which said:

> Without expressing an opinion as to the plaintiffs' religious beliefs, I am of the opinion that plaintiffs misunderstand the fact that exposure to something does not constitute teaching, indoctrination, opposition or promotion of the things exposed. While it is true that these textbooks expose the student to varying values and

[72] Stephen Macedo, *Diversity and Distrust: Civic Education in a Multicultural Democracy* (Cambridge, MA: Harvard University Press, 2000), p. 158.
[73] Ibid.
[74] Ibid.
[75] Mozert v. Hawkins County Bd. of Educ., 827 F. 2d 1058 - Court of Appeals, 6th Circuit 1987, https://scholar.google.com/scholar_case?case=23992724596008375 9&q=mozert+v.+hawkins,+827+f.2d+1058+(1987)&hl=en&as_sdt=40000006&as_vis=1 [Accessed 18 November 2019].

> religious backgrounds, neither the textbooks nor the teachers teach, indoctrinate, oppose or promote any particular value or religion.[76]

Judge Lively also noted that the parents, at least in some cases, would not accept accommodations to the curriculum except those which would violate the Establishment Clause. Nonetheless, this was not the basis of his judgment. He wrote:

> …the requirement that public school students study a basal reader series chosen by the school authorities does not create an unconstitutional burden under the Free Exercise Clause when the students are not required to affirm or deny a belief or engage or refrain from engaging in a practice prohibited or required by their religion. There was no evidence that the conduct required of the students was forbidden by their religion. Rather, the witnesses testified that reading the Holt series "could" or "might" lead the students to come to conclusions that were contrary to teachings of their and their parents' religious beliefs. This is not sufficient to establish an unconstitutional burden.[77]

Although the other judges in the case did not agree in full with Judge Lively, they concurred in his opinion. Their reservations are worthy of note. On the one hand, Judge Cornelia G. Kennedy did not think the ruling went far enough. She argued that even if there were evidence that the religious liberty of the plaintiffs had been substantially burdened, there was nonetheless a compelling state interest in requiring the reading series:

> In Bethel School Dist. No. 403 v. Fraser… (1986), the Supreme Court stated: "The role and purpose of the American public school system was well described by two historians, saying `public education must prepare pupils for citizenship in the Republic.'" Additionally, the Bethel School Court stated that the state through its public schools must "inculcate the habits and manners of civility as values in themselves conducive to happiness and as indispensable to the practice of self-government in the community and the nation." Id. (quoting C. Beard & M. Beard,

[76] Mozert v. Hawkins County Bd. of Educ., 827 F. 2d 1058 - Court of Appeals, 6th Circuit 1987, https://scholar.google.com/scholar_case?case=239927245960083759&q=mozert+v.+hawkins,+827+f.2d+1058+(1987)&hl=en&as_sdt=40000006&as_vis=1 [Accessed 18 November 2019].
[77] Ibid.

> New Basic History of the United States 228 (1968)). Teaching students about complex and controversial social and moral issues is just as essential for preparing public school students for citizenship and self-government as inculcating in the students the habits and manners of civility.[78]

Additionally, she worried that accommodating the curriculum to every individual's religious sensibilities would bring disruption to the school day and would lead to segregation of students in their reading programs based on religion. "As Justice Jackson stated in McCollum," she wrote, "every parent:"

> 'has as good a right as this plaintiff to demand that the courts compel the schools to sift out of their teaching everything inconsistent with its doctrines. If we are to eliminate everything that is objectionable to any of these warring sects or inconsistent with any of their doctrines, we will leave public education in shreds. Nothing but educational confusion and a discrediting of the public school system can result from subjecting it to constant law suits.'[79]

Judge Danny J. Boggs disagreed, though he also concurred in the court's opinion. Assessing the religious beliefs of the plaintiffs, he wrote, "Their view may seem silly or wrong-headed to some, but it is a sincerely held religious belief."[80] He also agreed that the school's mandatory curriculum imposed a burden. "…Boggs argued that the reading program could be likened to requiring Catholic students to read items on the Catholic Church's official index of prohibited books…,"[81] conduct that Boggs correctly

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[78] Mozert v. Hawkins County Bd. of Educ., 827 F. 2d 1058 - Court of Appeals, 6th Circuit 1987, Judge Cornelia G. Kennedy concurring opinion, https://scholar.google.com/scholar_case?case=23992724596008375 9&q=mozert+v.+hawkins,+827+f.2d+1058+(1987)&hl=en&as_sdt=40000006&as_vis=1 [Accessed 18 November 2019].

[79] Ibid.

[80] Mozert v. Hawkins County Bd. of Educ., 827 F. 2d 1058 - Court of Appeals, 6th Circuit 1987, Judge Danny J. Boggs concurring opinion, https://scholar.google.com/scholar_case?case=23992724596008375 9&q=mozert+v.+hawkins,+827+f.2d+1058+(1987)&hl=en&as_sdt=40000006&as_vis=1 [Accessed 18 November 2019].

[81] Stephen Macedo, *Diversity and Distrust: Civic Education in a Multicultural Democracy* (Cambridge, MA: Harvard University Press, 2000), p. 161.

notes would have been understood as a mortal sin at least until the Second Vatican Council, potentially condemning a student to eternal damnation.[82] This, however, would indeed be evidence "that the conduct required of the students was forbidden by their religion." The question, then, is who gets to decide that? It appears that Judge Lively wanted publicly available evidence, such as would be The Index of Forbidden Books for Catholics. Judge Boggs accepted the testimony of the parents and their evidence, including passages from Scripture, as sufficient. However, not all conscientious objection results from evidence so tangible and/or discernible. Later, in *Smith* (decided three years after *Mozert*), we see that Justice Scalia warned about the Court playing this role. "As we reaffirmed only last Term," he wrote, "'[i]t is not within the judicial ken to question the centrality of particular beliefs or practices to a faith, or the validity of particular litigants' interpretation of those creeds.'"[83] For Boggs, though, the question was not ultimately about professed belief, perceived burdens, or compelling state interest. He concluded that the only question that was subject to judicial review was whether the curriculum violated the Establishment Clause. Questions related to the burden placed on religious believers, he concluded, were to be decided in the political sphere. This, too, seems to anticipate Justice Scalia's view in *Smith*.

The case never made it to the Supreme Court, ending in the Sixth Circuit, and so that decision stands. From it, we find some constitutional latitude: mere exposure to

[82] Mozert v. Hawkins County Bd. of Educ., 827 F. 2d 1058 - Court of Appeals, 6th Circuit 1987, Judge Danny J. Boggs concurring opinion, https://scholar.google.com/scholar_case?case=239927245960083759&q=mozert+v.+hawkins,+827+f.2d+1058+(1987)&hl=en&as_sdt=40000006&as_vis=1 [Accessed 18 November 2019].

[83] Employment Div. v. Smith, 494 U.S. 872 (1990), https://supreme.justia.com/cases/federal/us/494/872/#tab-opinion-1958253 [Accessed 18 November 2019].

religious pluralism does not violate the Constitution. We also find some limitations: exposure *might* violate the Free Exercise Clause if there is evidence that the exposure clearly violates one's deeply held religious beliefs and there is no compelling state interest to warrant it. In this case, accommodations/exemptions would be a fit remedy. In another case, exposure surely would violate the Constitution if it amounted to the establishment of religion. Finally, in the post-RFRA judicial environment, and with a Court moving more to the right, it seems safe to guess that *Mozert* would not hold up if challenged. The pendulum has swung to a point favoring an individual's (and even, after the Hobby Lobby case in 2014, corporate) religious liberty over the state's coercive authority. I imagine the courts today might find that a single, compulsory reading program is not the "least restrictive means" of achieving the state's "compelling interest."

The best way forward for introducing the study of religion(s) in public schools will be one that is empowered by *Mozert*'s recognition that mere exposure to diversity in religious beliefs does not violate the Constitution, but which also respects the conscience of those who feel otherwise, by providing reasonable accommodations and exemptions.

### *3.4 Conclusion*

Can a proposal to teach about religion(s) in American public schools withstand constitutional scrutiny? As this review of cases has shown, the answer is clearly yes. More than that, the Supreme Court has unequivocally ruled that the study of religion(s) has a proper place in the American educational project. Failure to honor its place amounts to hostility, which is emphatically unconstitutional.

What, then, are the requirements for the inclusion of religion(s) in the curriculum? The First Amendment Center, whose senior scholar is Charles C. Haynes, reports some consensus guidelines for acceptable teaching *about* religion(s) in public schools (as opposed to teaching *for* religious belief). They are thoroughly consistent with the *Mozert* assertion that exposure to religious diversity is not inherently unconstitutional, and with Supreme Court decisions that have required a secular legislative purpose and government neutrality. These guidelines are:

> 1. The school's approach to religion is *academic*, not *devotional*.
>
> 2. The school may strive for student *awareness* of religions, but should not press for student *acceptance* of any one religion.
>
> 3. The school may sponsor *study* about religion, but may not *sponsor* the practice of religion.
>
> 4. The school may *expose* students to a diversity of religious views, but may not *impose* any particular view.
>
> 5. The school may *educate* about all religions, but may not *promote* or *denigrate* any religion.
>
> 6. The school may *inform* the student about various beliefs, but should not seek to *conform* him or her to any particular belief.[84]

Although the traditional distinction here is between teaching *about* religion(s) versus the teaching *of* or *for* religion(s), it may be helpful to consider the perspective of the learner. While the teacher must avoid indoctrination—teaching *for* religion—the student will always be gaining more than mere information no matter what the subject matter. While the curriculum must not force conformity with any religious beliefs, it will always necessarily have a role in the formation of the human person. In other words, by

[84] Charles C. Haynes and Oliver Thomas, "Finding Common Ground: A First Amendment Guide to Religion and Public Schools," (Nashville: First Amendment Center, 2007), p. 98. Based on guidelines from the Public Education Religion Studies Center at Wright State University.

addressing religion(s) in the public schools, we will not only be helping students to learn *about* religion(s), but we will be situating them to learn *from* religion(s) in a more equitable and unbiased way, just as they learn from non-religious sources of knowledge as well, adhering thereby to the requirement for neutrality. This *learning from*[85] happens regardless of the intention of the teacher and it happens without violating the Establishment Clause because it is not the doing of the school. We *learn from* everything we study: there is no disembodied mind that simply soaks up information. We are always engaged in a lifelong, formative process. A good curriculum and pedagogy are required to create an honest approach, where this *learning from* is recognized, where students engage in critical thinking and reasonably consider the available data. We thus empower students to make decisions about what counts as wisdom to them, and to be active agents in their own formation. This brings us beyond the realm of constitutional law and into the realm of political and educational philosophy and epistemology. It is to that inquiry that we turn next.

[85] *Learning from religion* is a concept especially associated with Michael Grimmitt. See, for example, Michael Grimmitt, "When is 'Commitment' a Problem in Religious Education?" *British Journal of Educational Studies* Vol. XXIX, No. 1 (February, 1981), pp. 42-53, at 49-50.

## CHAPTER 4: Philosophical Underpinnings - *Teaching About* and *Learning From* Religion(s)

The Supreme Court has made clear not only that it is constitutional to teach about religion(s) in American public schools, as long as neutrality is maintained, but also that it may be *unconstitutional* to fail to teach about religion(s). Justice Clark's words in writing for the Court continue to be underappreciated:

> …it might well be said that one's education is not complete without a study of comparative religion or the history of religion and its relationship to the advancement of civilization. It certainly may be said that the Bible is worthy of study for its literary and historic qualities. Nothing we have said here indicates that such study of the Bible or of religion, when presented objectively as part of a secular program of education, may not be effected consistently with the First Amendment.[1]

Nonetheless, the question remains whether what is permissible is, in fact, desirable. This gets to the heart of educational philosophy, stated by Diane Moore succinctly as it relates to this issue: "What are we educating for?"[2]

### *4.1 Challenging the Reigning Educational Paradigm*

Increasingly, the aims of education in American public schools appear to be narrowing. Since the advent of high-stakes testing, competition in a "race to the top" has dominated over cooperation and collaboration. Conceived as such, education becomes more about individual success than the common good. The markers of success are

[1] *School District of Abington Township, Pennsylvania v. Schempp*, 374 U.S. 203 (1963), https://supreme.justia.com/cases/federal/us/374/203/#tab-opinion-1944457 [Accessed 16 October 2019].

[2] Personal recollection from a seminar with Prof. Diane L. Moore at Harvard Divinity School, "Religion, Values, and Public Education: A Closer Look at the First Amendment," Fall semester, 2006.

familiar: getting into a good college and getting a good job. A "good college" is one that makes it more likely that a student will land a good job. A "good job" is usually interpreted to mean, above all, one that pays well and has excellent benefits, prestige, and room for advancement. In other words, education is reduced to a sort of job training focusing on technical skills. The student becomes *homo economicus*, and is treated as raw material for the marketplace. The student, in this distortion, is a commodity which must develop a competitive market value through education in "marketable skills." He/she is also seen as a future functionary in an already established economic machine, just another interchangeable and ultimately disposable part.

While most teachers (and young people themselves) almost certainly do not see students through this narrow economic lens, nonetheless the thrust of the educational system seems to operate increasingly according to these assumptions. Education, in this sense, treats students as "human resources" to keep the economic machine running smoothly. Nel Noddings critiques this perspective concerning the aims of education and the overall economic arrangement of society when she writes, "Often we equate happiness with financial success, and then we suppose that our chief duty as educators is to give all children the tools needed to get 'good' jobs. However, many essential jobs, now very poorly paid, will have to be done even if the entire citizenry were to become well educated."[3]

The high-stakes testing environment is both the product of a diminished understanding of education and a contributor to its further diminishment. Rooted in

[3] Nel Noddings, *Happiness and Education* (New York: Cambridge University Press, 2003), pp. 22-23.

neoliberal economic theory, high-stakes testing not only introduces excessive amounts of competition into education, but also fundamentally changes what we mean by knowledge and a responsible way of knowing. It engenders an anemic epistemology. By reducing knowledge to discreet answers on a multiple choice test, our educational system gives the impression—it teaches!—that knowledge (at least *worthwhile* knowledge) is a closed set of precisely that data which we are able to format into multiple choice questions and answer with a technical rationality. Intelligence is measured by one's success in this system that Paulo Freire called banking education: "Education thus becomes an act of depositing, in which the students are the depositories and the teacher is the depositor."[4] He memorably described students in this system as containers being filled by their teachers. The best students, of course, are those from whom the deposit can be quickly and easily withdrawn on an examination.

Eleanor Duckworth rightly critiques this understanding of education from a different angle than Noddings and Freire. She invokes the notion of virtues in education and reminds us of what is lost when we focus only on "knowing" in this depleted sense. She writes, "…knowing the right answer is overrated. It is a virtue—there is no debate about that—but in conventional views of intelligence it tends to be given far too much weight."[5] Why is it overrated? After all, a critic might reply, isn't getting the right answer generally agreed to be not only *a* sign of intelligence, but *the* sign? She worries that this

[4] Paulo Freire, *Pedagogy of the Oppressed,* Myra Bergman Ramos, transl. (New York: The Seabury Press, 1970) p. 58. Professor Fred Lawrence at Boston College memorably described this understanding of education in class by saying, "The notes of the teacher enter into the notes of the student without passing through the minds of either." (Personal recollection from his course "Foundational Theology I: Faith and Reason (Soundings)," Fall semester, 2010).

[5] Eleanor Duckworth, "*The Having of Wonderful Ideas" and Other Essays on Teaching and Learning* (New York: Teachers College Press, 2006), p. 63.

overemphasis of one virtue—getting the right answer—obscures other critical virtues, which she calls "the virtues of not knowing."[6] According to this understanding, a great amount of learning happens when we get things wrong. Education should not focus only on right answers, but on intelligent processes. (This will be one of the strong arguments for the study of religion(s) in the public schools: such studies do not yield easy answers but engage students in important discussions in a way that values critical thinking and collaborative learning.) Duckworth suggests posing problems, something Freire also promoted,[7] as key to strengthening the virtues associated with not knowing. These virtues include: courage to put forth ideas and have them scrutinized by others, courage to voice disagreement, and willingness to change one's position as the evidence warrants. She also lists "sitting alone, noticing something new, wondering about it, framing a question for oneself to answer, and sensing some contradiction in one's own ideas."[8] Finally, she includes "accepting surprise, puzzlement, excitement, patience, caution, honest attempts, and wrong outcomes as legitimate and important elements of learning…"[9] Far from the focus on "outcomes" associated with technical standards-based conceptions of education, Duckworth concentrates on the value of "figuring it out."[10] She writes, "The virtues involved in not knowing are the ones that really count in the long run… It is, moreover, quite possible to help children develop these virtues."[11] On the other hand, high-stakes

[6] Eleanor Duckworth, "*The Having of Wonderful Ideas" and Other Essays on Teaching and Learning* (New York: Teachers College Press, 2006), p. 63.
[7] Paulo Freire, *Pedagogy of the Oppressed,* Myra Bergman Ramos, transl. (New York: The Seabury Press, 1970), pp. 66ff.
[8] Eleanor Duckworth, "*The Having of Wonderful Ideas" and Other Essays on Teaching and Learning* (New York: Teachers College Press, 2006), p. 67.
[9] Ibid.
[10] Ibid., p. 63.
[11] Ibid., p. 67.

tests are decidedly not the way to achieve the development of these lesser-prized virtues. She concludes:

> The only difficulty is that teachers are rarely encouraged to do [this type of teaching]—largely because standardized tests play such a powerful role in determining what teachers pay attention to. Standardized tests can never, even at their best, tell us anything other than whether a given fact, notion, or ability is already in a child's repertoire. As a result, teachers are encouraged to go for right answers, as soon and as often as possible… It would make a significant difference to the cause of intelligent thought in general, and to the number of right answers that are ultimately known, if teachers were encouraged to focus on the virtues involved in not knowing…[12]

I agree with Duckworth. Ironically, an overemphasis on standardized testing (done in the name of gathering data and rooted in the idea of applying the scientific method to education) moves learning away from the scientific method and into the banking method. Moreover, the high-stakes testing environment introduces an unhealthy amount of competition into education and turns what should be a cooperative effort into an individualistic endeavor.

A critic might respond with a capitalist retort that the competition of individuals benefits the whole society.[13] Far from being individualistic, they might argue, this version of educational theory highlights competition in order to establish a true meritocracy that yields the best results for all. Because of structural injustices built into the system, such

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[12] Eleanor Duckworth, "*The Having of Wonderful Ideas" and Other Essays on Teaching and Learning* (New York: Teachers College Press, 2006), p. 68.

[13] Without mentioning competition, the landmark report, *A Nation at Risk* (1983), from the National Commission on Excellence in Education (NCEE) made the connection between individual economic advancement and the good of society: "*All, regardless of race or class or economic status, are entitled to a fair chance and to the tools for developing their individual powers of mind and spirit to the utmost. This promise means that all children by virtue of their own efforts, competently guided, can hope to attain the mature and informed judgement needed to secure gainful employment, and to manage their own lives, thereby serving not only their own interests but also the progress of society itself.*" https://www2.ed.gov/pubs/NatAtRisk/risk.html [Accessed 17 July 2020]. Italics in the original.

as those documented by Jonathan Kozol for example,[14] this argument is flawed from the start. Racial and economic inequality belie any attempt to qualify America's public schools as a true meritocracy. Moreover, even prescinding from that question, the argument that competition benefits all of society is deeply flawed. The initial error lies in conflating the economy with the society. The common good is more than the economy. We will come back to this point in the next chapter.

Increasingly in the United States, there has been a narrowing of the curriculum and a diminishment of holistic education. Beginning in the post-Sputnik (1957) "space race" era, the United States felt that is was falling behind the USSR and was losing the Cold War. New educational initiatives began that promoted greater knowledge in science and mathematics.[15] By 1983, the National Commission on Excellence in Education (NCEE) reported bluntly, in alarmist terms, that "Our Nation is at risk."[16] The report "stirred up considerable public concern,"[17] especially with its premise that "Our once unchallenged preeminence in commerce, industry, science, and technological innovation is being overtaken by competitors throughout the world."[18] The "gains in student achievement made in the wake of the Sputnik challenge" had been "squandered" and "the

[14] See, for example, Jonathan Kozol, *Amazing Grace: The Lives of Children and the Conscience of a Nation* (New York: Broadway Paperbacks, 1995) and Jonathan Kozol, *Savage Inequalities: Children in America's Schools* (New York: Broadway Books, 2012). Thomas Groome writes, "A substantial literature portrays contemporary schooling as marked by rampant individualism and competition, as focused on serving the interests of unbridled capitalism…" (Thomas H. Groome, *Educating for Life: A Spiritual Vision for Every Teacher and Parent* (Allen, TX: Thomas More, 1998), p. 195). Groome refers us especially to the work of Henry Giroux and Ira Shor. (Ibid., p. 213n18).
[15] Michael Stephen Schiro, *Curriculum Theory: Conflicting Visions and Enduring Concerns* (Los Angeles: SAGE Publications, 2008), pp. 35-36.
[16] National Commission on Excellence in Education, "A Nation at Risk," 1983, https://www2.ed.gov/pubs/NatAtRisk/risk.html [Accessed 17 July 2020].
[17] Michael Stephen Schiro, *Curriculum Theory: Conflicting Visions and Enduring Concerns* (Los Angeles: SAGE Publications, 2008), p. 37.
[18] National Commission on Excellence in Education, "A Nation at Risk," 1983, https://www2.ed.gov/pubs/NatAtRisk/risk.html [Accessed 17 July 2020].

educational foundations of our society [were] presently being eroded by a rising tide of mediocrity."[19]

A new educational paradigm came into being that Andy Hargreaves and Dennis Shirley call "The Second Way of Markets and Standardization,"[20] which was international in its sweep. In the United States, it was born under Ronald Reagan, who redefined "citizens… as *clients, customers,* or *consumers*,"[21] and thus influenced the schooling of those citizens accordingly. This Second Way came to fruition with the presidency of Bill Clinton. During this era, "…statewide high-stakes tests were increasingly administered to all students—even those who were newly arrived from abroad, without the barest rudiments of English. Standards were easy to write and inexpensive to fund; they spread like wildfire."[22] This Second Way combined in the early 2000's with a renewed concern that American students were not being prepared for a changing economy, which demanded skills in Science, Technology, Engineering, and Mathematics (STEM). According to the bipartisan Congressional STEM Education Caucus at the time, "Our knowledge-based economy is driven by constant innovation.

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[19] National Commission on Excellence in Education, "A Nation at Risk," 1983, https://www2.ed.gov/pubs/NatAtRisk/risk.html [Accessed 17 July 2020].

[20] Andy Hargreaves and Dennis Shirley, *The Fourth Way: The Inspiring Future for Educational Change* (Thousand Oaks, CA: Corwin, 2009), pp. 8-12. The earlier "First Way of Innovation and Inconsistency" was an age of educational experimentation, social reconstruction theory, and child-centered learning. The later "Third Way of Performance and Partnerships" was barely ever tried in the U.S. according to the authors, who say that "The federal government [at the start of the 21st century] remained resolutely stuck in the rut of failed Second Way solutions" (p. 17). Concerning their proposed "Fourth Way," the authors write: "A world dominated by wealth and might has diminished and almost destroyed us. But in the depths of crisis, a new spirit is emerging in which service and sacrifice in a commonwealth of hope can elevate us to a higher purpose and a humane exercise of our powers… Greed and a culture of narcissism can give way to a public spirit. Secrecy and surveillance can give way to transparency and democracy. There is no finer place to pursue this quest than through the education of the young… This is the moment that has summoned our effort to chart a better course in social and educational change—a Fourth Way of innovation, inspiration, and sustainability" (p. xii).

[21] Ibid., p. 9.

[22] Ibid.

The foundation of innovation lies in a dynamic, motivated and well-educated workforce equipped with STEM skills."[23] Exercises in technical rationality increased, leaving ever less room in the curriculum to address formative questions of meaning and morality. We focused on giving students the tools they would need for "success," never stopping with them to ponder what would be worthwhile to build.

The George W. Bush Administration put forth its plan, *No Child Left Behind* (NCLB) in this environment. Nonetheless, "Despite its urgent insistence on improvement and equity, NCLB legislation, alongside endless and contradictory systems of statewide and districtwide testing… narrowed and dumbed down the curriculum."[24] The initiatives were never fully funded, making the situation worse for the states.[25] In the Obama Administration, states competing to receive federal "Race to the Top" grant money were given extra points for prioritizing STEM education.[26] Diane Ravitch noted in a sharp criticism of "Race to the Top" that it was "an aggressive version of the Bush administration's No Child Left Behind, under which many schools have narrowed their curriculum to the tested subjects of reading and math."[27] She writes,

> This poor substitute for a well-rounded education, which includes subjects such as the arts, history, geography, civics, science and foreign language, hits low-income children the hardest, since they are the most likely to attend the kind of "failing school" that drills kids relentlessly on the basics. Emphasis on test scores already compels teachers to focus on test preparation. Holding teachers personally and

[23] Judith Hallinen, "STEM," *Encyclopædia Brittanica,* June 28, 2019, https://www.britannica.com/topic/STEM-education [Accessed 17 July 2020].
[24] Andy Hargreaves and Dennis Shirley, *The Fourth Way: The Inspiring Future for Educational Change* (Thousand Oaks, CA: Corwin, 2009), p. 17.
[25] Ibid., p. 18.
[26] Edward E. Kaufman, "STEM Education: A Race to the Top," *Education Week*, 29 no. 18 (January 11, 2010), https://www.edweek.org/ew/articles/2010/01/08/18kaufman.h29.html. [Accessed 17 July 2020].
[27] Diane Ravitch, "The Big Idea—it's bad education policy," *Los Angeles Times* (March 14, 2010), https://www.latimes.com/archives/la-xpm-2010-mar-14-la-oe-ravitch14-2010mar14-story.html [Accessed 17 July 2020]. Note well the focus on reading and math, and not science, despite the focus on STEM.

exclusively accountable for test scores—a key feature of Race to the Top—will make this situation even worse.[28]

Though some schools have turned STEM into STEAM by adding the Arts back in, the narrowing of the curricular focus to STEM appears to be a hallmark of our times, as does the focus on testing and standards. "At the beginning of the twenty-first century," writes Noddings, "educational discussion is dominated by talk of standards, and the reason for this is almost always economic."[29]

The narrowing of the curriculum, whether to reading and math in the younger grades, or to STEM subjects in secondary schools, is, as Noddings notes, tied to the economy. *A Nation at Risk* and The STEM Education Caucus told us as much. The aims which undergird the movement are two-fold according to Noddings: first, "to keep the United States strong economically" and second, "to give every child an opportunity to do well financially."[30] She is critical of both aims. While a strong economy is vital, the focus on standards in schools to achieve that goal seems disingenuous. After all, these proposals were not made during the Carter years, but during the boom years that followed. If anything, the schools seem to have been doing something right. "Why should the schools be accused of undermining the American economy during a time of unparalleled prosperity?"[31] she asks. "It is demonstrably false that downward fluctuations in the economy can be traced to the poor performance of our schools."[32] More

[28] Diane Ravitch, "The Big Idea—it's bad education policy," *Los Angeles Times* (March 14, 2010), https://www.latimes.com/archives/la-xpm-2010-mar-14-la-oe-ravitch14-2010mar14-story.html [Accessed 17 July 2020].
[29] Nel Noddings, *Happiness and Education* (New York: Cambridge University Press, 2003), p. 84.
[30] Ibid.
[31] Ibid.
[32] Ibid., p. 198.

importantly, she critiques the idea that a standardized curriculum is the correct response for the goal of financial success for every student.

> It is especially hard to understand why educators have joined policymakers in recommending more academic mathematics and science for all students. The country does not need more mathematicians and scientists, and almost certainly it can turn out enough engineers and computer workers by providing a fine scientific education for those whose interests and talents lie in these areas.[33]

It is important to note that she does not deny the value of having a citizenry that is educated in math and science; indeed, she explicitly states "I am not suggesting that mathematical and scientific literacy is unimportant."[34] Instead she breaks out of the narrow curriculum mindset that the standards movement and the STEM laser-focus have created. She says, "I am claiming that other goals are even more important. Moreover, it is entirely possible to integrate these concerns in ways that will enhance all of them."[35] What are some of these other "more important" goals of education?

> Given the state of the world and the documented loss of happiness among individuals, perhaps we should be more concerned with understanding and preventing violence, offering more courses in peace education, understanding and treating substance abuse, promoting self-understanding and interpersonal relations, protecting the environment, teaching love of place, parenting, spiritual

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[33] Nel Noddings, *Happiness and Education* (New York: Cambridge University Press, 2003), p. 199. She would agree with Alfred North Whitehead (in fact she quotes him approvingly multiple times) who long ago said, "There is only one subject-matter for education, and that is Life in all its manifestations. Instead of this single unity, we offer children—Algebra, from which nothing follows; Geometry, from which nothing follows… Let us now return to quadratic equations… Why should children be taught their solution? Unless quadratic equations fit into a connected curriculum, of course there is no reason to teach anything about them. Furthermore, extensive as should be the place of mathematics in a complete culture, I am a little doubtful whether for many types of boys [and girls] algebraic solutions of quadratic equations do not lie on the specialist side of mathematics... Fortunately, the specialist side of education presents an easier problem than does the provision of a general culture… undoubtedly the chief reason is that the specialist study is normally a study of peculiar interest to the student. He [or she] is studying it because, for some reason, he [or she] wants to know it. This make all the difference." (Alfred North Whitehead, *The Aims of Education and Other Essays* (New York: The Free Press, 1929), p. 7, 11).
[34] Nel Noddings, *Happiness and Education* (New York: Cambridge University Press, 2003), p. 200.
[35] Ibid.

> awakening, preparation for a congenial occupation, encouraging lasting pleasure in the arts, and developing sound character and a pleasing personality.[36]

Thus, she criticizes not only each of the two-fold economic aims of the standards movement, but the economic orientation of those goals itself, stating, "There is more to individual life and the life of a nation than economic superiority."[37]

Noddings helps us to see that the model of standardization, which treats the student as a generic *homo economicus,* is limiting and harmful. Diane Ravitch concluded recently that "For almost twenty years, the Bush-Obama-Trump program of standardized testing, punitive accountability, and school choice has been the reform strategy. It has utterly failed."[38] She makes a distinction between what she calls traditional "reformers" and the "disruptors" of the last two decades or more. "Reformers have historically called for more funding, better trained teachers, desegregation, smaller class sizes. The disruptors, however, banked on a strategy of testing, competition, and punishment, which turned out to be ineffective and harmful."[39]

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[36] Nel Noddings, *Happiness and Education* (New York: Cambridge University Press, 2003), p. 200. Elsewhere she writes, "Our society does not need to make its children first in the world in mathematics and science. It needs to care for its children—to reduce violence, to respect honest work of every kind, to reward excellence at every level, to ensure a place for every child and emerging adult in the economic and social world, to produce people who can care competently for their own families and contribute effectively to their communities. In direct opposition to the current emphasis on academic standards, a national curriculum, and national assessment, I have argued that our main educational aim should be to encourage the growth of competent, caring, loving, and lovable people." (Nel Noddings, *Educating Moral People: A Caring Alternative to Character Education* (New York: Teachers College Press, 2002), p. 94).
[37] Nel Noddings, *Happiness and Education* (New York: Cambridge University Press, 2003), p. 84.
[38] Diane Ravitch, "The Education Reform Movement Has Failed America. We Need Common Sense Solutions That Work." *TIME* (February 21, 2020), https://time.com/5775795/education-reform-failed-america/ [Accessed 17 July 2020].
[39] Ibid.

Noddings and Ravitch invite us to step back and to consider whether we have gotten too far away from the demands of a truly liberal education that is holistic and humanizing. Hargreaves and Shirley believe we have, proposing their Fourth Way:

> This New Way should…express and advance democratic and humanitarian values. It should attend to the advancement of the economy and the restoration of prosperity but not at the price of other educational elements that contribute to the development of personal integrity, social democracy, and the advancement of human decency.[40]

This brings us back to Diane Moore's question: *What are we educating for?* Noddings indicates that one aim of education should be to allow students to pursue the knowledge that interests them. In this, she follows John Dewey who wrote, "…the value of recognizing the dynamic place of interest in an educative development is that it leads to considering children in their specific capabilities, needs, and preferences."[41] Far from standardization, Dewey recognized that "…all minds [do not] work in the same way…" and that we must take into account "…difference of natural aptitude, of past experience, of plan of life, and so on."[42] This is an important counterweight to the standardization movement that has held so much sway. Noddings also echoes Dewey in tying this conception of education to democracy:

> Many of us believe that the greatest fault in NCLB (and in the current reform movement generally) is that it misconstrues the aims of education… The bedrock concept of liberal democracy is choice (or freedom). A system of schooling that provides few choices and fails to prepare its students to make well-informed

[40] Andy Hargreaves and Dennis Shirley, *The Fourth Way: The Inspiring Future for Educational Change* (Thousand Oaks, CA: Corwin, 2009), p. xi. For the previous Three Ways, see footnote 20.
[41] John Dewey, *Democracy and Education* (Lexington, KY: Feather Trail Press, 2009), p. 72.
[42] Ibid.

> choices in the future does not deserve the label *education*, and it undermines the liberal democracy it should support.[43]

Still there is a danger here. If the primary aims are to educate students either a) according to their own interests, and/or b) in a way that prepares them for personal financial success, we are surely failing to grasp education as a social good and instead treating it both instrumentally and individualistically. Thus, Michael James and his collaborators remind us that John "Dewey's aim… was a form of learning directly suited to building democracy as a participatory, moral, and justice-building framework for lives lived in common."[44] I share their concern that, contrary to Dewey's vision, "…the overriding operative educational philosophy in contemporary American society generates an intensely individualized model of learning."[45] This is the paradox of our age: by providing an education that takes little note of each person's unique learning needs and instead proposes a one-size-fits-all set of technical standards we have nonetheless promoted individualism and a loss of sense of belonging and care for the common good.

Noddings is careful to balance a learner-centered approach to education with a social orientation. Thus, she expresses the aims of education in various ways throughout her works. In one place, she writes, "But if the school has one main goal, a goal that guides the establishment and priority of all others, it should be to promote the growth of students as healthy, competent, moral people… Intellectual development is important, but

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[43] Nel Noddings, *When School Reform Goes Wrong* (New York: Teachers College Press, 2007), p. 7. She writes elsewhere, "Educational aims always reflect the aims—explicit or implicit—of the political society in which they are developed. A totalitarian state will engender educational aims that primarily benefit the state. A liberal democracy should generate aims more focused on the needs of individuals." (Nel Noddings, *Happiness and Education* (New York: Cambridge University Press, 2003), p. 88).
[44] Michael James, Thomas Masters, and Amy Uelmen, *Education's Highest Aim: Teaching and Learning Through a Spirituality of Communion* (Hyde Park, NY: New City Press, 2010), p. 20.
[45] Ibid.

it cannot be the first priority of schools."[46] She contrasts that with the almost neurotic focus on standards, which she critiques harshly: "The pervasive goal is control: control of teachers, of students, of content."[47] Elsewhere, she elaborates on the aims of education, writing,

> All students should be engaged in a general education that guides them in caring for self, intimate others, global others, plants, animals, the environment, objects and instruments, and ideas. Moral life so defined should be frankly embraced as the main goal of education. Such an aim does not work against intellectual development or academic achievement. Rather, it supplies a firm foundation for both.[48]

Finally, Noddings ties all of this together with the idea of happiness in education, the conviction that learning ought to be an enjoyable experience at least most of the time, and that happiness relates education to both the personal realm and the public. In promoting happiness as an important aim in education, she writes, "…school is still boring, and in some ways it is worse today than it was in the 1960s, when reformers were clamoring for change. The effects of standardized testing have aggravated an already dull way of life."[49] Apart from the dull pedagogy, she claims that the curriculum itself has been so narrowed as to bore most students. On the other hand, "Happy children, growing in their understanding of what happiness is, will seize their educational opportunities with delight, and they will contribute to the happiness of others."[50] Happiness, then, is the

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[46] Nel Noddings, *The Challenge to Care in Schools: An Alternative Approach to Education* (New York: Teachers College Press, 2005), p. 10.
[47] Ibid., p. 9.
[48] Nel Noddings, *Educating Moral People: A Caring Alternative to Character Education* (New York: Teachers College Press, 2002), p. 99.
[49] Nel Noddings, *Happiness and Education* (New York: Cambridge University Press, 2003), pp. 244-5.
[50] Ibid., p. 261.

linchpin between educating holistically for the growth of each unique student and educating for the common good.

> Our purpose of schooling should be to develop the intellect, but that does not mean to stuff the heads of children with material arbitrarily chosen by experts and designed to rank and sort them. It means rather to guide students toward the intelligent use of their intellectual capacities in both personal and public life. It means equipping them with the power to evaluate and direct change, to resist harmful changes and promote those that contribute to human flourishing. Almost any subject matter of genuine interest to students, well taught, can contribute to this end.[51]

Bel hooks writes similarly about happiness. Following Freire, she is most concerned to delineate a theory of education that puts liberation at the center as "the Practice of Freedom." She is critical of Freire, though, writing, "Neither Freire's work nor feminist pedagogy examined the notion of pleasure in the classroom."[52] She writes that "…the classroom should be an exciting place, never boring" and is motivated by "The idea that learning should be exciting, sometimes even 'fun,'…"[53] Hooks writes from the perspective of a college/university setting, yet her insights apply to our discussion of public primary and secondary schools as well. For example, she writes that "Progressive, holistic education, 'engaged pedagogy'… emphasizes well-being,"[54] which she considers to include "…spiritual well-being… care of the soul."[55]

These are some of the greatest losses in our current educational moment, where the student is largely reduced to his/her mind (and more specifically for many testing

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[51] Nel Noddings, *Happiness and Education* (New York: Cambridge University Press, 2003), p. 260.
[52] bel hooks, *Teaching to Transgress: Education as the Practice of Freedom* (New York: Routledge, 1994), p. 7.
[53] Ibid.
[54] Ibid., p. 15.
[55] Ibid., p. 16.

purposes, memory) and future contributions to the economy, and where the sense of the common good is lost to competitive individualism. Parker Palmer writes in the same vein as hooks, "…I am… passionate about not wanting to violate the deepest needs of the human soul, which our educational system does with some regularity."[56]

Hooks and Noddings help us to expand our notion of the educational project beyond its current boundaries. They also help us to envision education as oriented to both personal growth and social benefit. "Finally," says Noddings, "basically happy people who retain an uneasy social conscience will contribute to a happier world."[57] A happier world, in her philosophy, is a better world, a world more peaceful and just.

### *4.1.1 What are we educating for?*

A common thread that runs through Dewey, Noddings, and Hargreaves and Shirley is that we are educating for good citizens in a democratic society. Unfortunately, the current emphasis on the economy in education takes our eyes off this important goal. Worse, by promoting competitive individualism, it actually undermines the goal. Thus, James and his companions write, "…the ideal of an educational philosophy such as Dewey's that gives priority to democratic relationships often founders on the twin shoals of entrenched individualism, discernibly at the core of American culture, and the weight of institutional inertia."[58]

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[56] Parker J. Palmer, *Healing the Heart of Democracy: The Courage to Create a Politics Worthy of the Human Spirit* (San Francisco: Jossey-Bass, 2011), p. 123.
[57] Nel Noddings, *Happiness and Education* (New York: Cambridge University Press, 2003), pp. 261.
[58] Michael James, Thomas Masters, and Amy Uelmen, *Education's Highest Aim: Teaching and Learning Through a Spirituality of Communion* (Hyde Park, NY: New City Press, 2010), p. 20.

What should be clear from this diagnosis of the current trend in American public education is that there is little room for the study of religion(s). When formal education is narrowed, not completely but significantly, to its service to the economy, then any subject matter must prove its worth in the curriculum in economic terms. We saw that the standards and STEM movements have done exactly that. Other subjects that sometimes make the curriculum cut, such as the arts when STEM is re-envisioned as STEAM, nonetheless fall lower on the hierarchy, and are often seen as non-essential—as budget cuts make clear in times of economic woe. In this environment, the introduction of the study of religion(s) into the curriculum has had little traction. Moreover, I do not think that supplying traction in terms of economic utilitarianism is the way to go. We should avoid attempting to justify the study of religion(s) through its economic usefulness, refusing to follow big businesses like Google who have turned, for example, to Buddhist meditation techniques in order to promote lower healthcare costs and higher productivity—a practice known disparagingly as McMeditation and McMindfulness.[59] Some schools, in fact, teach mindfulness techniques in order to reduce stress and bolster student performance. I think this is a terrible mistake. Instead, we should argue for religion(s) in the curriculum in ways that promote a healthier and more robust understanding of education itself. Defending the study of religion(s) only in economic terms seems to me a Faustian bargain. I do not want religion to lose its soul.

[59] See, for example, Ronald E. Purser, *McMindfulness: How Mindfulness Became the New Capitalist Spirituality* (New York: Random House, 2019), and Robert Rosenbaum and Barry Magid, eds., *What's Wrong with Mindfulness (And What Isn't): Zen Perspectives* (Somerville, MA: Wisdom Publications, Inc., 2016). I thank Alexander J. Green for first introducing me to this concept.

### *4.2 Curriculum Philosophies to Ground Religious Education in Public Schools*

To find the proper place for the study of religion(s) in the curriculum, we must attend to curriculum philosophy. Michael Stephen Schiro argues that there are four "curriculum ideologies" that compete for dominance in American schools. He calls these four: Scholar Academic (SA), Learner Centered (LC), Social Efficiency (SE), and Social Reconstruction (SR).

"Scholar Academics," writes Schiro, "believe that over the centuries our culture has accumulated important knowledge that has been organized into the academic disciplines found in universities. The purpose of education is to help children learn the accumulated knowledge of our culture: that of the academic disciplines."[60] Secondary school students study subjects, usually taught in isolation from one another, that correspond to the disciplines of higher education. Their work is seen as an introduction to the academic work of the various disciplines. Thus, students perhaps learn the origins of the various fields of study, their ways of thinking and reasoning, the types of questions they ask and seek to answer, their methodologies, their conception of what counts as *truth* and evidence, the disputes, the branches of study, and especially their current store of knowledge. Students study biology, for instance, in order to think like biologists. The goal, from a societal perspective, is to ensure a constant supply of new researchers in each professional field, and thus collectively to hold onto the "funded capital of civilization"[61] and to develop it further.

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[60] Michael Stephen Schiro, *Curriculum Theory: Conflicting Visions and Enduring Concerns* (Los Angeles: SAGE Publications, 2008), p. 4.

[61] John Dewey, in Thomas H. Groome, *Educating for Life: A Spiritual Vision for Every Teacher and Parent* (Allen, TX: Thomas More, 1998), p. 220.

Unfortunately, the study of religion(s) does not fit well into this curriculum ideology in contemporary America. There is practically no debate among Americans, with our understanding of separation of church and state, that public schools should not be preparing students for specialized fields that are religious in nature such as ministry, theology, and religious studies. With the exception of restorationists who would like to see the Bible studied in school, even those who would like to see the study of religion(s) in our public schools are wary about promoting the study as a field in the SA mindset. We have privatized religion to the extent that religious fields of study are not included in the "funded capital of civilization" any longer. We may encourage students to go into these disciplines if they are so inclined, but our public schools will not prepare them with any specialized knowledge to do so.

The same may be said of the Social Efficiency model. According to Schiro, "Social Efficiency advocates believe that the purpose of schooling is to efficiently meet the needs of society by training youth to function as future mature contributing members of society."[62] Or, more succinctly, "The Social Efficiency ideology views education as a social process that perpetuates existing social functions." It does not endorse the status quo exactly, but rather seeks to perpetuate what is best in society and to discard what is worst through education.[63] Unlike the SA ideology, which focused on preparing students for the academic disciplines, the SE model aims to condition students to be good members of society and hence to make society better.[64] Perhaps what most distinguishes

[62] Michael Stephen Schiro, *Curriculum Theory: Conflicting Visions and Enduring Concerns* (Los Angeles: SAGE Publications, 2008), p. 4.
[63] Ibid., p. 64.
[64] "The utilitarian education movement [which helped forge the SE ideology] … embodied a reaction to academic education in schools, which consisted of generally useless textbook memorizing that prepared people only for life in the university." (Ibid., p. 72).

this curriculum theory from others is its methodology. SE practitioners aspire to follow a scientific approach toward education, which includes, especially, behavioral and cognitive psychology. "The possession of the correct *behavior* is emphasized over the possession of the correct *information*."[65] Hence the use of the verb "condition" rather than "prepare" above. For SE advocates, "information alone is not knowledge… The relevant criterion is whether the possessor of information is capable of acting on the knowledge represented by the information."[66] Thus, "That which cannot be observed, such as some of the 'spiritual' dimensions of people's being, is simply not dealt with."[67] In practical terms, this has led to education based on clearly stated observable objectives, lesson plans that will lead to observable outcomes, and assessments to prove the achievement of those outcomes.

In the 21st century, we see a strange and powerful merger between the SA and the SE models, eclipsing both the LC and the SR theories. Schiro writes:

> By the beginning of the 21st century, with the rise of the standards and accountability movements, there was a further shift of emphasis from fulfilling social needs to what [Franklin] Bobbitt called raising the "qualitative and quantitative standards" that determined the products of schools. The shift involved taking as a given the academic programs condoned by the state departments of education and emphasizing that high standards be used to assure that the academic goals of state curricula are met, that academic achievement is promoted, and that "no child is left behind" … As a result, the raising of student academic performance became the terminal objective of Social Efficiency educators.[68]

[65] Michael Stephen Schiro, *Curriculum Theory: Conflicting Visions and Enduring Concerns* (Los Angeles: SAGE Publications, 2008), p. 78.
[66] Ibid.
[67] Ibid., p. 79.
[68] Ibid., pp. 74-5.

Thus, we may speak of the current educational climate as being dominated by a SA/SE hybrid that has no room for education in religion(s) and spirituality. If we are to make space for the teaching of religion(s), it will ultimately not be within the confines of this merged SA/SE ideology. We must advocate for a fundamental shift in curriculum philosophy, yet without fearing to introduce the teaching of religion(s) now: it may well be a prime catalyst for change.

Noddings writes primarily as a theorist in the Learner Centered ideology. Here we find solid ground for our project. This is the philosophy, after all, that we associate with many great educators, including John Dewey, Paulo Freire, and Maria Montessori. Unlike the SE theory, where a key descriptor of education was *training,* here the prevailing word is *growth.* "People are… conceptualized as self-activated makers of meaning, as actively self-propelled agents of their own growth and not as passive organisms to be filled or molded by agents outside themselves."[69] This leads to an understanding of education "…involving the drawing out of the inherent capabilities of people."[70] Fusing the visions of LC and SR ideologies, bell hooks employs the word "self-actualizing" to describe the particular type of holistic growth that allows educators, and then by extension, students to also be agents in restructuring society for a more just order.[71] We might conceptualize such a fusion as the diametric opposite of the SA/SE hybrid that reigns in our schools currently.

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[69] Michael Stephen Schiro, *Curriculum Theory: Conflicting Visions and Enduring Concerns* (Los Angeles: SAGE Publications, 2008), p. 103.
[70] Ibid.
[71] bell hooks, *Teaching to Transgress: Education as the Practice of Freedom* (New York: Routledge, 1994), pp. 15ff. Groome reminds us that "self-actualizing" must not be constricted to an "autonomous self"—a fault that bell hooks does not commit—in order to maintain an adequate anthropology that recognizes the human person as always in relationship, which of course has ethical implications: "Even without the

Nonetheless, as we saw from Noddings earlier, the LC approach does not reject the academic disciplines nor intellectual rigor. Rather, it posits that not every student should study every subject in exactly the same manner and at the same time. Furthermore, it challenges the SA model of breaking the curriculum up into discreet subject areas which are studied at fixed times and in fixed ways.[72] "The ideal school," writes Schiro, "is an integrated school. It takes a unified rather than an atomistic approach to people's education."[73] This unity is found in the linkages between subject areas ("Integrated schools do not view knowledge as broken up into separate disciplines."[74]), and between home and school life. Most prominently, it is expressed in a holistic understanding of the child: "…it treats people as integrated organisms. People are dealt with as inseparable conglomerates of intellectual, social, emotional, and physical components rather than as creatures whose attributes can be partitioned and dealt with separately…"[75] Groome, writing out of this same philosophical tradition, uses gift language to express and expand the same concept:

> People are multi-faceted mysteries; we have gifts in common and particular ones as well. Teachers and parents are to help develop all of learners' talents and

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use of religious language, educators can invite learners to reach beyond self actualization—and beyond 'the self' as the measure of morality—toward universal ideals and values that are grounded in transcendence." (Thomas H. Groome, *Educating for Life: A Spiritual Vision for Every Teacher and Parent* (Allen, TX: Thomas More, 1998), p. 305).

[72] Hargreaves and Shirley remind us that even this is susceptible to the market mentality. Hargreaves, in particular, discovered that "…personalization, like so many promising Third Way strategies, is sometimes equated with 'the movement from mass production to mass customization.' … With *customized learning*, students access existing and unchanged kinds of conventional learning through different means—on site or off site, online or offline, in school or out of school, quickly or slowly, cooperatively or alone. But the nature of the learning itself is not transformed into something deeper, more challenging, and more connected to compelling issues in their world and their lives. Customization becomes a tool to market and manage learning…" (Andy Hargreaves and Dennis Shirley, *The Fourth Way: The Inspiring Future for Educational Change* (Thousand Oaks, CA: Corwin, 2009), p. 84).

[73] Michael Stephen Schiro, *Curriculum Theory: Conflicting Visions and Enduring Concerns* (Los Angeles: SAGE Publications, 2008), p. 100.

[74] Ibid.

[75] Ibid. He is summarizing the perspective of Noddings in this passage.

> possibilities, to commit themselves to *an integrated education of the whole person.* We have: physical gifts for manual labor, sports, and entertainment; moral gifts for discerning and choosing what is good; spiritual gifts for compassion, love, and reaching for the Transcendent; social gifts for relationship and service; intellectual gifts for pursuing truth and wisdom; and aesthetic gifts for creating and appreciating the beautiful.[76]

Importantly, the LC ideology emphasizes that students make meaning for themselves (though always in a cultural context) as they grow. This constructivism opens the doors to educators for assisting students in their personal construction of meaning, including questions of ultimate meaning. We may call these existential, religious, or spiritual questions, and they are certainly important not only to the history of human thought and society[77] but to every person's ongoing quest for purpose in life. Thus, I agree with Groome when he writes, "I am convinced that the lack of a spiritual vision is an Achilles heel of 'the American experiment' in education."[78] Hargreaves and Shirley recognize the lacuna as well, and attempt to fill it in their Fourth Way, writing:

> Creativity, innovation, intellectual agility, teamwork, problem solving, flexibility, and adaptability to change are essential to the new economy. But if these skills are all there is to 21st century schools, they will convert personalization into mere customization… Twenty-first century schools must also embrace deeper virtues and values such as courage, compassion, service, sacrifice, long-term commitment, and perseverance…[79]

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[76] Thomas H. Groome, *Educating for Life: A Spiritual Vision for Every Teacher and Parent* (Allen, TX: Thomas More, 1998), p. 100 (emphasis in the original). Groome also notes that the Catholic schools in the U.S. have preserved this holistic tradition as one of their defining features: "They provide… holistic curricula that embrace… the totality of the person—intellectual, moral, social, aesthetic, physical, and spiritual." (Ibid., p. 51).

[77] "Throughout most of human history, questions about the existence and nature of gods, about the meaning of life, about the role of religion in societies, and about moral life with or without gods have been recognized as paramount in any examined life and, therefore, central to education… It is only in the second half of this [20th] century that we find philosophers and educators ignoring religion entirely." (Nel Noddings, *Educating for Intelligent Belief or Unbelief* (New York: Teachers College Press, 1993), p. xiii).

[78] Thomas H. Groome, *Educating for Life: A Spiritual Vision for Every Teacher and Parent* (Allen, TX: Thomas More, 1998), p. 15.

[79] Andy Hargreaves and Dennis Shirley, *The Fourth Way: The Inspiring Future for Educational Change* (Thousand Oaks, CA: Corwin, 2009), p. 85.

From their experience teaching at Boston College, they turn to the Jesuit paradigm concerning finding one's genuine vocation. They ask in three bullet points, "Do you have a passion? Are you good at it, or can you become so? Does it serve a compelling social need?"[80] Like Noddings and hooks, they tie this together with the concept of joy in education: "If your answer to all three questions is 'Yes,' then, says Jesuit pedagogy, you will experience absolute joy."[81] Here, their Fourth Way, without leaving its necessary tie to economic well-being, opens up to holistic learning, even making room for spirituality—although they never quite open that door fully. Instead they stop at meaning-making and addressing existential questions:

> This is meaningful learning and mindful teaching that goes to the heart of the human condition. It acknowledges our need for emotional engagement, our quest for excellence, and our craving for relatedness and purpose. There is no proselytizing here: simply a welcoming into important questions that have inspired the greatest thinkers across the ages.[82]

A return to a more Learner Centered philosophy of education would be fertile ground for the study of religion(s), not only to *learn about* religion(s) as some disconnected phenomena outside of the young person's experience and interest, but as integrally connected to their personal search—and the human search across ages and

[80] Andy Hargreaves and Dennis Shirley, *The Fourth Way: The Inspiring Future for Educational Change* (Thousand Oaks, CA: Corwin, 2009), p. 85. Bullets removed.
[81] Ibid.
[82] Ibid. It is interesting to note that the needs they list (emotional engagement, quest for excellence, and craving relatedness and purpose) roughly correspond to the three psychological needs that Edward Deci and Richard Ryan propose in their Self-Determination Theory and have tested for decades concerning human motivation and development, which are autonomy, competence, and relatedness. See, for example, Edward L. Deci and Richard M. Ryan, "Self-determination theory: A macrotheory of human motivation, development, and health," *Canadian psychology/Psychologie canadienne* 49, no. 3 (2008): 182.

cultures—for meaning, wisdom, and connection, perhaps even with the Divine. In other words, religious ways of knowing are neither promoted nor disparaged, and students are invited to reach beyond *learning about* and toward *learn from* religion(s) as they learn from so many other sources—if well taught.[83] This way of looking at religion(s) would certainly help to reverse the narrowing of the curriculum and get our schools and our students out of what Charles Taylor calls "the immanent frame."[84] The world is more expansive and invigorating than its economic facet; our educational program should correspond to the magnitude of life itself and not limit students to their economic potential.

There is a danger in LC ideology if it is not properly balanced. Words like *self-actualization, personalization, autonomy,* and *individualism* are common in this curriculum philosophy. They raise a red flag of the danger of what Enlightenment thinkers promoted as "the autonomous self." Parker Palmer reminds us of the problem: "…scholars now understand that knowing is a profoundly communal act. Nothing could possibly be known by the solitary self, since the self is inherently communal in nature."[85] The American myth of rugged individualism is just that, a myth. We are always relational as human beings. Palmer's epistemology is implicated in this anthropological perspective. "The myth of objectivity," he writes, "which depends on a radical separation of the knower from the known, has been declared bankrupt. We now see that to know something is to have a living relationship with it—influencing and being influenced by

[83] See, for example, Michael Grimmitt, "When is 'Commitment' a Problem in Religious Education?" *British Journal of Educational Studies* Vol. XXIX, No. 1 (February, 1981), pp. 42-53, at 49-50.
[84] Charles Taylor, *A Secular Age* (Cambridge, MA: The Belknap Press of Harvard University Press, 2007), pp. 539ff.
[85] Parker Palmer, *To Know as We Are Known: Education as a Spiritual Journey* (New York: HarperOne, 1993), p. xv.

the object known."[86] This living relationship is best expressed in the Social Reconstruction ideology, which adds a fine social balance to LC theories.

According to Schiro, "Social Reconstructionists are conscious of the problems of our society and the injustices done to its members, such as those originating from racial, gender, social, and economic inequalities. They assume the purpose of education is to facilitate the construction of a new and more just society…"[87] He quotes Henry Giroux who makes the further connection to our democratic responsibility: "At best it teaches students to think critically about the knowledge they gain, and what it means to recognize antidemocratic forms of power and to fight substantive injustices in a world marked by deep inequalities."[88] Elsewhere, Giroux reminds us that "social betterment must be the necessary consequence of individual flourishing."[89] In other words, to employ Noddings' language, the care of the self is here coupled with care for both the intimate and especially the global other, including the natural environment.

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[86] Parker Palmer, *To Know as We Are Known: Education as a Spiritual Journey* (New York: HarperOne, 1993), p. xv. Note that this brings into question the requirement of the Supreme Court that began this chapter: "Nothing we have said here indicates that such study of the Bible or of religion, when presented objectively as part of a secular program of education, may not be effected consistently with the First Amendment." What does it mean to teach religion "objectively" when there is no possibility for pure objectivity? The Court, as shown in chapter 3, seems to have settled on an implicit definition of "objectively" that means "with neutrality: neither promoting nor inhibiting religion." The tendency to strain to teach religion objectively, as in the Modesto Model (see chapter 2), leaves us with a corpse instead of a living body of wisdom, history, practices, beliefs, and inquiries with which to engage. "Benevolent neutrality," on the other hand, allows a much richer experience to take place. We may engage the material in ways that make meaningful connections and enhance our own inquiry, without the school or the teacher either promoting or denouncing religion(s).

[87] Michael Stephen Schiro, *Curriculum Theory: Conflicting Visions and Enduring Concerns* (Los Angeles: SAGE Publications, 2008), p. 6.

[88] Henry Giroux, in Michael Stephen Schiro, *Curriculum Theory: Conflicting Visions and Enduring Concerns* (Los Angeles: SAGE Publications, 2008), p. 152.

[89] Ibid., p. 157.

When the SR ideology becomes part of our framework for building curricula, we find that the opportunity to teach about religion(s) increases beyond what was possible with the LC model alone. By focusing our attention on issues of justice and peace in our communities and in our world, SR theory indeed demands that religion(s) be examined critically both (a) as contributors to oppression, violation of human rights, and to violent conflicts throughout history and across the globe, and (b) as promoters of peace, justice, liberation, and human rights and dignity. Groome presents this sobering reminder: "One need look only to the pages of history or the morning newspaper to find evidence of religious sectarianism. A recent count revealed—and the statistics are likely constant—that of the violent conflicts presently raging in our world, 96 percent of them draw upon religious legitimation and some are directly caused by religion."[90] Though he wrote in 1998, the truth of the statement remains. Groome reminds us that many of these conflicts manipulate religion to further other interests: this is good reason for a religiously educated public. Furthermore, we must beware the implicit and unconstitutional hostility to religion(s) that arises from a curriculum that considers religion(s) only in light of their involvement with (a) above. Any honest curriculum must also give students the opportunity to examine religion(s) in their best light, (b) above. Nodding writes, "It is… unintelligent to ignore either the positive or the negative side of religion."[91] Rather than essentializing religion(s), students must be given the opportunity to examine the subject in all its complexity.

[90] Thomas H. Groome, *Educating for Life: A Spiritual Vision for Every Teacher and Parent* (Allen, TX: Thomas More, 1998), p. 42. This surely makes the point that uninformed religion has proven to be very dangerous—thus the need for good education about religion(s) in our schools.
[91] Nel Noddings, *Educating for Intelligent Belief or Unbelief* (New York: Teachers College, 1993), p. xiv.

Implicit in this critical examination is a moral education which, though not necessarily religious, nonetheless might encourage students to consult religious traditions as well as non-religious traditions for social and personal ethics. Neutrality demands as much. Knowledge for the SR educator is equated with the moral vision. We are far removed from the concept of knowledge as a closed set of data capable of being deposited and retrieved from a student's mind on a multiple-choice test. Because SR theory considers knowledge to be a social construct, its value lies in its correlation to constructing a good society: genuine knowledge is constructive, even transformative. The true *is* the good. Schiro writes,

> A scientific fact (political interpretation, religious hope, or affiliative emotion) is judged by the question, 'Is it worthwhile intelligence with respect to the analysis of the existing society and projection of the future society?' … Knowledge is of worth because it contributes to the attainment of a future good society, and the construction of knowledge is a moral activity inseparable from the cultural activity of searching for and implementing a satisfactory vision for the future good society.[92]

We will look closely at the question of finding "a satisfactory vision of the future good society" in the next chapter.

This tour of the four dominant curriculum philosophies helps us to see that bringing the study of religion(s) into the curriculum of public schools requires more than simply adding another class into the current framework. Advocating for the study of religion(s) requires advocacy for a change in curriculum philosophy, away from the reigning SA/SE hybrid model with its narrow focus on standards and the marketplace.

[92] Michael Stephen Schiro, *Curriculum Theory: Conflicting Visions and Enduring Concerns* (Los Angeles: SAGE Publications, 2008), p. 169.

We must move in the direction of Noddings, Hargreaves and Shirley, hooks, Palmer, James, and Groome, among others, which is a LC/SR hybrid. Such a philosophical paradigm shift would enable students to be "artisans of peace"[93] in the memorable words of Pope Francis. By allowing them to ask and grapple with spiritual and existential questions—questions of meaning and purpose in life—we help them to find peace within themselves.[94] By assisting them in constructing a vision of a better world, we help them to be agents and activists for peace and justice in society. And in the midst of this, without coercion or proselytizing, they may find themselves opening (or opening further) to the Divine. Or, they may find themselves closing off the possibility of religious faith and committing themselves only to a secular form of humanism. Whatever the case may be, I agree with Noddings that educators are there to facilitate the questioning, excited to bring students into the age-old conversation surrounding Big Questions and Big Ideas, and to present students with religion(s) as a "live option."[95] Ultimately, we hope they will choose intelligently. Noddings writes:

> An education for intelligent belief or unbelief puts great emphasis on self-knowledge, and that knowledge must come to grips with the emotional and spiritual as well as the intellectual and psychological. To believe without either the evidence required by scientists or the logic promoted by the scholastics is not

[93] Pope Francis, "Message of His Holiness Pope Francis for the Celebration of the 52nd World Day of Peace," January 1, 2019, http://www.vatican.va/content/francesco/en/messages/peace/documents/papa-francesco_20181208_messaggio-52giornatamondiale-pace2019.html [Accessed 31 July 2020].

[94] David Brooks summarizes from Lisa Miller's book, *The Spiritual Child*: "…teenagers commonly suffer a loss of meaning, confidence and identity. Some of them try to fill the void with drugs, alcohol, gang activity and even pregnancy. But others are surrounded by people who have cultivated their spiritual instincts. According to Miller's research, adolescents with a strong sense of connection to a transcendent realm are 70 percent to 80 percent less likely to engage in heavy substance abuse. Among teenage girls, having a strong spiritual sense was extremely protective against serious depression… Ignoring spiritual development in the public square… is to amputate people in a fundamental way, leading to more depression, drug abuse, alienation and misery." (David Brooks, "Building Spiritual Capital," *The New York Times* (May 22, 2015): A27).

[95] Warren A. Nord, *Does God Make a Difference? Taking Religion Seriously in Our Schools and Universities* (Oxford: Oxford University Press, 2010), p. 169.

> irrational. But to believe without thinking through the questions that arise regularly in life—to merely accept or reject—is surely not intelligent. It is also unintelligent to ignore either the positive or the negative side of religion. Education for intelligent belief or unbelief is as much education of the heart as it is education of the mind.[96]

### *4.3 Pragmatism: The Operative Philosophy of American Education*

Public education in the United States is largely grounded in the distinctively American philosophy of pragmatism. Charles Sanders Peirce explained the philosophy (in somewhat contorted language) in what is known as the pragmatic maxim: "…consider what effects which might conceivably have practical bearing we conceive the object of our conception to have. Then, our conception of these effects is the whole of our conception of the object."[97] William James expresses it more clearly: "Mr. Peirce, after

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[96] Nel Noddings, *Educating for Intelligent Belief or Unbelief* (New York: Teachers College, 1993), p. xiv. Noddings, much more like John Dewey than William James when it comes to personal religious belief, nonetheless shows her roots in the pragmatist tradition of James in her openness to intelligent belief. James argued against the strict empiricist position of William Kingdon Clifford: "If [a] belief has been accepted on insufficient evidence… the pleasure is a stolen one… It is sinful because it is stolen in defiance of our duty… to guard ourselves from such beliefs as from a pestilence which may shortly master our own body and then spread to the rest of the town… It is wrong always, everywhere, and for every one, to believe anything upon insufficient evidence." James retorts, "…pure insight and logic, whatever they might do ideally, are not the only things that really do produce our creeds." Furthermore, he justifies these other things besides pure reason, in a wonderfully holistic anthropology: "Our passional nature not only lawfully may, but must, decide an option that cannot by its nature be decided on intellectual grounds; for to say, under such circumstances, 'Do not decide, but leave the question open,' is itself a passional decision—just like deciding yes or no—and is attended with the same risk of losing the truth." He adds, "…Clifford's exhortation has to my ears a thoroughly fantastic sound. It is like a general informing his soldiers that it is better to keep out of battle forever than to risk a single wound." (William James, "The Will to Believe," (1896), in H.S. Thayer, ed., *Pragmatism: The Classic Writings* (Indianapolis: Hackett Publishing Company, 1982), p. 191, 193, 199 (italics removed from original)).

[97] Charles Sanders Peirce, "How to Make Our Ideas Clear" (1878) in H.S. Thayer, ed., *Pragmatism: The Classic Writings* (Indianapolis: Hackett Publishing Company, 1982), p. 88. John Dewey explained this concept against its critics thusly: "It is often said of pragmatism that it makes action the end of life. It is also said of pragmatism that it subordinates thought and rational activity to particular ends of interest and profit. It is true that the theory according to Peirce's conception implies essentially a certain relation to action, to human conduct. But the role of action is that of an intermediary. In order to be able to attribute a meaning to concepts, one must be able to apply them to existence. Now it is by means of action that this application is made possible. And the modification of existence which results from this application constitutes the true meaning of concepts. Pragmatism is, therefore, far from being that glorification of action for its own sake which is regarded as the peculiar characteristic of American life."

pointing out that our beliefs are really rules for action, said that, to develop a thought's meaning, we need only determine what conduct it is fitted to produce: that conduct is for us its sole significance."[98] The upshot of this is that, "The test and justification of ideas lies in their contributory function of shaping future experience."[99] For John Dewey, the essence of this "contributory function" is fostering future experiences that are increasingly intelligent. He writes that pragmatism aims for "the formulation of a faith in intelligence, as the one and indispensable belief necessary to moral and social life."[100] Noddings, who combines ideas from both Dewey and James, would use the words "moral" and "caring" together with "intelligent," expressing a more holistic conception of human intelligence.

Concerning education, Groome observes, "…American education has drawn most heavily, almost exclusively, from one school of philosophy—pragmatism…"[101] And while Groome parts ways with the pragmatists, I suggest that, without accepting the philosophy in its totality, we might nonetheless find pragmatism a suitable grounding for our project when it is untethered from merely economic objectives.[102] In any case, it is unlikely that pragmatism, so deeply rooted in our cultural understanding of education, is

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(John Dewey, "The Development of American Pragmatism," (1931) in H.S. Thayer, ed., *Pragmatism: The Classic Writings* (Indianapolis: Hackett Publishing Company, 1982), p. 25).

[98] William James, "What Pragmatism Means," (1907) in H.S. Thayer, ed., *Pragmatism: The Classic Writings* (Indianapolis: Hackett Publishing Company, 1982), p. 210.

[99] H.S. Thayer, in H.S. Thayer, ed., *Pragmatism: The Classic Writings* (Indianapolis: Hackett Publishing Company, 1982), p. 22.

[100] John Dewey, "The Development of American Pragmatism," (1931) in H.S. Thayer, ed., *Pragmatism: The Classic Writings* (Indianapolis: Hackett Publishing Company, 1982), p. 40.

[101] Thomas H. Groome, *Educating for Life: A Spiritual Vision for Every Teacher and Parent* (Allen, TX: Thomas More, 1998), p. 16.

[102] Groome writes, for example, "The purposes and mode of education I am proposing here are certainly in contrast to the pragmatism that presently reigns in Western education." (Thomas H. Groome, *Educating for Life: A Spiritual Vision for Every Teacher and Parent* (Allen, TX: Thomas More, 1998), p. 37). The merely economic objectives are what Groome means when he writes, "What is true helps to stock the refrigerator." (Ibid., p. 303).

soon to disappear. Perhaps we can play the pragmatist's game and do what is practical by accepting the current ground rules while concurrently demonstrating the usefulness of the study of religion(s).

Concerning religious education as faith formation in a religious setting, I agree with Groome that "…a purely pragmatic interest would be reductionistic for religious education."[103] And I agree that "Pragmatism can lead to relativism, making no distinction between necessary and contingent truths and establishing 'what works' as the only criterion of right and wrong."[104] In their work of making meaning, prominent in both the LC and SR ideologies, students will have to grapple with what is true and how to assess truth claims, and that is their right and duty.[105] As an ethical theory, I do not subscribe to consequentialism. In arguing for the study of religion(s) in public schools, though, we need focus only on educational theory. The overwhelming harm that is done by neglecting to treat of religion(s) in formal education outweighs my concerns about the deficiencies of pragmatism as a philosophy. As proponents of a curriculum change, we have only to demonstrate that the study of religion(s) is valid because it is intelligent and useful, and that its neglect would be detrimental.[106]

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[103] Thomas H. Groome, *Sharing Faith: A Comprehensive Approach to Religious Education and Pastoral Ministry, The Way of Shared Praxis* (Eugene, OR: Wipf and Stock Publishers, 1991), p. 79.
[104] Ibid.
[105] Groome acknowledges as much and sees the role of educator as guide, moving students beyond a conception of truth as only what works to a deeper appreciation of wisdom: "Wisdom truth includes [cognitive knowing] … and then is more holistic. Yes, teachers and parents should help people learn and discern what rings true, makes sense, and is useful, but then should invite them onward to truth as relational and as moral imperative." (Thomas H. Groome, *Educating for Life: A Spiritual Vision for Every Teacher and Parent* (Allen, TX: Thomas More, 1998), p. 303).
[106] Against the critics of pragmatism (which he also called instrumentalism), Dewey argues eloquently: "When an American critic says of instrumentalism that it regards ideas as mere servants which make for success in life, he only reacts, without reflection, to the ordinary verbal associations of the word 'instrumental,' as many others have reacted in the same manner to the use of the word 'practical.' … This criticism does not hold. It is by no means the production of beliefs useful to morals and society which

### *4.4 Aims of American Public Education*

*What are we educating for?* Binding together the best perspectives of the LC and SR philosophies, while not neglecting what is good in the SA and SE ideologies as well, I propose that American public schools should be guided by two aims:

1) to provide a liberal and liberating education that nurtures the holistic growth of the young person into a healthy, mature, productive, moral, and responsible adult in society; and

2) to promote the civic virtues, vision, knowledge, and abilities required for our common life together, with justice and peace, in this Republic and as members of an increasingly pluralistic and globalized society.

These two aims help us to answer the question that was asked at the beginning of the chapter. Although the Supreme Court has allowed for teaching about religion(s) in the public schools, as long as neutrality is maintained, I asked whether what is permissible is in fact desirable. My answer is an unequivocal "Yes!" I am confident that the inclusion of the study of religion(s) in the curriculum meets the demands of pragmatism, helping to shape the future into one which is more intelligent, moral, and caring. Importantly, by

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these systems pursue. It is the formulation of a faith in intelligence, as the one and indispensable belief necessary to moral and social life. The more one appreciates the intrinsic esthetic, immediate value of thought and of science, the more one takes into account what intelligence itself adds to the joy and dignity of life, the more one should feel grieved at a situation in which the exercise and joy of reason are limited to a narrow, closed and technical social group and the more one should ask how it is possible to make all [people] participators in this inestimable wealth." (John Dewey, "The Development of American Pragmatism," (1931) in H.S. Thayer, ed., *Pragmatism: The Classic Writings* (Indianapolis: Hackett Publishing Company, 1982), p. 40).

laying out the practical import of the proposed curriculum and pedagogy, it would be acceptable to large segments of the American public, formed as they are in pragmatist philosophy concerning education.

Let's turn our attention to the first aim. I'd like to define the terms in this statement of purpose and then briefly show how the appropriate study of religion(s)—along the lines of the pedagogy favored in this chapter—helps to accomplish the goal. We begin with the promise of a "liberal" education. Liberal education is the opposite of specialized education. Currently, we have narrowed the curriculum, diminishing it to a type of economic and scientific specialization. By focusing on technical standards and STEM most emphatically, we have placed the economy at the center of the educational project. Returning religion(s) to the curriculum will help broaden it to include the big questions of life, meaning, and morality, thus making good on the promise of a liberal education. Moreover, it will place the human person at the center. This will contribute to making education more "liberating." Palmer writes:

> …our "liberal arts," [are] so named because they offer the knowledge necessary to live as free (Latin *liber*) men or women. Knowledge of this sort is liberating not only because it steeps us in the wisdom of the past; it also accustoms us to ambiguity and paradox, preparing us to find our way into an unpredictable future. A liberal education helps us embrace diverse ideas without becoming paralyzed in thought or action. It teaches us how to claim our own voices in the midst of the clamorous crowd, staying engaged with the communal conversation of a democracy in ways that keep opening us to larger versions of the truth.[107]

[107] Parker Palmer, *Healing the Heart of Democracy: The Courage to Create a Politics Worthy of the Human Spirit* (San Francisco: Jossey-Bass, 2011), p. 84. Palmer also writes, "…democracy is not well served when our schools are pressured to ramp up science education at the expense of the humanities, whose disciplines teach people to look at the world from unconventional angles and ask probing questions. Some of that pressure comes from the notion that the main purpose of education is to prepare students for technological society where math and science are the only subjects that count. Some of it comes from the demand for educational accountability, which means teaching subjects whose outcomes are measurable. Graduating employable students is a worthy goal, but not when it is equated with math and science education. Holding educators accountable for results is another worthy goal, but not when it is equated

When the human person in society and in the natural world is placed at the center, the questions change from "What do we need to be economically competitive?" to "What do we need to be more human?" Our lens matters. When the human person is our central concern, we begin to ask questions and pose problems that promote "liberty and justice for all." Because religions have been both the perpetrator of dehumanization and the hero of humanism, the study of religion(s) will assist students in critically assessing their own lives and the human quest for freedom. We will examine in more detail this particular aspect of the first aim together with our examination of the second aim in the next chapter.

Returning to the verbiage of our first aim, we seek to nurture "holistic growth of the young person" into "healthy" and "moral" adults. Health in a holistic sense means physical, emotional, social/relational, mental, intellectual, and spiritual well-being. Fostering "growth" resists the standardized treatment of students and instead honors the uniqueness of each person, their ways and timetables of learning, and their dreams and goals. It challenges them and supports them. By introducing the study of religion(s) into their formal education, we take their existential, religious, and spiritual questions seriously. We assist them in their important work of making meaning and finding purpose in life. We make accessible to them the wisdom of human societies throughout the ages and across the globe, and we acknowledge that religious faith and commitment remains a

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with tallying up the number of facts students can memorize. Both of these drives create an educational bias against the humanities. For most students, courses in philosophy, literature, music, and the arts do not translate directly into jobs… But the humanities help form habits of the heart that are crucial to democracy's future…" (Parker Palmer, *Healing the Heart of Democracy: The Courage to Create a Politics Worthy of the Human Spirit* (San Francisco: Jossey-Bass, 2011), p. 134).

rational possibility—genuine "living options."[108] From these wells of wisdom, religious and non-religious alike, they may draw life-giving waters for facing questions of suffering, death, injury and forgiveness, failure, family, community, justice, peace, virtue and a vision of the good life. They may also intelligently reject the waters that are poisoned by prejudice, division, violence, and oppression. Palmer argues that public education has a "right—and obligation—to engage students with questions of meaning…"[109] He contends that

> An education that pretends to explore only the outer world is disingenuous and incomplete. A good education is intentional and thoughtful about helping students find an inner orientation to what is "out there" that will be life-giving for them and the world. In education as well as religion, we must find ways to help people conduct an inner search free of any predetermined outcome while providing them with the guidance and resources they need to conduct it well. As we do so, we will be shaping some of the habits of the heart that make democracy possible.[110]

By joining students in their inquiry, we validate the inquiry itself. We express through our curriculum that, as Noddings said in the quote earlier, "There is more to individual life and the life of a nation than economic superiority."[111] Thus, we assist them in becoming moral, caring persons, persons who promote human flourishing, who care for the earth, and who try to live according to the Golden Rule. Without proselytizing or

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[108] William James, "The Will to Believe" (1896) in H.S. Thayer, ed., *Pragmatism: The Classic Writings* (Indianapolis: Hackett Publishing Company, 1982), p. 187. See also Warren A. Nord, *Does God Make a Difference? Taking Religion Seriously in Our Schools and Universities* (Oxford: Oxford University Press, 2010), p. 169.

[109] Parker Palmer, *Healing the Heart of Democracy: The Courage to Create a Politics Worthy of the Human Spirit* (San Francisco: Jossey-Bass, 2011), p. 123.

[110] Ibid., p. 125. He continues, "… Inner-life questions are the kind that our students (and their teachers and parents) ask regularly, with or without God-talk: 'Do I have gifts that the world wants and needs?' Does my life have meaning and purpose?' 'Whom and what can I trust?' 'How can I rise above my fears?' How do I deal with suffering, my own and that of my family and friends?' 'How can I maintain hope?' 'What does my life mean in the face of the fact that I am going to die?'"

[111] Ibid., p. 84.

coercing, we invite students to engage in the Big Questions and to join the Great Conversations that are, in all their complexity, part of the "funded capital of civilization."[112]

Finally, we aspire to educate in such a way that young people become "mature, productive, and responsible adults in society." Growth into adulthood involves only chronological aging; but maturity implies an adulthood that has broken out of selfish individualism and engages as a member of the local and global communities. Maturity implies "productivity." Productivity is not merely economic contribution in a job or career, though this remains important for most people, but more generally the sharing of one's "talents, time, and treasure" through both work and leisure. It is to give of oneself for something larger than oneself. To be productive is to be a contributing member of society. Maturity also implies responsibility: a willingness to care for others, for the natural world, for excellence in our work, for fairness and commitment in our relationships, for the quality of our politics and the justice of our society, for peace in our hearts and in our homes and in our world, and for the good of future generations. This certainly involves an orientation to service and a willingness to sacrifice. These are commitments that may well be nourished by the long centuries of tradition that make up the world's religions.

Faith, in fact, may be a great motivator for service and sacrifice, though it is not necessarily so. It has inspired oppressive Christian colonialism, Al Qaeda, and acts of destruction, but it has also inspired Mother Teresa, Mahatma Gandhi, and the building of

[112] John Dewey, in Thomas H. Groome, *Educating for Life: A Spiritual Vision for Every Teacher and Parent* (Allen, TX: Thomas More, 1998), p. 220.

some of civilization's greatest wonders. Students will have their wrestling with these contradictions and complexities validated by their inclusion in what schools consider important and worthy enough to be in the curriculum. By teaching about religion(s), we give students access to a wealth of reflection and lived experience, which, like all human phenomena, involves both heroes and villains. Miroslav Volf writes:

> …religiously inspired zealous violence and irrational foot-dragging are major problems in a highly interconnected and interdependent world. Religions are a global problem requiring sustained attention. But religions aren't just a problem. They are also an indispensable part of the solution… Arguably, world religions are our most potent sources of moral motivation and deliberation. They are also carriers of visions of the good life, which billions have found compelling throughout history and still find compelling today.[113]

Implicit in recognizing the power of faith and religious commitments in human life and society is an acknowledgement that the scientific method, as valuable as it is in the confines of its disciple, is not the only way that humans have come to knowledge and truth. We reject scientism—a positivist ideology that excludes anything from the realm of truth that cannot be tested scientifically, and that extends the reach of scientific authority beyond the rightful bounds of scientific inquiry—in favor of genuine science as one of many contributors to human knowledge. This science stands alongside religion, philosophy, literature and arts, etc. as ways that human beings have developed knowledge and wisdom, and have aspired to something true, good, and beautiful.[114]

In short, teaching about religion(s) is an important, even essential, curricular

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[113] Miroslav Volf, *Flourishing: Why We Need Religion in a Globalized World* (New Haven: Yale University Press, 2015), pp. 12-13.

[114] Parker Palmer bemoans the situation currently, in which "…with the rise of science came a new class of priests and potentates: the scientists themselves. Very few scientists claim that kind of authority for themselves, but laypeople often project it on them." (Parker Palmer, *Healing the Heart of Democracy: The Courage to Create a Politics Worthy of the Human Spirit* (San Francisco: Jossey-Bass, 2011), p. 133).

activity for achieving the first aim of American public education that I propose. In fact, it is impossible to reach that goal without teaching about and learning from religion(s). How could a curriculum be considered "liberal" if it excluded such a critical component of human experience and thought as religion is and has always been? How could a curriculum be considered "holistic" if it reduces the student to her mind and her marketability and refuses to acknowledge the possibility of a soul and the near-universal sense that the human person is a spiritual as well as a bodily being? How can it be "liberating" if we cramp students into an "immanent frame"[115] when they long for transcendence (and are possibly yearning for the Transcendent[116])? How can we promote growth into responsible adulthood in society if we deny our students knowledge of the vast majority of the world's inhabitants who are religious? Teaching about religion(s) in American public schools not only promotes the achievement of our first proposed goal of education, but it remains essential to that achievement. Failure to address religion(s) conveys what I have called the hostility of neglect. It violates the neutrality demanded by the Supreme Court, and it denies our students a liberal, liberating, and holistic education.

In the next chapter, we will look in detail at the second aim I propose and the role played by the study of religion(s) in its achievement. We will do this by examining the concept of the common good in a democratic society and by proposing a methodology

[115] Charles Taylor, *A Secular Age* (Cambridge, MA: The Belknap Press of Harvard University Press, 2007), pp. 539ff.

[116] Augustine famously claimed that this is indeed what we all seek: "…you have made us and drawn us to yourself, and our heart is unquiet until it rests in you." (St. Augustine, *The Confessions*, Maria Boulding, OSB, transl. (Hyde Park, NY: New City Press, 1997), p. 14). Miroslav Volf echoes this ancient sentiment: "Relationship to God… belongs to the very makeup of human beings. Whether we are aware of it or not, in all our longings, in one way or another, we also long for God. Our lives are oriented toward the infinite God and they find meaning in relation to the God who created the world and will bring it to consummation." (Miroslav Volf, *Flourishing: Why We Need Religion in a Globalized World* (New Haven: Yale University Press, 2015), p. 202).

rooted in encountering the other and forging bonds of solidarity that will make the realization of this goal possible. In so doing, we will be moving from curriculum to pedagogy, from the *what* to the *how* of educating about and learning from religion(s).

## CHAPTER 5: Education for the Common Good

Let us return to Dianne Moore's foundational question regarding the teaching of religion(s) in American public schools: *what are we educating for?* Certainly the economy is important, as is personal financial security. However, noted earlier, the common good is more than the economy, and education should be for the common good and not exclusively for personal financial security and advancement. Pope John XXIII was correct when he wrote, "As for the State, its whole raison d'etre is the realization of the common good…,"[1] and again when he taught that "each one of us is required to make his [or her] own contribution to the universal common good."[2] With the Catholic Church, I understand the common good to mean "the sum of those conditions of social life which allow social groups and their individual members relatively thorough and ready access to their own fulfillment."[3] To use a term favored by Miroslav Volf, the common good involves human flourishing, both personally and as a human family.[4]

Although human persons and human rights are at the center of its concerns, the reach of the common good is truly universal. There is no genuine human flourishing without an adequate understanding of the place of human beings in nature, in society, and

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[1] Pope John XXIII, *Mater et Magistra* (1961), #20, http://www.vatican.va/content/john-xxiii/en/encyclicals/documents/hf_j-xxiii_enc_15051961_mater.html [Accessed 11 October 2020].
[2] Pope John XXIII, *Pacem in Terris* (1963), #155, http://www.vatican.va/content/john-xxiii/en/encyclicals/documents/hf_j-xxiii_enc_11041963_pacem.html [Accessed 11 October 2020].
[3] The Second Vatican Council, *Gaudium et Spes* (1965), #26, http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_const_19651207_gaudium-et-spes_en.html [Accessed 11 October 2020].
[4] "*Flourishing*… stands for the life that is lived well, the life that goes well, and the life that feels good—all three together, inextricably intertwined. I use the term interchangeably with 'the good life' and 'life worth living.' It evokes an image of a living thing, thriving in its proper environment… living into our human and personal fullness…" (Miroslav Volf, *Flourishing: Why We Need Religion in a Globalized World* (New Haven: Yale University Press, 2015), p. ix. Emphasis in the original).

within the cosmos. In this sense, the common good includes what is good for the earth and the air, for animal and plant life, for human persons and societies, and for the entire natural world.[5] At a moment in U.S. and world history when ideological divisions are tearing us apart and threatening to plunge us into violence—and have already done so in certain places—and when the balance between human consumption and custodianship of the planet has reached a critical tipping point bringing us ever closer to catastrophic climate change, the need to educate for the common good could not be greater. For this reason, I have proposed a second aim for American public education: to promote the civic virtues, vision, knowledge, and abilities required for our common life together, with justice and peace, in this Republic and as members of an increasingly pluralistic and globalized society who share a "common home."[6] In short, I am proposing education for the common good, and the teaching of religion(s) in public schools as a key component of that aim.

The notion of the common good is not self-evident. In fact, David Hollenbach reminds us that John Rawls rejected the possibility of the common good—as it is traditionally understood—in pluralistic democracies.[7] Rawls (consistent with his positing

[5] For example, Pope Francis teaches that "The climate is a common good, belonging to all and meant for all." (Pope Francis, *Laudato Si': On Care for our Common Home* (2015), #23, http://www.vatican.va/content/francesco/en/encyclicals/documents/papa-francesco_20150524_enciclica-laudato-si.html [Accessed 11 October 2020]).

[6] A reference to the 2015 encyclical letter of Pope Francis, *Laudato Si': On Care for our Common Home,* which addressed environmental concerns.

[7] David Hollenbach, SJ, *The Common Good and Christian Ethics* (New York: Cambridge University Press, 2002), p. 9. Rawls does, of course, affirm something along the lines of the common good: "A well-ordered society… is not, then, a private society; for in the well-ordered society of justice as fairness citizens do have final ends in common. While it is true that they do not affirm the same comprehensive doctrine, they do affirm the same political conception of justice; and this means that they share one very basic political end, and one that has high priority: namely, the end of supporting just institutions and of giving one another justice accordingly, not to mention many other ends they must also share and realize through their political arrangements." (John Rawls, *Political Liberalism expanded edition* (New York: Columbia University Press, 2005), p. 202).

"political values" over "comprehensive doctrines"[8] for supporting political liberalism) asserts, according to a helpful summary by Hollenbach, "…that the Aristotelian, Thomistic, and Ignatian vision of the common good 'is no longer a political possibility for those who accept the constraints of liberty and toleration of democratic institutions.'"[9]

The visions that Rawls' theory discounts are Aristotle's understanding that the good life "…is oriented to goods shared with others—the common good of the larger society…," which is inseparably linked to the good of individuals but is "a higher good."[10] This is in stark contrast to American individualism. "The end and purpose of a polis is the good life," wrote Aristotle, "and the institutions of social life are means to that end."[11] The "good life" was a life of virtue, understood socially and politically. Thomas Aquinas drew on Aristotle in his own theology and political theory. According to Hollenbach, he "…often cited Aristotle on the primacy of the common good in the moral life" and deemed it "more 'godlike' or 'divine' than the good of an individual human being."[12] This common good was ultimately divine because it was rooted in God, who is The Good, and because it fulfills Christ's two-pronged Great Commandment of love.[13] St. Ignatius of Loyola, the founder of the Society of Jesus, drew on these ideas in his

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[8] John Rawls, *Political Liberalism expanded edition* (New York: Columbia University Press, 2005), p. xvii, 454. His claim is that a pluralistic democracy includes multiple competing and contradictory visions of the good, or comprehensive doctrines, none of which has general public acceptance. Thus, there must be an "overlapping consensus" of these comprehensive doctrines that affirms a political order on which they all rest. Political values, not any comprehensive doctrine, are required as the framework of a just political liberalism capable of accommodating multiple competing and even contradictory—but still reasonable—comprehensive doctrines.

[9] David Hollenbach, SJ, *The Common Good and Christian Ethics* (New York: Cambridge University Press, 2002), p. 9. See also fn. 10.

[10] Ibid., p. 3

[11] Aristotle, *The Politics*, in Michael J. Sandel, *Democracy's Discontent: America in Search of a Public Philosophy* (Cambridge, MA: The Belknap Press of Harvard University Press, 1996), p. 7.

[12] David Hollenbach, SJ, *The Common Good and Christian Ethics* (New York: Cambridge University Press, 2002), p. 4.

[13] Ibid.

*Formula for the Institute*. Hollenbach highlights its expression "that all of the order's activities should be directed 'according to what will seem expedient to the glory of God and the common good.'"[14] Rawls rejects these conceptions of the common good in modern liberal democracies because he claims they rely on a homogenous culture and a fairly unified vision of the good life, which "the fact of pluralism"[15] makes impossible.

We do not live in Aristotle's Greece nor in the Christendom of Aquinas nor in the world of Ignatius. In a pluralistic society that knows all too well the history of religious warfare in the West following the Reformation (and of the Crusades before that), "Political theorists… fear that the outcome of pursuing strong ideas of the common good will be war between groups that hold competing ideas of the good life, oppression of those holding minority views of the good…, or straightforward tyranny."[16] In a pluralistic, constitutional democracy whose citizens adhere to multiple, competing and even contradictory visions of the good that Rawls refers to as *comprehensive doctrines*, there is no longer a common ground from which to affirm the possibility of the traditional common good. Instead, Rawls affirms the priority of right over good, meaning that in place of a political system that pursues the common good as understood within a comprehensive doctrine, the best we can establish in pluralistic democracies is a system based on individual rights and justice understood as fairness.[17] Michael Sandel captures Rawls's position succinctly:

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[14] David Hollenbach, SJ, *The Common Good and Christian Ethics* (New York: Cambridge University Press, 2002), p. 5.
[15] John Rawls, *Political Liberalism expanded edition* (New York: Columbia University Press, 2005), p. 36.
[16] David Hollenbach, SJ, *The Common Good and Christian Ethics* (New York: Cambridge University Press, 2002), p. 14.
[17] John Rawls, *Political Liberalism expanded edition,* (New York: Columbia University Press, 2005), pp. 201ff, especially at 201-2: "…justice as fairness does indeed abandon the ideal of political community if by

> According to Rawls, a just society does not try to cultivate virtue or impose on its citizens any particular ends. Rather, it provides a framework of rights, neutral among ends, within which persons can pursue their own conceptions of the good, consistent with a similar liberty for others. This is the claim that the right is prior to the good, and it is this claim that defines the liberalism of the procedural republic.[18]

Hollenbach, on the other hand, believes there is a way to reclaim a robust understanding of the common good, one achieved together in a pluralistic society through the virtue of solidarity.[19] He argues that it is not only possible but necessary. As things stand currently, he argues, the glue that binds us together is the weak adhesive of tolerance. He does not support the vision of someone like Samuel Huntington, who argued that multiculturalism and the push to recognize diversity are centrifugal forces that tear the nation apart.[20] Yet, the solution is not a brand of civic republicanism either, which seeks to forge a common culture out of many. He notes how often civic republicanism has allied itself with power to coerce the virtue it seeks in its citizens.[21]

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that ideal is meant a political society united on one (partially or fully) comprehensive religious, philosophical, or moral doctrine. That conception of social unity is excluded by the fact of reasonable pluralism; it is no longer a political possibility for those who accept the constraints of liberty and toleration of democratic institutions… political liberalism conceives of social unity in a different way: namely, as deriving from an overlapping consensus on a political conception of justice suitable for a constitutional regime… I believe that social unity so understood is the most desirable conception of unity available to us; it is the limit of the practical best."

[18] Michael J. Sandel, *Democracy's Discontent: America in Search of a Public Philosophy* (Cambridge, MA: The Belknap Press of Harvard University Press, 1996), p. 290.

[19] "Stress on the importance of the local, the small-scale, and the particular must be complemented by a kind of solidarity that is more universal in scope. This wider solidarity is essential if the quest for community is to avoid becoming a source of increased conflict in a world already riven by narrowness of vision. Commitment to communities with particular ways of life must be complemented by a sense of the national and the global common good and the need for a vision shaped by a hospitable encounter with traditions and peoples that are different from ourselves." (David Hollenbach, S.J., "Is Tolerance Enough? The Catholic University and the Common Good," Conversations on Jesuit Higher Education (1998): Vol. 13, Article 3, p. 8, https://epublications.marquette.edu/conversations/vol13/iss1/3 [Accessed 10 October 2020]).

[20] Samuel P. Huntington, *Who Are We? The Challenges to America's National Identity* (New York: Simon & Schuster Paperbacks, 2004), pp. 141ff.

[21] David Hollenbach, SJ, *The Common Good and Christian Ethics* (New York: Cambridge University Press, 2002), pp. 15-17.

Instead, Hollenbach calls for a "reconstructed and developed understanding of the tradition of the common good… [committed to a community] that is both universal in scope and that takes the differences among peoples and cultures with the full seriousness they deserve."[22]

If we are to educate for civic virtue, we must look elsewhere than the civic republican tradition, or at least modify it along the global lines Hollenbach suggests. How can we accomplish this? Rawls gives one possibility. He makes room for civic virtue, but redefines it so that it exists as political virtue:

> Even though political liberalism seeks common ground and is neutral in aim, it is important to emphasize that it may still affirm the superiority of certain forms of moral character and encourage certain moral virtues. Thus, justice as fairness includes an account of certain political virtues—the virtues of fair social cooperation such as the virtues of civility and tolerance, of reasonableness and sense of fairness… The crucial point is that admitting these virtues into a political conception does not lead to the perfectionist state of a comprehensive doctrine.[23]

For Hollenbach, this account of civic virtue—especially its emphasis on tolerance—is not sufficient to the task of addressing complex and global problems.[24] It certainly doesn't

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[22] David Hollenbach, SJ, *The Common Good and Christian Ethics* (New York: Cambridge University Press, 2002), p. 239.

[23] John Rawls, *Political Liberalism expanded edition* (New York: Columbia University Press, 2005), p. 194. He also names the political virtues of mutual respect and compromise (pp. 122, 163). Jürgen Habermas explains the importance of political virtues this way: "…citizens are expected to make active use of their rights to communication and participation, not only in what they rightly take to be their own interests, but also with an orientation to the common good. This demands a more costly commitment and motivation, and these cannot simply be imposed by law… This is why political virtues… are essential if a democracy is to exist. They are the fruit of a socialization in which one becomes accustomed to the practices and modes of thought of a free political culture." (Joseph Cardinal Ratzinger and Jürgen Habermas, *Dialectics of Secularization: On Reason and Religion,* Brian McNeil, trans. (San Francisco: Ignatius Press, 2006), p. 30).

[24] "The standard response to the diversity of groups and value systems in Western political culture has long been an appeal to the virtue of tolerance. Tolerance is a live-and-let-live attitude that avoids introducing conceptions of the full human good into political discourse. This is the prescription of the eminent political theorist and moral philosopher, John Rawls. Rawls recommends that we deal with the fact of value-pluralism by what he calls 'the method of avoidance.' … In my view, this is just what we do

put down roots deep enough to nurture our young people in their growth and formation as moral agents in society committed to the common good.

The solution, according to Hollenbach, lies in a new appreciation for the common good, one appropriate for a pluralistic society and one that is forged out of deep respect and dialogue rather than mere toleration. He calls this understanding of the common good "a pluralistic-analogical understanding" and defines it thusly: "…the common good… [is] an ensemble of goods that embody the good of communion, love, and solidarity to a real though limited degree in the multiple forms of human interaction."[25] Furthermore, he also sees this common good extending beyond national borders to become a global common good: "In an interdependent world the idea of the common good must take on a more universal definition."[26] In this, he reflects the Catholic Church—which he rightly calls "the principal bearer of the common good tradition"[27]—when it teaches in the *Catechism of the Catholic Church*:

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not need. The basis of a functioning democracy is not the autonomy of individuals who agree to leave each other alone by 'avoiding' the question of the good they share in common or the bad that jointly threatens them all." (David Hollenbach, S.J., "Is Tolerance Enough? The Catholic University and the Common Good," Conversations on Jesuit Higher Education (1998): Vol. 13, Article 3, p. 8, https://epublications.marquette.edu/conversations/vol13/iss1/3 [Accessed 10 October 2020].

[25] David Hollenbach, SJ, *The Common Good and Christian Ethics* (New York: Cambridge University Press, 2002), p. 136.

[26] Ibid., p. 212. He adds, significantly, "At the same time the institutions that can help both define and pursue this global common good are notably underdeveloped." I would argue that one such underdeveloped institution is our schools.

[27] Ibid., p. 242. Pope Francis summarizes the Catholic common good tradition and develops it further to include the natural environment. He writes, "An integral ecology is inseparable from the notion of the common good, a central and unifying principle of social ethics. The common good is 'the sum of those conditions of social life which allow social groups and their individual members relatively thorough and ready access to their own fulfilment'. Underlying the principle of the common good is respect for the human person as such, endowed with basic and inalienable rights ordered to his or her integral development. It has also to do with the overall welfare of society and the development of a variety of intermediate groups, applying the principle of subsidiarity. Outstanding among those groups is the family, as the basic cell of society. Finally, the common good calls for social peace, the stability and security provided by a certain order which cannot be achieved without particular concern for distributive justice; whenever this is violated, violence always ensues. Society as a whole, and the state in particular, are

> Human interdependence is increasing and gradually spreading throughout the world. The unity of the human family, embracing people who enjoy equal natural dignity, implies a *universal common good.* This good calls for an organization of the community of nations able to "provide for the different needs of [people]; this will involve the sphere of social life to which belong questions of food, hygiene, education,… and certain situations arising here and there, as for example… alleviating the miseries of refugees dispersed throughout the world, and assisting migrants and their families."[28]

Education, it should be noted, is considered part of the work of the common good. Hollenbach rightly considers the work of educators essential, even critical, in promoting the common good: "Since education is the activity through which culture is sustained and

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obliged to defend and promote the common good. In the present condition of global society, where injustices abound and growing numbers of people are deprived of basic human rights and considered expendable, the principle of the common good immediately becomes, logically and inevitably, a summons to solidarity and a preferential option for the poorest of our brothers and sisters. This option entails recognizing the implications of the universal destination of the world's goods, but, as I mentioned in the Apostolic Exhortation *Evangelii Gaudium*, it demands before all else an appreciation of the immense dignity of the poor in the light of our deepest convictions as believers. We need only look around us to see that, today, this option is in fact an ethical imperative essential for effectively attaining the common good… The notion of the common good also extends to future generations. The global economic crises have made painfully obvious the detrimental effects of disregarding our common destiny, which cannot exclude those who come after us. We can no longer speak of sustainable development apart from intergenerational solidarity. Once we start to think about the kind of world we are leaving to future generations, we look at things differently; we realize that the world is a gift which we have freely received and must share with others. Since the world has been given to us, we can no longer view reality in a purely utilitarian way, in which efficiency and productivity are entirely geared to our individual benefit. Intergenerational solidarity is not optional, but rather a basic question of justice, since the world we have received also belongs to those who will follow us. The Portuguese bishops have called upon us to acknowledge this obligation of justice: 'The environment is part of a logic of receptivity. It is on loan to each generation, which must then hand it on to the next'. An integral ecology is marked by this broader vision." (Pope Francis, *Laudato Si': On Care for our Common Home* (2015), #156-159, http://www.vatican.va/content/francesco/en/encyclicals/documents/papa-francesco_20150524_enciclica-laudato-si.html [Accessed 11 October 2020]).

[28] *Catechism of the Catholic Church*, #1911 [emphasis in the original]. See also *Gaudium et Spes* (1965), #84, and Pope John XXIII, *Pacem in Terris* (1963), #132. John J. DiIulio, Jr. (the first U.S. "Faith Czar" under George W. Bush) agrees with Hollenbach's assessment of the Catholic Church as bearer of the common good tradition, writing, "When it comes to defining the common good in a theologically anchored and intellectually coherent yet practical fashion, there is, I believe, no one source better or truer than my beloved Catechism [of the Catholic Church], especially the parts that deal with 'human community.'" (John J. DiIulio, Jr. *Godly Republic: A Centrist Blueprint for America's Faith-Based Future* (Berkeley: University of California Press, 2007) p. 215).

developed, the success or failure of a society to realize its common good will be largely dependent on its educational endeavors."[29]

Martin Marty defines *the common good* as "the good of the larger public." He writes that, "The common good is the goal sought by citizens across the personal boundaries of religion, race, philosophy, taste, and commitment" and thus, "the common good transcends individual interests."[30] In advancing this common good, he, too, sees the critical role that education plays, and in particular, the importance of including religion in the curriculum:

> …helping high schoolers understand religion and religions is not a task that only religious leaders and educators should care about for religious reasons. If educators aspire to teach a fairly accurate picture of the world around us, it is both necessary and good to have religious themes included in secondary education. Also, if we assume that it is unfair to "establish," privilege, demean, or minimize particular faiths, then the common good is furthered by fair-minded, unprejudiced teaching about religion and religions.[31]

### *5.1 A Minimal Framework for Educating for the Common Good*

What would it look like to educate for the common good in American public schools? A comprehensive answer to that question is beyond the scope of this work, but there are some key points that deserve to be highlighted for their relationship to the question of including religion(s) in the curriculum. Teaching and learning for the common good will require, at very least: 1) an adequate vision of the human person in

[29] David Hollenbach, S.J., "Is Tolerance Enough? The Catholic University and the Common Good," Conversations on Jesuit Higher Education (1998): Vol. 13, Article 3, p. 5, https://epublications.marquette.edu/conversations/vol13/iss1/3 [Accessed 10 October 2020].
[30] Marty E. Marty, *Education, Religion, and the Common Good: Advancing a Distinctly American Conversation About Religion's Role in Our Shared Life* (San Francisco: Jossey-Bass, 2000), p. 7.
[31] Ibid.

society, 2) the promotion of certain civic virtues, 3) the particular virtue and commitment of solidarity,[32] 4) modeling this commitment, 5) opportunities to practice this commitment, and 6) especially, the opportunity to practice dialogue, which constitutes the key civic virtue needed in our time. Public education has a responsibility to promote such moral formation throughout its curriculum.

### *5.1.1 An Adequate Vision of the Human Person in Society*

We must admit that education for the common good is not the norm currently, and so it would require an *apologia* of sorts. We need an adequate vision of the human person and society, including a healthy conception of patriotism,[33] that would justify promoting the common good in place of our current tendency to promote market- and rights-based individualism coupled with weak communitarianism.[34] As the biblical author wrote

[32] In describing solidarity, I use the word *virtue* to express a personal dedication to the common good, and I use the term *commitment* to extend the personal sense to the institutional. As Hollenbach writes, "In addition, solidarity is not only a virtue to be enacted by individual persons one at a time. It must also be expressed in the economic, cultural, political, and religious institutions that shape society." (David Hollenbach, SJ, *The Common Good and Christian Ethics* (New York: Cambridge University Press, 2002), p. 189). *Commitment* captures this second sense better than *virtue,* as the term is rooted in the "Latin *committere* 'to join together.'" ("Commit," *Merriam-Webster.com Dictionary*, Merriam-Webster, https://www.merriam-webster.com/dictionary/commit [Accessed 22 Jan. 2021]).

[33] Virtue in the Aristotelian sense exists between extremes. Patriotism, I argue, exists between the deficiency of disloyalty/treachery or even a strong cosmopolitanism (that makes no room for particularity of place and culture) and the excess of nationalism (that makes an idol of one's nation state and often leads to xenophobia, nativism, and other social ills). The question of patriotism in ethics is, of course, more complicated. For a discussion and defense of patriotism as a virtue, see Noell Birondo, "Patriotism and Character: Some Aristotelian Observations," March 10, 2020, https://core.ac.uk/download/pdf/286027524.pdf.

[34] Communitarianism is necessarily weak when individualism is excessive. By "weak communitarianism" I mean the tendency to give lip service to "community" and to "service" without a robust commitment to either. We tend to view "community" as "the school community" – local and often homogenous. This is not adequate to a vision that would include global solidarity let alone solidarity with those outside this localized community. Service, too, is problematic when it is either viewed as an occasional requirement or when it is compartmentalized. For example, many schools value "serving our country," but limit the meaning to military service. Education for the common good requires a more expansive view.

centuries ago, "Where there is no vision, the people perish…" (Proverbs 29:18 KJV).[35] We need a compelling anthropological and sociological vision, one we are able to share with our students. John Dewey reminded us, after all, that "The teacher is engaged, not simply in the training of individuals, but in the formation of the proper social life."[36]

Adam Grant provides us with a helpful starting place. Most children and young people have likely been asked multiple times in their life, including especially at school and in school essays, "What do you want to be when you grow up?" Grant proposes that this question is misguided. "My first beef with the question," he writes, "is that it forces kids to define themselves in terms of work" and "When we define ourselves by our jobs, our worth depends on what we achieve."[37] (A corollary to his argument relates to students asking "Why do we have to know this?" If our response is always along the lines of "to get into a good college so you can get a good job," then we craft a terribly limited vision of education and of the human person). Could we ask questions that don't

[35] Accessed at https://www.biblegateway.com/passage/?search=Proverbs%2029%3A18&version=KJV [Accessed 11 October 2020]. Pope Francis, without reference to the proverb, explains its meaning in the current situation: "When people become self-centred and self-enclosed, their greed increases. The emptier a person's heart is, the more he or she needs things to buy, own and consume. It becomes almost impossible to accept the limits imposed by reality. In this horizon, a genuine sense of the common good also disappears. As these attitudes become more widespread, social norms are respected only to the extent that they do not clash with personal needs. So our concern cannot be limited merely to the threat of extreme weather events, but must also extend to the catastrophic consequences of social unrest. Obsession with a consumerist lifestyle, above all when few people are capable of maintaining it, can only lead to violence and mutual destruction." (Pope Francis, *Laudato Si': On Care for our Common Home* (2015), #204, http://www.vatican.va/content/francesco/en/encyclicals/documents/papa-francesco_20150524_enciclica-laudato-si.html [Accessed 11 October 2020]).

[36] John Dewey, "My Pedagogic Creed," in David J. Flinders and Stephen J. Thornton, eds. *The Curriculum Studies Reader*, third edition (New York: Routledge, 2009), p. 41.

[37] Adam Grant, "Stop Asking Kids What They Want to Be When They Grow Up," *New York Times* (April 1, 2019), https://www.nytimes.com/2019/04/01/smarter-living/stop-asking-kids-what-they-want-to-be-when-they-grow-up.html?fbclid=IwAR2mL-dV-utlASVdsnqughKCpgzDJzJo5SXFIsRo-KuG8efiHsBFKfmEt38 [Accessed 4 January 2021]. He lists other problems with the question, too: it implies that everyone has a definite vocation, that every calling will pay the bills, and that every person should want to do only one thing with their life; it also has the potential to short-circuit happiness by creating stress around finding that perfect vocation and by failing to convey that happiness can be found in simply having work.

reinforce the anthropological vision that a person is merely *homo economicus*, questions that instead promote a holistic understanding of the human person in society?

Sarah Todd, responding to Grant's article, shares another question we could ask young people instead: "What problems do you want to solve?"[38] This question moves us away from the individualism that often haunts the "What do you want to be?" question and moves us towards a consideration of a person's place in society, a person with responsibilities to the whole and not only rights. We might also ask questions such as "How do you want to improve our world?" "How do you imagine using your gifts, talents, passions, and personality to help other people?" "With whom would you like to cooperate on making society better?" and "How can you bring people together to help make our world more peaceful?" Grant himself suggests that a healthier approach would be to "invite them to think about what kind of person they want to be — and about all the different things they might want to do."[39] In a school that doesn't discriminate against religion(s), shouldn't the possibilities include being a person of faith and a life of religious or spiritual devotion, perhaps even ministry? Shouldn't religious goals such as moksha, salvation, nirvana, enlightenment, submission to God, and moral living in

[38] Sarah Todd, "The question we should ask kids instead of 'What do you want to be when you grow up?'," *Quartz* (April 5, 2019), https://qz.com/work/1586511/what-to-ask-kids-instead-of-what-do-you-want-to-be-when-you-grow-up/ [Accessed 4 January 2021]. The conversation continued with a piece by Elizabeth Yuko who proposed yet other better questions to ask. See Elizabeth Yuko, "Stop Asking Kids What They Want to Be When They Grow Up and Pose These 3 Questions Instead," *Thrive Global* (April 8, 2019), https://thriveglobal.com/stories/questions-ask-kids-instead-what-want-to-be-grow-up/ [Accessed 4 January 2021].

[39] Adam Grant, "Stop Asking Kids What They Want to Be When They Grow Up," *New York Times* (April 1, 2019), https://www.nytimes.com/2019/04/01/smarter-living/stop-asking-kids-what-they-want-to-be-when-they-grow-up.html?fbclid=IwAR2mL-dV-utlASVdsnqughKCpgzDJzJo5SXFIsRo-KuG8efiHsBFKfmEt38 [Accessed 4 January 2021].

preparation for a final judgment be worthy of consideration for possibly conveying truth, meaning, and motivation for a life of service and solidarity?

One very good reason to include the study of religion(s) in our public schools is that religions "…are carriers of compelling visions of flourishing…"[40] "…which billions have found compelling throughout history and still find compelling today."[41] Miroslav Volf argues that "…a vision of flourishing found in the quarreling family of world religions is essential to individual thriving and global common good."[42]

Religious voices may also challenge society, critiquing prevailing values and practices, offering important alternative visions. In the words of Dermot Lane,

> Religion will offer a critique of the narrowing of reason that is at present taking a hold of educational theory and practice… In addition, religious education will offer sources of inspiration for ethical action, nuggets of wisdom for practical living, and resources for a prophetic critique of the idols of society…[43]

Consider the field of economics for example, especially since it has such influence over the curriculum currently. Warren Nord writes, "Of course, the study of economics by almost anyone's definition (other than an economist's) is shot through with moral and spiritual issues and concerns."[44] These include questions of "unions, social classes, the environment, materialism, poverty, justice, rights, codes of ethics, [and] … the dignity of human beings."[45] Yet neither the national standards for the study of economics nor the

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[40] Miroslav Volf, *Flourishing*: Why We Need Religion in a Globalized World (New Haven: Yale University Press, 2015), p. xi.
[41] Ibid., p. 13.
[42] Ibid., p. 2.
[43] Dermot A. Lane, *Religion and Education: Re-Imagining the Relationship* (Dublin: Veritas Publications, 2013), p. 35-36.
[44] Warren A. Nord, *Does God Make a Difference? Taking Religion Seriously in Our Schools and Universities* (Oxford: Oxford University Press, 2010), p. 229.
[45] Ibid., p. 48.

commonly-used textbooks give any serious attention to religion(s). Instead, they are brimming with a "commitment to neoclassical theory" with its claims that 1) economics is a values-free social science and that 2) people "usually" act out of self-interest.[46] Is the profit motive all we care to teach? Are materialism and consumerism the extent of the vision we have for our young people? Do we really want to leave students with the impression that economics is a sphere of life innocently devoid of ethics and moral reasoning? Students in American public schools study economics with this deficient vision of the human person and society, and are not likely to be confronted with the criticisms and alternatives that religious voices offer. Nord concludes:

> …the problem is that economic texts and courses teach students to conceive all of economics in entirely secular, nonmoral categories. They don't do anything to help students think in an informed and critical way about the moral and spiritual dimensions of the economic domain of life. They do nothing to locate students in moral, political, or religious traditions that might help guide their value judgments, and they totally ignore the rich literature of the last hundred years on economics and moral theory.[47]

Even in schools that do not teach economics, this paradigm reigns as its own sort of invisible hand directing education according to the demands of the market economy. Without promoting religion over non-religion, or one religion over another, we must make the wisdom of religious traditions available to students in order for them to discern more fully "what kind of person they want to be" and also to disrupt the effects of radical individualism and to promote a vision of the human person and society that orients them to the common good. Any education worthy of the name will engage their critical

[46] Warren A. Nord, *Does God Make a Difference? Taking Religion Seriously in Our Schools and Universities* (Oxford: Oxford University Press, 2010), p. 49.
[47] Ibid., p. 51.

thinking skills by situating them as members of an ongoing, polyphonic conversation about motivation, meaning, and morals, not only in economics, but across the various dimensions of human life. In short, we need a more robust vision for education that includes forming students capable of seeing their lives beyond the limited horizon of self-interest and opening onto the vast expanse of the common good.

### *5.1.2 The Promotion of Certain Civic Virtues*

Educating for the common good in our public schools also means promoting the civic virtues necessary for the desired ethical outcome. In this context, I understand *virtue* in the political sense that Rawls explicates.[48] Virtue, then, is not tied to a specific comprehensive doctrine (hence, we rule out what Hume called "monkish virtues"[49]) nor even to what the various reasonable comprehensive doctrines have in common in this regard. Instead, virtue represents an "overlapping consensus" concerning what moral foundation is needed for the good of our political life together.[50]

Virtue, though, represents a both an *inclination* to uphold the common good and the *ability* to do one's part.[51] School officials often complain about receiving government

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[48] John Rawls, *Political Liberalism expanded edition* (New York: Columbia University Press, 2005), pp. 194-95.

[49] David Hume, in Charles Taylor, *A Secular Age* (Cambridge, MA: The Belknap Press of Harvard University Press, 2007), p. 431.

[50] Rawls is clear that the "overlapping consensus" is not the center of a multi-part Venn diagram composed of all the possible or actual reasonable comprehensive doctrines (my image, not his), but rather a political conception, rooted in justice as fairness, that the various citizens who hold to different comprehensive doctrines can agree to. (John Rawls, *Political Liberalism expanded edition* (New York: Columbia University Press, 2005), pp. 39-40).

[51] This is similar to Sidney Verba, Kay Lehman Schlozman, and Henry Brady's formulation: "Three factors are at the basis of political involvement: the *motivation* to become politically active, the capacity to do so, and involvement with networks of recruitment through which requests for political activity are mediated." (Qtd. in David Hollenbach, SJ, *The Common Good and Christian Ethics* (New York: Cambridge University Press, 2002), p. 104).

mandates, often from state and federal agencies, without receiving the funding to put the mandates into practice. This is a fine analogy for the problem of civic virtue. In many cases in public education we have at least communicated the "mandate" to students to be patriotic and to fulfil their civic obligations, but without supporting the "mandate" with adequate training in the necessary skills. For example, high school seniors may be advised to vote once they reach the age of 18, but the exhortation may be ineffective if students are not helped to develop the requisite voting competencies: how, where, and when to register; researching candidates and issues; carefully and critically interpreting political campaign messaging; knowing where and when to vote and the details of how to fill out a ballot correctly; etc. It can be so overwhelming that some students who otherwise might be inclined to vote abstain due to insufficient guidance and confidence. Extrapolating from this example, we see that teaching for the common good must include both proposing certain civic virtues to students and adequately empowering students to act on their inclinations as citizens. This is especially true in American public schools today, where traditional civics classes have all but disappeared.

Teaching about religion(s) has the benefit of developing many of the skills that are necessary for acting on the inclination to good citizenship. If we think of virtue as a muscle, the classroom can be a fine gymnasium for working out that muscle and strengthening it. For this to be true the method of teaching about religion(s) will be critical in both senses of the word. If our pedagogy is the banking model that Freire decried, then we will be exercising nothing other than memory and recall. There will be little or no training in civic virtue. However, if we adopt a methodology in which problem-posing and -solving, dialogue, deliberation, collaboration, research, critical

thinking, and decision making are all integral parts of the learning process, then we will be empowering students with faculties that will serve them well when all the testing and grading is done.

It is important to note that the circumscription of virtues to political virtues in the curriculum applies only to what the state may rightfully promote. It does not extend to what a student may rightfully learn and pursue. In other words, while studying religious traditions, in part to advance our sense of the common good, students may well be attracted to particular religious virtues that resonate in their own lives though they are not a stated "intended learning outcome" in the curriculum. This is both natural and typically welcome.[52] A student may find faith attractive as a virtue, for example, after learning about the life of Rev. Martin Luther King, Jr. and how his faith in Christ, nurtured in Black Christian churches, led to political activism and sacrifice for the good of others.[53] The public school cannot promote the religious virtue of faith, though it must not suppress it either. This will be the same with many other virtues that do not fall into the realm of strictly political virtues.[54] Thus, while the curriculum is limited to promoting a

[52] I say "typically" because we must remain concerned about students who demonstrate a propensity to emulate dangerous, anti-social forces that work against the common good: witch hunters, Inquisition torturers, practitioners of human sacrifice, mass murderers, suicide bombers, and the like.

[53] Warren Nord points out how often the Civil Rights Movement is taught without reference to its rootedness in Black churches, and how often textbooks refer to Dr. King but not Rev. King. (Warren A. Nord, *Does God Make a Difference? Taking Religion Seriously in our Schools and Universities* (New York: Oxford University Press, 2010), p. 45).

[54] Of course, faith is not only a religious virtue. Concerning faith or belief, it is important to note that contrary to scientism and positivism, "belief is as intelligent and reasonable as is the collaboration of [people] in the advancement and in the dissemination of knowledge." (Bernard Lonergan, *Collected Works of Bernard Lonergan, vol. 3: Insight: A Study of Human Understanding,* Frederick E. Crowe and Robert M. Doran, eds. (Toronto: University of Toronto Press, 1992), p. 735). Lonergan makes the case that so much of what we think we know to be true, we actually believe to be true on the authority of others whom we judge trustworthy. Belief, he argues, is central to knowing if we are to advance knowledge together in a "human collaboration in the pursuit and the dissemination of the truth" (p. 736). Moreover, belief is not irrational, but only *mistaken* belief is so. Thus, as part of our responsibility in pursuit of the truth, we must examine our beliefs for errors, no less than scientists work together to find and extirpate errors in their

political conception of virtue, nonetheless the learning that takes place will not necessarily be secular humanism. Students may engage quite freely of their own accord with the values and virtues that are religious in nature, and which afford a sense of transcendence that refuses to be confined to an "immanent frame."[55]

### *5.1.3 Promoting the Particular Virtue and Commitment of Solidarity*

Hollenbach makes clear that education for the common good requires a commitment to the particular civic virtue of solidarity and not mere tolerance. Tolerance does not ask much. It simply compels us to mind our own business in a very individualistic sense. It says live-and-let-live, without any concern for how the other is living, or at least refraining from judgment/intervention in all cases where the other's actions are not impeding my own pursuit of happiness. It is a strategy that developed out of the religious wars in Europe as an exhausted way of keeping the peace. As Hollenbach has aptly shown, however, peace is extremely tenuous if it is not built on the firm foundation of justice; and yet tolerance does not provide us the wherewithal to tackle questions of injustice in society and in a globalized world. The adhesive it provides is simply too weak to hold us together in the long run. We need the more substantial virtue and commitment of solidarity.[56]

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work. Lonergan reminds us that "there exists a widespread blunder that contrasts science with belief," when, in fact, both are at the service of truth and are bound up with one another (p. 733).

[55] Charles Taylor, *A Secular Age* (Cambridge, MA: The Belknap Press of Harvard University Press, 2007), p. 542.

[56] Jürgen Habermas explains the necessity of solidarity and the danger of its absence in this way: "If the modernization of society as a whole went off the rails, it could well slacken the democratic bond and exhaust the kind of solidarity that the democratic state needs but cannot impose by law. This would lead to precisely the constellation envisaged by Böckenförde: namely, the transformation of the citizens of prosperous and peaceful liberal societies into isolated monads acting on the basis of their own self-interest, persons who used their subjective rights only as weapons against each other." (Joseph Cardinal

Solidarity, though, requires a degree of getting to know the other as well as the self. Whereas tolerance can look the other way as long as someone's exercise of rights does not impede my exercise of rights, solidarity cannot look the other way. It demands that we face one another and come to appreciate one another as brothers and sisters in the same human family.[57] This is precisely what the teaching of religion(s) in American public schools will help to accomplish. It will make working for the common good possible by fostering solidarity in what Pope Francis calls a "culture of encounter."[58]

Robert Putnam and David Campbell claim that "…in spite of religion's capacity to sow division, religious conflict in America is muted…"[59] They list as one important condition for the possibility of such harmony simply knowing one another personally. "America manages to be both religiously diverse and religiously devout because it is difficult to damn those you know and love."[60] They explain this phenomenon through the concepts of social capital, bonding, and bridging. Social capital refers to "…the norms of trust and reciprocity that arise out of our social networks."[61] Such social capital is critical for advancing the common good through the virtue of solidarity. "Some social capital," they write, "consists of bonding, or the interconnections among people with a common

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Ratzinger and Jürgen Habermas, *Dialectics of Secularization: On Reason and Religion,* Brian McNeil, trans. (San Francisco: Ignatius Press, 2006), p. 35).

[57] Groome uses the term "person" rather than "individual" partly to make this very point: "…I deliberately prefer the term 'person' for naming ourselves—over individual, self, the subject, and such terms—because *person* connotes both autonomy and relationality, individuality and partnership, of being an agent who initiates one's own actions and yet finds identity only within and through relationships. It is significant that the Latin *persona* has its roots in the Greek *prosopon*, which literally means 'face to face.'" (Thomas H. Groome, *Educating for Life: A Spiritual Vision for Every Teacher and Parent* (Allen, TX: Thomas More, 1998), pp. 72-3).

[58] See for example Pope Francis, *Evangelii Gaudium* (2013), #220.

[59] Robert D. Putnam and David E. Campbell, *American Grace: How Religion Divides and Unites Us* (New York: Simon & Schuster Paperbacks, 2010), p. 515.

[60] Ibid., p. 517.

[61] Ibid., p. 527.

background. Other social capital is bridging in nature, and thus connects people of different backgrounds."[62] Bonding may come more naturally, but "…bridging is vital for the smooth functioning of a diverse society."[63] Teaching about religion(s) aims at creating social capital through such bridging. In this way, we hope to promote the common good and build a more peaceful world through encounter with various religious and nonreligious *people* and not merely ideas. We hope to promote respect and bridging rather than mere tolerance. We may even foster love and appreciation. In short, by including the study of religion(s) in our curriculum aiming at the common good, we hope to promote peace by way of solidarity, and solidarity by means of encounter.

The existence of the public school is itself critical as a place of encounter. "In many of our communities—especially our suburbs—," says Parker Palmer, "there is only one institution which reaches throughout the population, only one which has a chance of drawing a public to it. I mean the public school."[64] Hollenbach helps to illustrate the importance:

> Some years ago the political theorist Michael Sandel stated that "we can know a good in common that we cannot know alone." …Sandel's statement depends upon a sizeable number of people being able to appreciate and value existing bonds of

[62] Robert D. Putnam and David E. Campbell, *American Grace: How Religion Divides and Unites Us* (New York: Simon & Schuster Paperbacks, 2010), p. 527.

[63] Ibid. They write, "In sum, we have reasonably firm evidence that as people build more religious bridges they become warmer toward people of many different religions, not just those religions represented within their social network" (p. 533).

[64] Parker Palmer, *The Company of Strangers: Christians and the Renewal of America's Public Life* (New York: The Crossroad Publishing Company, 1981), p. 167. Elsewhere he gives his definition of "public," which is quite relevant to our insistence on the preservation of public schools as places of encounter: "The word 'public' as I understand it contains a vision of our oneness, our unity, our interdependence… Despite the fact that we are strangers to one another—and will stay strangers for the most part—we occupy a common space, share common resources, have common opportunities, and must somehow learn to live together. To acknowledge that one is a member of the public is to recognize that we are members of one another… We need a living process to experience ourselves as a public, a process suggested by the phrase 'a public life.' In such a life, strangers come in daily contact, grow accustomed to each other, learn to solve the problems which the common life poses, enrich and expand each other's lives" (Ibid., p. 22).

> social connection with each other. This positive experience of social interdependence enables persons to learn from one another, thus giving rise to understanding of the good life that could not be envisioned apart from their connections. But if large numbers of those with whom one rubs shoulders are seen as strangers, positive experiences of social unity are unlikely to arise. It is even less likely when divergences of culture, tradition, and ways of life make them look like threats to each other. When fear of these threats sets the tone, interaction with people who are different is perceived as a danger to be avoided. Serious interaction and mutual vulnerability can seem more like a "common bad" than a good to be shared in common.[65]

Teaching religion(s) in the public schools can help replace fear of strangers with social bridging, setting a tone that even exceeds tolerance and reaches for appreciation and respect. It allows us to function as a "we"— We the people— "giving rise to understanding of the good life" in a pluralistic setting through our communication and communion. Furthermore, by taking religion(s) seriously in formal education, as most Americans do in their lives more generally, the public school helps to ensure its own survival against private and home school rivals, neither of which might afford students the encounter with the pluralistic public that Palmer and Hollenbach both call for.[66] The religious content of the curriculum helps ensure that "…the school becomes a public

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[65] David Hollenbach, SJ, *The Common Good and Christian Ethics* (New York: Cambridge University Press, 2002), p. 18. Michael Sandel adds to these thoughts on the public by comparing Rousseau's "General Will" with Tocqueville's description of deliberative or republican democracy. He writes, "Unlike Rousseau's unitary vision, the republican politics Tocqueville describes is more clamorous than consensual. It does not despise differentiation. Instead of collapsing the space between persons, it fills this space with public institutions that gather people together in various capacities, that both separate and relate them. These institutions include the townships, schools, religions, and virtue-sustaining occupations that form the 'character of mind' and 'habits of the heart' a democratic republic requires. Whatever their more particular purposes, these agencies of civic education inculcate the habit of attending to public things." (Michael J. Sandel, *Democracy's Discontent: America in Search of a Public Philosophy* (Cambridge, MA: The Belknap Press of Harvard University Press, 1996), pp. 320-21).

[66] See the points made by James Fraser and Michael Apple in this dissertation's first chapter, especially fn. 113. For a different opinion, see Michael W. McConnell, "Education Disestablishment: Why Democratic Values Are Ill-Served by Democratic Control of Schooling," in *Moral and Political Education*, edited by Stephen Macedo, & Yael Tamir (New York: New York University Press, 2002), pp, 87-146.

crossroad"[67] and by being such a place of encounter, it has the opportunity to further advance solidarity and the common good.

### *5.1.4 Modeling Care for the Common Good*

Educating for the common good will involve role models. Teachers and educators themselves will be among the most important role models, challenging students to question the reigning understanding of both *education* (instrumental) and *success* (financial). Returning to the earlier question "What do you want to be?" child psychologist Beth Onufrak suggests that we ask students instead which adults they admire and why. Elizabeth Yuko summarizes Onufrak's reasoning, saying, "Their answers… give us a chance to challenge — with compassionate directness — their emerging perceptions of the world."[68] The question remains pertinent even through secondary school. Educating for the common good involves modeling a life dedicated to the common good and also prompting students to think about whom they admire and why.

We can categorize student role models as proximate or remote, and also as positive or negative (or, more often, a complex combination of qualities that are positive and negative). Reflecting on all four types of role models is essential to promoting the common good. The teacher is a good example of a proximate role model. Parents, coaches, aunts and uncles, grandparents and others who are personally known to the

[67] Parker Palmer, *The Company of Strangers: Christians and the Renewal of America's Public Life* (New York: The Crossroad Publishing Company, 1981), p. 168.
[68] Elizabeth Yuko, "Stop Asking Kids What They Want to Be When They Grow Up and Pose These 3 Questions Instead," *Thrive Global* (April 8, 2019), https://thriveglobal.com/stories/questions-ask-kids-instead-what-want-to-be-grow-up/ [Accessed 13 January 2021].

young person and are involved in their life are also proximate role models. Nel Noddings proposes that moral education "from the perspective of an ethic of caring," involves "four major components: modeling, dialogue, practice, and confirmation."[69] I have borrowed the first three of her components, finding them fitting in describing education for the common good. Concerning modeling, she writes, "…we do not tell our students to care; we show them how to care by creating caring relationships with them."[70] Likewise, we do not only admonish our students to care for the common good; we model for them the kind of caring that is required. We should note here that *caring*, in Noddings' view, is a robust term. It signifies not only an "engrossment" and a "motivational displacement,"[71] that may originate in the emotions, but also a holistic attention that involves our intellect, will, and work as much as our emotions. Caring for the common good, and modeling such care, will not be saccharine or sentimental, but engaged and critical.

Role models may also be remote, having no or little personal contact with the student but influencing them nonetheless: sports stars, business tycoons, music and other cultural icons, politicians, historical figures, and religious figures such as Jesus, Muhammed, The Buddha, the Dalai Lama, and the Pope. Following Onufrak's advice, we may ask students to reflect on their remote role models and challenge them to consider whether they promote or detract from the common good, or a complex mixture of both. For example, as educators of the common good we challenge "with

[69] Nel Noddings, *The Challenge to Care in Schools: An Alternative Approach to Education* (New York: Teachers College Press, 2005), p. 22.
[70] Ibid.
[71] Ibid., p. 15. By *engrossment,* Noddings means "…an open, nonselective receptivity for the cared-for." She ties it to what other writers, including Iris Murdoch and Simone Weil, term *attention.* By *motivational displacement*, she means, "…the sense that our motive energy is flowing toward others and their projects."

compassionate directness" the reigning icons of a culture of radical individualism. Instead of being complicit by our silence about, or our advocacy of, a culture that celebrates unlimited wealth accumulation, we insist that students think critically about those people our society holds up as heroes. Is it good for a society to publish celebratory lists of the world's richest people? Is the rise of a billionaire class that includes Jeff Bezos and Elon Musk something that will benefit the common good or detract from it? How does the accumulation of wealth in the hands of a few affect workers, families, human rights, and social justice? What effect does it have on democracy? Does the relentless pursuit of wealth lead to happiness? Does wealth itself lead to happiness? Is the private philanthropy of someone like Bill Gates enough to warrant a celebration of the unprecedented wealth accumulation that we see today?

A critical examination that engages with questions such as these will perhaps lead to a search for other role models, either for emulation or comparison. The study of religion(s) in the curriculum benefits students in this area. The world's religions are rife with figures and teachings that challenge the idolatry of the rich and that promote a vision of brotherhood and sisterhood—community—that requires a greater sharing of resources. While I have focused on wealth accumulation here, many religious traditions challenges both individualism and tribalism. In teaching for the common good, they are worthy of study.

Nel Noddings reminds us not to skip over the negative role models. Our students deserve to know the dark side of human nature and society. Thus, she writes,

> Teenagers need to study accounts of people gone wrong. How does it happen that some people become vicious criminals? How does it happen that "good" citizens ignore the misery around them? How does patriotism sometimes become warped

> into cruelty? What makes it possible for one person to torture another? Novels, biographies, poetry, films, and historical accounts are all useful here, but they cannot be chosen just for inspiration. We need what Jung called "a morality of evil" to understand our own propensities toward evil.[72]

The common good is not served by ignoring that which destroys it. In modeling care for the common good, and in facilitating critical conversations about role models, we do well to include an examination of those who have harmed society and the dark side of our own human nature that must be confronted.

### *5.1.5 Opportunities to Practice Caring for the Common Good*

Educating for the common good in our schools can only be effective if we provide students the opportunity to practice the civic virtues, competencies, and commitments that are conducive to, and enhance our social cohesion. Noddings considers practice to be one of the "great means of nurturing the ethical ideal"[73] and is insistent that it is not merely the activities that matter but especially the "attitudes and mentalities."[74] She writes,

> All disciplines and institutional organizations have training programs designed not only to teach specific skills but also to 'shape minds,' that is, to induce certain attitudes and ways of looking at the world. If we want people to approach moral life prepared to care, we need to provide opportunities for them to gain skills in caregiving and, more important, to develop the characteristic attitudes [of caring people].[75]

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[72] Nel Noddings, *Educating Moral People: A Caring Alternative to Character Education* (New York: Teachers College Press, 2002), p. 152.
[73] Nel Noddings, *Caring: A Relational Approach to Ethics and Moral Education* (Berkeley: University of California Press, 2013), p. 182.
[74] Nel Noddings, *The Challenge to Care in Schools: An Alternative Approach to Education* (New York: Teachers College Press, 2005), p. 23.
[75] Ibid., pp. 23-24. Although I do not explicitly apply Noddings' fourth component, *confirmation*, it is worth a brief description here: "Martin Buber… described confirmation as an act of affirming and encouraging the best in others. When we confirm someone, we spot a better self and encourage its development… Confirmation lifts us toward our vision of a better self" (p. 25).

The same is true in regards to caring for the common good. Practice is an essential component of the formation of a citizenry who are indeed "We the people" and not merely a collection of atomized individuals seeking their own good.

The essential field of practice for the school is none other than the school itself. Parker Palmer writes,

> The need to practice democracy within the school, along with some guidance for doing it, has been articulated persuasively by Scott Nine, executive director of the Institute for Democratic Education in America: "If we expect our youth to become adults who exercise reflective judgment, [take] responsibility for themselves and their community, and… take part in shaping their country and its policies, then the environment in which they are schooled must teach them how to do that—it must give them practice in real responsibility, real dialogue, and real authority…"[76]

Education for the common good in a democratic republic is not readily compatible with a school system that is organized primarily according to hierarchies based on competition. If education is a cut-throat pursuit of the highest grades and the best awards, with the chief prize being acceptance into an elite college or university followed by a high-paying job, then the environment will predictably nurture values conducive to this winner-take-all, zero-sum, market mentality. The school itself will not be a field for practicing the virtues, competencies, and commitments needed for the common good.

Instead, the school must become a place where caring for the common good is practiced in its everyday operations.[77] Noddings writes, "So long as our schools are

[76] Parker J. Palmer, *Healing the Heart of Democracy: The Courage to Create a Politics Worthy of the Human Spirit* (San Francisco: Jossey-Bass, 2011), p. 130.
[77] See John Dewey, *Moral Principles in Education* (Lexington, KY, 2013), p. 18.

organized hierarchically with emphasis on rewards and penalties, it will be very difficult to provide the kind of experience envisioned."[78] Individualistic competition will have to give way to collaboration and community. This is the vision Michael James and his colleagues propose when they speak of the need for a spirituality of communion within the educational project, saying "…the highest goal of education is unity—within the individual, within the community, within academic disciplines, within human nature itself."[79] It is also the vision of Maria Montessori, who critiqued the reigning model of education, writing,

> Look at what has happened to the sort of education provided by parents and teachers! They tell the child, "Come on. You must buckle down and study. You must get that diploma. You must get such and such a job. Otherwise how will you live?" Parents and teachers today forget to voice the words that were once the very cornerstone of education: "All men are brothers."[80]

Noddings refers to the type of practice needed as a "true apprenticeship in caring."[81]

The African concept of *ubuntu* (or *botho* in some African languages)[82] might prove very helpful in creating this type of learning environment. Archbishop Desmond Tutu wrote about *ubuntu/botho* in his memoir *No Future Without Forgiveness*, reflecting on his critical role on the Truth and Reconciliation Commission in South Africa. He wrote,

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[78] Nel Noddings, *The Challenge to Care in Schools: An Alternative Approach to Education* (New York: Teachers College Press, 2005), p. 25.
[79] Michael James, Thomas Masters, and Amy Uelmen, *Education's Highest Aim: Teaching and Learning Through a Spirituality of Communion* (Hyde Park, NY: New City Press, 2010), p. 101.
[80] Maria Montessori, *Education and Peace,* Helen R. Lane, trans. (Amsterdam: Montessori-Pierson Publishing Company, 2007), pp. 45-6. I am confident that today she would rephrase it, perhaps as "We are all brothers and sisters."
[81] Nel Noddings, *Caring: A Relational Approach to Ethics and Moral Education* (Berkeley: University of California Press, 2013), p. 187.
[82] Desmond Mpilo Tutu, *No Future Without Forgiveness* (New York: Doubleday, 1999), p. 31.

> *Ubuntu* is very difficult to render into a Western language. It speaks of the very essence of being human… It is to say, "My humanity is caught up, is inextricably bound up, in yours." We belong in a bundle of life. We say, "A person is a person through other persons." …A person with *ubuntu* is open and available to other persons, affirming of others, does not feel threatened that others are able and good, for he or she has a proper self-assurance that comes from knowing that he or she belongs in a greater whole and is diminished when others are humiliated or diminished, when others are tortured or oppressed, or treated as if they were less than who they are… What dehumanizes you, inexorably dehumanizes me.[83]

Imagine this being the organizing principle in our schools! We would have a setting wherein students could indeed practice caring for the common good and might learn to resist the twin attractions of radical individualism and tribalism. We might have sporting events, for instance, where instead of fans chiding the losing team and wearing T-shirts that say "Second place is the first loser," both teams (or all competitors) and spectators come together after the games to celebrate the sport and each other with a pizza party or ice cream. Coaches already emphasize that "there is no 'I' in team," but now we might extend that thinking to "there is no 'I' in sports." We might model appreciation for the competition (and the referees) instead of permitting student bodies to chant slurs at their opponents. Looking beyond sports, we might put more emphasis on music and the arts instead of always threatening their place in the budget, recognizing in them a universal language of unity and a frequent model for collaboration and harmony.

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[83] Desmond Mpilo Tutu, *No Future Without Forgiveness* (New York: Doubleday, 1999), p. 31. The theme of his book is forgiveness, which leads us to wonder whether forgiveness is a political virtue (in the philosophy of *Ubuntu* it is indeed) or a religious virtue only. Rather than decide the answer for our students, this might make an interesting question for study. Together with Tutu's account, they might read *The Sunflower: On the Possibilities and Limits of Forgiveness* by Simon Wiesenthal, in which a variety of persons are asked whether a Jewish survivor of the Holocaust like Wiesenthal should forgive a Nazi soldier who asks forgiveness. We might then read Abraham Lincoln's Second Inaugural Address and compare his view of "malice toward none; with charity for all" with the view of the Radical Republicans. In all of this, we are trying to grapple together with the intersection of religion, civic virtue, and public policy, with an eye to the requirements of the common good.

We might abolish individual class rank, and instead promote the myriad wonderful ways in which we have learned together. And we might recognize our students with special needs and who are differently abled as full members of our communities with a right to flourish, to participate and to contribute, and, above all, with a right to respect for their human dignity. We might create environments where bullying does not thrive.

Aside from organizing the school in such a way that it is conducive to fostering care for the common good, we should also provide practice in the particular civic virtues and competencies we hope to inculcate. Chief among these is the virtue and commitment of solidarity.[84] Hollenbach argues for both *intellectual solidarity*, which is rooted in genuine dialogue,[85] and *social solidarity*, which involves working for social justice that "enables diverse peoples to participate actively in contributing to and benefitting from the emergent patterns of global interdependence that affect them."[86] Both components of solidarity may be enhanced through practice. We will look at dialogue separately as the final suggestion for creating schools that promote the common good. For now, we will focus on how the study of religion(s) in our schools may also help students to practice the virtue and commitment of solidarity.

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[84] Hollenbach links the two concepts in the thought of Pope John Paul II: "The common good of the community and the good of the members are mutually implicating," he writes. "This is the reason John Paul II calls commitment to the common good 'the virtue of solidarity' …and define[s] this virtue as 'a firm and persevering determination to commit oneself to the common good.'" (David Hollenbach, SJ, *The Common Good and Christian Ethics* (New York: Cambridge University Press, 2002), p. 189). For my usage of *virtue* and *commitment*, see fn. 32 in this chapter.

[85] Hollenbach defines *intellectual solidarity* as the "…common pursuit of a shared vision of the good life…" (David Hollenbach, SJ, *The Common Good and Christian Ethics* (New York: Cambridge University Press, 2002), p. 137).

[86] Ibid., p. 239.

A common pedagogical error when introducing the study of religions(s) to public schools is to treat religions as closed sets of beliefs. Diane Moore critiques approaches in which "Traditions are often presented as timeless, uniform, and unchanging systems of belief that betray the social/historical dimensions that define all religious expressions and interpretations."[87] An additional critique must be registered. The emphasis on "systems of belief" is itself problematic in that for some religions *orthopraxis*—right practice—is at least as important as *orthodoxy*—right beliefs. In fact, for many religions, practice is more important than beliefs.[88] Any study of religion(s) should take religious practice into full account. This includes both ritual practices, which we might more readily recognize as religious or spiritual, and service to the community in many different forms. It is in this arena where we find the felicitous conjunction with solidarity and the common good.

A curriculum that does not engage in the hostility of neglect will readily discuss with students that "Faith is a powerful motivator for the good" and that "Highly religious people are much more likely to volunteer and donate to charitable causes."[89] When we

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[87] Diane. L. Moore, Overcoming Religious Illiteracy: A Cultural Studies Approach to the Study of Religion in Secondary Education (New York: Palgrave Macmillan, 2007), p. 69.

[88]Nel Noddings points out that "few religions besides Christianity use belief as a basic test, [though] belief is clearly involved in all religions." (Nel Noddings, *Educating for Intelligent Belief or Unbelief* (New York: Teachers College Press, 1993), p. xv).

[89] Michael Wear, *Reclaiming Hope: Lessons Learned in the Obama White House about the Future of Faith in America* (Nashville, TN: Nelson Books, 2018), p. 63. The research he cites comes from the Pew Research Center in 2016. However, the charitable bent of religious people does not imply that the public social safety net is unnecessary. Emma Green, writing for *The Atlantic*, says, "I spoke with roughly a half dozen scholars from a variety of ideological backgrounds who study religious giving, and they were all skeptical that churches, synagogues, mosques, and other faith-based organizations could serve as an adequate substitute for the government in providing for the needy and vulnerable. The scale and structure of government services, the sectarian nature of religious programs, and the declining role of religion in public life are all challenges, they argued; if anything, states would have to step in to take on the burden, or some current services would go away entirely." She quotes one of the scholars she interviewed: "'Religious congregations do a lot,' said Mary Jo Bane, a professor at Harvard University. But 'the scale of what they do is trivial compared to what the government does. Especially if you think about the big government programs like … food stamps and school lunches, or health services through Medicaid, what religious organizations do is teeny tiny.'" (Emma Green, "Can Religious Charities Take the Place of the

survey the American people's commitment to solidarity, this is what we see according to Michael Wear:

> Religious organizations such as Catholic Charities and World Vision are the backbone of our nation's social service landscape and the face of American generosity abroad. Few institutions are more valuable in American public diplomacy than World Vision, World Relief, Catholic Relief Services, American Jewish World Service, Islamic Relief USA, and so many other religious organizations that serve abroad, often in partnership with their government.[90]

Students have a right to know this, and to know that our public schools, like other arms of our government, may partner with faith-based organizations as long as neutrality is upheld and proselytizing is forbidden and assiduously avoided.[91] After all, in practicing care for the common good and engaging in social solidarity, students may rightfully want to participate in addressing some of the world's problems. Parker Palmer notes that "Involving students with the community beyond the schoolhouse door has benefits that are now well known, thanks to the rise of service learning over the past several decades."[92] If students are allowed to partner with secular organizations outside the school, then they must be allowed to partner with religious organizations as well. To

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Welfare State?" *The Atlantic* (March 26, 2017), https://www.theatlantic.com/politics/archive/2017/03/budget-religion/520605/ [Accessed 23 January 2021].

[90] Michael Wear, *Reclaiming Hope: Lessons Learned in the Obama White House about the Future of Faith in America* (Nashville: Nelson Books, 2018), p. 63.

[91] The U.S. Department of Education listed some guidelines in 1999 for public school partnerships with religious organizations. Although dated, the guidelines appear to be relevant still. They include advice such as "Make sure the program has a secular purpose," "In selecting partners remain neutral between secular and religious groups and among religious groups," "Do not encourage or discourage student participation with particular partners based on the religious or secular nature of the organization," and "Do not reward or punish students (for example, in terms of grades or participation in other activities) based on their willingness to participate in any activity of a partnership with a religious organization." (U.S. Dept. of Education Partnership for Family Involvement in Education, "How Faith Communities Support Children's Learning in Public Schools," December, 1999, https://files.eric.ed.gov/fulltext/ED437215.pdf [Accessed 24 January 2021].

[92] Parker J. Palmer, *Healing the Heart of Democracy: The Courage to Create a Politics Worthy of the Human Spirit* (San Francisco: Jossey-Bass, 2011), p. 131.

exclude organizations that work for the common good simply because they are religious would be to violate neutrality. It would also implicitly teach a warped view of reality. Michael Wear, who just illustrated for us the importance of religious organizations in foreign diplomacy vis-à-vis social services, also points out their domestic importance:

> And at home, it is so often religious people and organizations that are counted on to do the hard work of actually serving the poor, the immigrant, and the outcast. Religious hospitals account for a large percentage of hospital beds nationwide. Religious colleges and universities train up the next generation not simply to grow in knowledge, but to direct that knowledge toward what is good and beautiful. Religious homeless shelters give respite to those with no other place to go. Faith-based adoption agencies help children find safe, permanent, and loving homes.[93]

To ignore this reality in the public schools would be to deprive students of an honest account of the society in which they live, would deprive them of the opportunity to practice solidarity with religious persons and communities in a common effort to forge a more just and peaceful world, would deny them a critical bridging opportunity to encounter and collaborate with *the other*, and would signal to them that religions and religious organizations are insignificant or in some way lesser than their secular counterparts. This is educationally unsound and is unconstitutional as well.

Michael Wear's view from his role in President Obama's administration echoes the assessment by John J. DiIulio, Jr. from his position as the nation's first Faith Czar under President George W. Bush. DiIulio asks, "…how much America's total stock of social capital [is] actually *spiritual capital?*" His answer is striking:

> By 2000, this question had proven to be relatively easy to answer, at least in the aggregate: roughly half. All the relevant data revealed that churches, synagogues, mosques, and other religious organizations supplied enormous amounts of social

[93] Michael Wear, *Reclaiming Hope: Lessons Learned in the Obama White House about the Future of Faith in America* (Nashville: Nelson Books, 2018), p. 63.

> services to their communities and functioned as major civic seedbeds of volunteering and philanthropy.[94]

Considering this sociological reality, should not our students get practice not only in caring for the common good, but in encountering and working together with people of different religious and non-religious backgrounds as they do so? Wouldn't this also promote the common good by exposing students to a more balanced view of religious people than the distortions that often have crept into the curriculum? For example, imagine the educational value of Christians, Jews, Hindus, and atheists working alongside Muslims in caring for the needy, instead of only hearing about Islam in relation to terrorism. The words of President Obama remain relevant:

> …far too often, we have seen faith wielded as a tool to divide us from one another – as an excuse for prejudice and intolerance. Wars have been waged. Innocents have been slaughtered. For centuries, entire religions have been persecuted, all in the name of perceived righteousness… But no matter what we choose to believe, let us remember that there is no religion whose central tenet is hate… the particular faith that motivates each of us can promote a greater good for all of us. Instead of driving us apart, our varied beliefs can bring us together to feed the hungry and comfort the afflicted; to make peace where there is strife and rebuild what has broken; to lift up those who have fallen on hard times. This is not only our call as people of faith, but our duty as citizens of America…[95]

### *5.1.6 The Opportunity to Engage in Real Dialogue*

Finally, public schools that educate for the common good will give students practice in dialogue. Much is said these days about promoting critical thinking across the

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[94] John J. DiIulio, Jr., *Godly Republic: A Centrist Blueprint for America's Faith-Based Future* (Berkeley: University of California Press, 2007) p. 155.

[95] President Barack Obama, "This is My Hope. This is My Prayer." Address to the National Prayer Breakfast, February 5, 2009, https://obamawhitehouse.archives.gov/blog/2009/02/05/my-hope-my-prayer [Accessed 24 January 2021]. Quoted in Michael Wear, *Reclaiming Hope: Lessons Learned in the Obama White House about the Future of Faith in America* (Nashville: Nelson Books, 2018), p. 67.

curriculum, and rightly so. Learning the skills of healthy dialogue is essential for achieving this educational goal. Paulo Freire writes, "Only dialogue, which requires critical thinking, is also capable of generating critical thinking. Without dialogue there is no communication, and without communication there can be no true education."[96]

The benefits of learning dialogical skills, of course, extend beyond the schoolhouse and contribute to the common good. Hollenbach makes the connection clear and identifies the high stakes involved:

> In a globalizing world we are fated to interact across the cultural and religious boundaries that have for so long divided the world into different camps. Today the question is not whether there will be such interaction, but whether it will be peaceful or violent, mutual or hegemonic. If it is to be peaceful and mutual, it will call for interaction that requires both listening and speaking in a genuine conversation across the many kinds of boundaries that have divided the world in the past and that continue to divide it today.[97]

Nel Noddings considers dialogue to be one of the essential components of moral education. She says of dialogue, "It connects us to each other and helps to maintain caring relations."[98] In defining dialogue, she adopts a similar view to that of Paulo Freire, writing:

> Dialogue is open-ended; that is, in a genuine dialogue, neither party knows at the outset what the outcome or decision will be… Dialogue is a common search for understanding, empathy, or appreciation. It can be playful or serious, logical or

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[96] Paulo Freire, *Pedagogy of the Oppressed,* Myra Bergman Ramos, transl. (New York: The Seabury Press, 1970), p. 81.

[97] David Hollenbach, SJ, *The Common Good and Christian Ethics* (New York: Cambridge University Press, 2002), p. 239.

[98] Nel Noddings, *The Challenge to Care in Schools: An Alternative Approach to Education* (New York: Teachers College Press, 2005), p. 23. Freire used the word *love* rather than *caring relations*, writing, "Dialogue is the encounter between [persons], mediated by the world, in order to name the world… Dialogue cannot exist, however, in the absence of a profound love for the world and for [people]. The naming of the world, which is an act of creation and re-creation, is not possible if it is not infused with love. Love is at the same time the foundation of dialogue and dialogue itself." (Paulo Freire, *Pedagogy of the Oppressed,* Myra Bergman Ramos, transl. (New York: The Seabury Press, 1970), pp. 76-78).

> imaginative, goal or process oriented, but it is always a genuine quest for something undetermined at the beginning.[99]

Dialogue, of course, is not easy: it involves a set of arts and commitments that need to be learned and practiced. There are severe potential pitfalls. In discussing "liberty of thought and discussion," John Stuart Mill noted that "The gravest [of offences] …is, to argue sophistically, to suppress facts or arguments, to misstate the elements of the case, or misrepresent the opposite opinion"[100] and it is particularly egregious "…to stigmatize those who hold the contrary opinion as bad or immoral [people]."[101] The intellectual honesty required of participants in genuine dialogue is a quality—a virtue—every school should be eager to promote. Mill identified it as "the real morality of public discussion."[102]

David Tracy refers to dialogue as conversation, and he helps us to see exactly what this particular type of human communication requires:

> Conversation is a game with some hard rules: say only what you mean; say it as accurately as you can; listen to and respect what the other says, however different or other; be willing to correct or defend your opinions if challenged by the

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[99] Nel Noddings, *The Challenge to Care in Schools: An Alternative Approach to Education* (New York: Teachers College Press, 2005), p. 23.

[100] John Stuart Mill, *On Liberty*, Charles W. Elliot, ed. (New York: Barnes & Noble, 2004), p. 55.

[101] Ibid., p. 56. Mill continues, "It is, however, obvious that law and authority have no business with restraining either [attacks on "infidelity" or religion], while opinion ought, in every instance, to determine its verdict by the circumstances of the individual case; condemning every one, on whichever side of the argument he [or she] places himself [or herself], in whose mode of advocacy either want of candor, or malignity, bigotry or intolerance of feeling manifest themselves, but not inferring these vices from the side which a person takes, though it be the contrary side of the question to our own; and giving merited honor to every one, whatever opinion he [or she] may hold, who has calmness to see and honesty to state what his [or her] opponents and their opinions really are, exaggerating nothing to their discredit, keeping nothing back which tells, or can be supposed to tell, in their favor. This is the real morality of public discussion; and if often violated, I am happy to think that there are many controversialists who to a great extent observe it, and a still greater number who conscientiously strive towards it" (pp. 56-57). I am grateful to Nel Noddings for pointing this passage out to me during a visit on August 18, 2019.

[102] Ibid., p. 57.

> conversation partner; be willing to argue if necessary, to confront if demanded, to endure necessary conflict, to change your mind if the evidence suggests it.[103]

Without practice in dialogue of this sort, our students will be missing skills that are critical for life together in a religiously plural and diverse society and in a world that is increasingly globalized.

If our pedagogy follows the banking model critiqued by Freire, then there will be no dialogue, no room for conversation. Students might memorize the Five Pillars of Islam, for instance, but never have an opportunity to encounter Muslims and to enter into conversation with adherents of a multi-faceted, living tradition. They are handed knowledge as if it were a closed set, a pristine container of expertise that counts for little in real life. We have robbed them of their agency, of their natural desire for inquiry and encounter. Palmer critiques this "cult of expertise" in which students "become recipients of expert knowledge rather than active participants in a process of inquiry, discovery, and co-creation."[104] He pinpoints one of the key problems: "We never learn how to hold tension creatively because there are no ambiguities, only claims of certainty, in the cult of expertise."[105] Dialogue, on the other hand, will involve tension, and will require learning "how to hold tension creatively," a critical capacity in our diverse and divided society.

Dialogue not only promotes the common good, but is essential for naming it in the first place. In a society and a world with multiple competing visions of the good life—what Rawls called *comprehensive doctrines*—Hollenbach argues that we can arrive

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[103] David Tracy, *Plurality and Ambiguity: Hermeneutics, Religion, Hope* (Chicago: The University of Chicago Press, 1987), p. 19.
[104] Parker J. Palmer, *Healing the Heart of Democracy: The Courage to Create a Politics Worthy of the Human Spirit* (San Francisco: Jossey-Bass, 2011), p. 133.
[105] Ibid.

at an understanding of the common good through dialogue rooted in intellectual solidarity.

> The shared good of a community of freedom is incompatible with all forms of domination or exclusion of one group of persons by another, whether on religious or secular grounds… A religiously pluralistic community, by definition, does not already share a common vision of the good life. Moving toward such a shared vision, even in outline, will take intellectual work. This common pursuit of a shared vision of the good life can be called intellectual solidarity… It is a form of solidarity, because it can only occur in an active dialogue of mutual listening and speaking across the boundaries of religion and culture.[106]

In short, educating for the common good requires participation and practice in the very dialogue that makes possible a workable understanding of the common good in the absence of a common worldview. It engenders the types of encounter that are necessary for creating bridging capital and for forging caring relationships.[107] It requires intellectual solidarity, which is "…an orientation that leads one to view differences positively rather than with a mindset marked by suspicion or fear."[108] Dialogue allows us to know the other; and we cannot love what we do not know. Freire was right to pose dialogue as an act of love.[109]

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[106] David Hollenbach, SJ, *The Common Good and Christian Ethics* (New York: Cambridge University Press, 2002), p. 137.

[107] Hollenbach writes, "…the pursuit of the common good is dialogic. Cultural differences are so significant that a shared vision of the common good can only be attained in a historically incremental way through deep encounter and intellectual exchange across traditions. It is also dialogic because it sees engagement with others across the boundaries of traditions as itself part of the human good." (David Hollenbach, SJ, *The Common Good and Christian Ethics* (New York: Cambridge University Press, 2002), p. 153).

[108] Ibid., p. 138.

[109] Paulo Freire, *Pedagogy of the Oppressed,* Myra Bergman Ramos, transl. (New York: The Seabury Press, 1970), pp. 78-80: "If I do not love the world—if I do not love life—if I do not love [people]—I cannot enter into dialogue… Founding itself upon love, humility, and faith [in people], dialogue becomes a horizontal relationship of which mutual trust between dialoguers is the logical consequence."

Teaching about religion(s) offers critical opportunities to engage in genuine dialogue and thus to contribute to the common good. Palmer rightly critiques "…the disastrous conclusion which Americans have drawn from pluralism—that diversity requires religion to retreat into private, to withdraw from the public realm."[110] He counters that perspective by proposing that "The key to the maintenance of a healthy pluralism is continual dialogue between religious traditions…" Unfortunately, "When we remove faith from public discourse, the dialogue stops…"[111] Thus, Pope Benedict XVI is correct to note that "The Christian religion and other religions can offer their contribution to development *only if God has a place in the public realm,* specifically in regard to its cultural, social, economic, and particularly its political dimensions."[112] What pertains to the public realm certainly pertains to public schools, which both engage students in the life of the society and prepare them for further participation. "The exclusion of religion from the public square," writes Benedict, "…hinders an encounter between persons and their collaboration for the progress of humanity."[113]

Perhaps the most important lesson that dialogue teaches our young citizens is an epistemological lesson: religious ways of knowing cannot be discounted simply for being religious, and are worthy of their place in the public forum as valid and compelling ways of knowing, and thus appropriate for the public school. Nobody expresses this better than Jürgen Habermas in his later writings:

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[110] Parker J. Palmer, *The Company of Strangers: Christians and the Renewal of America's Public Life* (New York: The Crossroad Publishing Company, 1981), p. 157.
[111] Ibid.
[112] Pope Benedict XVI, *Charity in Truth/Caritas in Veritate* (Boston: Pauline Books and Media, 2009), #56. Emphasis in the original.
[113] Ibid.

> …religious convictions have an epistemological status that is not purely and simply irrational… [and] in the public political arena, naturalistic [secular] world views… do not in the least enjoy a *prima facie* advantage over competing world views or religious understandings… When secularized citizens act in their role as citizens of the state, they must not deny in principle that religious images of the world have the potential to express truth. Nor must they refuse their believing fellow citizens the right to make contributions in a religious language to public debates. Indeed, a liberal political culture can expect that the secularized citizens play their part in the endeavors to translate relevant contributions from the religious language into a language that is accessible to the public as a whole.[114]

Engaging with religious and non-religious voices in dialogue as a civil effort to pursue peace and the common good, and to forge genuine understanding and care for the other: this is a worthy and indispensable educational activity in the public schools of a pluralistic, democratic republic.

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[114] Joseph Cardinal Ratzinger and Jürgen Habermas, *Dialectics of Secularization: On Reason and Religion*, Brian McNeil, trans. (San Francisco: Ignatius Press, 2006), pp. 51-52. Notice how this differs from the Rawlsian *proviso,* which required religious citizens to translate their public contributions into terms accessible as *public reason*. Habermas puts the burden of translation on the body politic. Together, in dialogue, we find the truth that can guide our life together, whether that truth was originally expressed in religious language or not. Habermas joined the chorus of critics concerning the *proviso*: "Rawls has sparked a lively discussion with his proposal for the rather restricted role of religion in the public sphere: '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… are presented that are sufficient to support whatever the comprehensive doctrines introduced are said to support.' This Rawlsian 'proviso' has been confronted with the empirical objection that many citizens *cannot* or *are not willing to* make the required separation between contributions expressed in religious terms and those expressed in secular language when they take political stances. Rawls furthermore faced the normative objection that a liberal constitution, which also exists to safeguard religious forms of life, must not inflict such an additional, and hence asymmetrical, burden on its religious citizens… [Instead,] all citizens should be free to decide whether they want to use religious language in the public sphere. Were they to do so, they would, however, have to accept that the potential truth contents of religious utterances must be translated into a generally accessible language before they can find their way onto the agendas of parliaments, courts, or administrative bodies…" (Judith Butler, Jürgen Habermas, et al., *The Power of Religion in the Public Sphere,* Eduardo Mandieta and Jonathan VanAntwerpen, eds. (New York: Columbia University Press, 2011), p. 25). Concerning the translation of religious language, Michael Reder and Josef Schmidt remind us that it is a two-way street: "Religious and secular utterances cannot be clearly separated in any case, which for Habermas is a further pointer to the need for a process of mutual translation" (in Jürgen Habermas et al., *An Awareness of What is Missing: Faith and Reason in a Post-Secular Age,* Ciaran Cronin, transl. (Malden, MA: Polity Press, 2010), p. 7).

In the next and final chapter, we will turn our attention to implementation of these many ideas we have been exploring. I will present a plan that I call the Meaningful Inclusion Approach. We will also see that the perfect time for changing the curriculum is now!

## CHAPTER 6: A More Perfect Union - The Meaningful Inclusion Approach

The question of the proper relationship between religion and education is a fraught one. As Dermot Lane has noted, "Religion is a controversial subject at the best of times. Equally, education is a contested space. Trying to talk about religion *and* education together is not easy and trying to re-imagine their relationship may even be foolhardy."[1] The hostility of neglect, however, is worse, being both a betrayal of the promises of a liberal education and a failure of education to promote peace through encounter and solidarity. We must incorporate the study of religion(s) into our public schools in the United States, and the time is now.

In this final chapter, we will examine the new context in which we find ourselves, and demonstrate why now is an ideal time to make these changes to the public school curriculum. Then, I will lay out a proposal for the study of religion(s) in our public schools that I call the Meaningful Inclusion Approach (MIA). I will give examples of the particular pedagogies upon which this approach is constructed, and I will attend to certain questions that will naturally arise, such as teacher and administrator training, violations of neutrality, fringe groups and minority religions or philosophies that demand inclusion in the curriculum, and building community support.

### *6.1 The Post-Secular Context*

To claim we are in a new context, a post-secular context to be precise, requires an explanation and a defense. It is not at all obvious that we are in a post-secular context,

[1] Dermot A. Lane, *Religion and Education: Re-Imagining the Relationship* (Dublin: Veritas Publications, 2013), p. 5.

nor is it obvious that our current situation follows upon a previous *secular* context. Yet, by defining our terms carefully and evaluating the evidence before us, I think it is fair to say that we are in a new situation that is, in some way, post-secular, and which is more conducive to the incorporation of the study of religion(s) in the curriculum.

Charles Taylor distinguishes between three meanings of the term *secularity.* The first refers to public spaces that "…have been allegedly emptied of God, or of any reference to ultimate reality." Secularity 1, then, includes the separation of church and state, but also the functioning of "…various spheres of activity—economic, political, cultural, educational, professional, recreational…" that "…generally don't refer us to God or to any religious beliefs; the considerations we act on are internal to the 'rationality' of each sphere…"[2] The second sense of *secularity* is more concerned with beliefs and practices than institutions and structures. Taylor says that secularity 2, "…consists in the falling off of religious belief and practice, in people turning away from God, and no longer going to Church."[3] Thus, France is a highly secular country in the sense of both secularity 1 and secularity 2, but the United States is arguably secular only in the first sense.[4] Secularity 2 can be broken down further. There is a difference worthy of note between those on the one hand who reject religious institutions and authority but who still have faith in God or gods, and those on the other hand who have lost all

[2] Charles Taylor, *A Secular Age* (Cambridge, MA: The Belknap Press of Harvard University Press, 2007), p. 2.
[3] Ibid.
[4] Taylor suggests one possible reason for the difference: "American society from the very beginning has seen itself integrating different elements. 'E pluribus Unum' is the motto… This means that a way that Americans can understand their fitting together in society although of different faiths, is through these faiths themselves being seen as in this consensual relation to the common civil religion… That means that one can be integrated as an American *through* one's faith or religious identity. This contrasts with the Jacobin-republican formula of 'laïcité', where the integration takes place by ignoring, sidelining or privatising the religious identity, if any" (Ibid., p. 523-4).

religious faith. The "nones,"[5] in other words, include both the *spiritual but not religious* crowd and atheists and agnostics. This distinction is worth keeping in mind: after all, I suspect that many of the self-proclaimed *nones* (those who check off "none" when asked what their religion is) may very well be quite religious and/or spiritual, even Christian in many cases, when we scratch beneath the surface—"believing without belonging" in the apt phrasing of Grace Davie.[6] Taylor describes a third sense of *secularity:* the condition in which religious belief: 1) is no longer the default setting "…in which it was virtually impossible not to believe in God…" and 2) has been replaced by a background "…in which faith, even for the staunchest believer, is one human possibility among others."[7] In summary, Taylor provides us with a helpful taxonomy, three understandings of *secularity* that can be distinguished from one another even as they interact and overlap: "…secularity 1 (the retreat of religion in public life) and 2 (the decline in belief and practice)… and secularity 3 (the change in the conditions of belief)…"[8]

While Taylor is most interested in Secularity 3, it is Secularity 1 and 2 that matter most to my proposal concerning religion and public education. As we have seen, the public schools in the U.S. have become secularized over time according to Taylor's first

[5] Pew Research Center, "In U.S., Decline of Christianity Continues at Rapid Pace: An update on America's changing religious landscape," October 17, 2019, https://www.pewforum.org/2019/10/17/in-u-s-decline-of-christianity-continues-at-rapid-pace/ [Accessed 27 February 2021]. The term *nones* refers to "all subsets of the religiously unaffiliated population."

[6]Grace Davie, qtd. in Tom Heneghan, "'Believing without belonging' challenges Catholicism – Dolan," *Reuters* (March 1, 2013), https://www.reuters.com/article/uk-pope-succession-dolan/believing-without-belonging-challenges-catholicism-dolan-idUKBRE9200I620130301 [Accessed 27 March 2021].

[7]Charles Taylor, *A Secular Age* (Cambridge, MA: The Belknap Press of Harvard University Press, 2007), p. 3. Taylor explains his thesis: "I would like to claim that the coming of modern secularity in my [third] sense has been coterminous with the rise of a society in which for the first time in history a purely self-sufficient humanism came to be a widely available option. I mean by this a humanism accepting no final goal beyond human flourishing, nor any allegiance to anything beyond this flourishing. Of no previous society was this true" (p. 18).

[8] Ibid., p. 423.

definition. There has been some movement in the other direction, as evidenced by continuing court challenges since the 1960's (including allowing public schools to host religious "prayer pole" meetings before school and religious clubs after school as long as they are student-organized and student-led).[9] Nonetheless, American public schools have become so secular (secularity 1) as to warrant my accusation that they have violated neutrality and are guilty of the hostility of neglect, and Warren Nord's accusation that they are guilty of "…(borderline) secular indoctrination."[10]

When considering secularity 3, Taylor is careful to qualify the importance of what he calls "subtraction stories" of secularization. These are theories regarding the process of secularization that attribute causal significance to the gradual tearing down of various structures that supported religious belief. The loss of an enchanted world by the emergence of scientific understanding would be one example of subtraction. Taylor finds these stories insufficient for explaining secularity 3, the changing conditions in which belief or unbelief operate: there must be some addition as well, something innovative, something to fill the void and make the new conditions of modernity possible.[11]

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[9] Katherine Stewart, *The Good News Club: The Religious Right's Assault on America's Children* (New York: Public Affairs, 2012), p. 69.

[10] Warren A. Nord, *Does God Make a Difference? Taking Religion Seriously in Our Schools and Universities* (Oxford: Oxford University Press, 2010), p. 98. He also charges that "…many cross the line" (p. 94).

[11] Taylor writes, "…I will be making a continuing polemic against what I call 'subtraction stories.' Concisely put, I mean by this stories of modernity in general, and secularity in particular, which explain them by human beings having lost, or sloughed off, or liberated themselves from certain earlier, confining horizons, or illusions, or limitations of knowledge. What emerges from this process—modernity or secularity—is to be understood in terms of underlying features of human nature which were there all along, but had been impeded by what is now set aside. Against this kind of story, I will steadily be arguing that Western modernity, including its secularity, is the fruit of new inventions, newly constructed self-understandings and related practices, and can't be explained in terms of perennial features of human life." (Charles Taylor, *A Secular Age* (Cambridge, MA: The Belknap Press of Harvard University Press, 2007), p. 22).

Subtraction stories are also insufficient for understanding the secularization that has happened in our schools. Secularization, in its late stages, resulted from a legal effort to interpret the First Amendment properly and to extend religious liberty in an increasingly pluralistic society. This has involved the subtraction, most obviously, of school-sponsored prayer, religious instruction, and Bible readings, but less obviously it has involved the subtraction of a Christian *telos,* ethos, and spirituality from the schools. Something has had to fill that gap. What we have today is not merely the remnant of the previous educational project once religion had been "sloughed off,"[12] to use Taylor's term. Something new is afoot. We have seen that education shifted its aims from the early goal of fostering the Christian virtue (largely through biblical literacy), which was assumed necessary for a healthy republic, to preparing students to be successful contributors to the market economy. In other words, the schools had to operate with a vision, and when the religious vision was removed, and economic vision replaced it.

In the last two chapters we examined the aims of education in order to address this distortion, which has been one factor in making the sidelining of religion and spirituality possible. I disagree with those who see a radical secular humanist agenda at work here, though secular humanists surely are at work to keep the schools free of religious influences.[13] Their activism promotes one form of subtraction (for example, eliminating even student-led prayer at school sporting events and eliminating religious

[12] See previous fn.

[13] George Weigel, for example, sees not only a radical secularist agenda at work, but one that is decidedly anti-Catholic. "…Weigel argued that the new anti-Catholicism was best understood as a 'crucial component in a more radical and comprehensive campaign to establish secularism'—the outlawing of religion from public areas of culture like politics and education—as the official doctrine of the United States… 'The claim of the new secularists, like that of the old nativists, is that Catholicism is not safe for democracy'" (Qtd. in Mark Massa, *Anti-Catholicism in America: The Last Acceptable Prejudice* (New York: The Crossroad Publishing Company, 2003), p.46).

holidays from the academic calendar). Critics, argue, though, that in divorcing education from religion, the public schools in the U.S. merely shifted from one religious basis (Christianity) to another (secular humanism). Where I see economic motives driving education, some of these critics see a pernicious and anti-religious motive, which they describe as secular humanism.[14] In either case, we must admit that subtraction stories do not explain the reigning philosophy of our schools today. Something new has filled the breach. Secularity 1 in our schools is a result of both the subtraction of the religious establishment and the emergence of this something new.

It is difficult to deny that our public schools have become secular spaces according to the meaning of Taylor's secularity 1. It is even more difficult to make the argument that we are in a new context, a *post-secular* context. A laser focus on the public schools will not yield this perspective. A goal of this dissertation, after all, is to encourage schools to move out of the particular type of secular space in which they find themselves, a space which is not at all neutral. Thus, we must look beyond the public schools, which are lagging behind the society more broadly. When we look at the larger context, we will see that a space has opened up for schools to build something new yet again. This is a post-secular space in which schools may treat religion(s) with greater intellectual honesty and fairness, in which they may address the big questions of human

[14] For an early and persistent example of this complaint, see Virgil C. Blum, "Secularism in Public Schools," *Crisis Magazine* (March 1, 1987), https://www.crisismagazine.com/1987/secularism-in-public-schools [Accessed 27 February 2021]. Martin Marty noted this as well, writing, "To many religious adherents, it looks as though a competing worldview—such as 'secular humanism'—has become the established or privileged religion by default, while the regular voices of the 'ordinarily' religious are shut out." (Martin E. Marty, *Education, Religion, and the Common Good: Advancing a Distinctly American Conversation About Religion's Role in Our Shared Life* (San Francisco: Jossey-Bass, 2000), p. 57).

life, purpose, and ethics, unafraid to engage with religious and spiritual thinking in the deep human quest for meaning and truth, for goodness and beauty, for justice and peace.

To demonstrate the new context that has arisen in the last generation, I will point to four examples that are of great significance. These examples cover the fields of politics/diplomacy, economics and business, sociology and political philosophy, and academia. In each case, we will see that, far from the expectations of the secularization hypothesis, which anticipated the decline of religious belief and the decline in importance of religion(s) as modernity progressed, we are in a context now in which religions are growing in numbers and in significance. The time is ripe for our schools to readjust their vision and to take religion(s) seriously once again as an integral component of the curriculum.

### *6.1.1 Politics and Diplomacy*

In his book review of A. Alexander Stummvoll's *A Living Tradition,* Drew Christiansen wrote, "The importance of this volume is particularly notable at this moment in international diplomacy because, in Douglas Johnston's phrase, religion has been 'the missing dimension in statecraft.'"[15] Earlier and elsewhere, Michael Reder and Josef Schmidt claimed that this had changed since the terrorist attacks of 9/11, writing, "Religion has also become a central topic on the global political stage, especially since September 11, 2001. Today, global political strategies are difficult to conceive without reference to the relation between religion and politics."[16] Stummvoll, though, writing in

[15] Drew Christiansen, "Prudent and Pragmatic," *America,* Vol. 219. No. 5 (September 3, 2018), p. 50.
[16] Michael Reder and Josef Schmidt, "Habermas and Religion," in Jürgen Habermas et al., *An Awareness of What is Missing: Faith and Reason in a Post-Secular Age,* Ciaran Cronin, transl. (Malden, MA: Polity Press, 2010), p. 2.

2018, would disagree with that sense of centrality. An expert in the field of international relations, he reminds us that "The modern Western notion of religion as a set of privately held beliefs and doctrines that are separate and distinct from politics, economics, and culture is mostly a product of the sixteenth century…"[17] He challenges that conception and the negligence of a serious analysis of religion in the field of international relations, writing, "The relationship between religious ideas and religious actors' politically salient practices remains largely unexamined."[18] If religion is "a central topic on the global political stage," Stummvoll suggests we are missing a key piece of the analysis. We need to understand religious ideas and their practical, political implications better. His is not a lone voice crying out in the wilderness.

In 2006, former U.S. Secretary of State Madeleine Albright wrote that "Diplomats in my era were taught not to invite trouble, and no subject seemed more inherently treacherous than religion."[19] She spoke of the secularization that reigned in the field, affirming that "…the scholar Michael Novak got it right when he asserted in the early 1960s, 'As matters now stand, the one word [that could not be used] in serious conversation without upsetting someone is 'God.'"'"[20] However, she affirmed that this was a blind spot. "Since the terror attacks of 9/11," she wrote, "I have come to realize that it may have been I [and not the religious people] who was stuck in an earlier time." In an age of globalization and technological advances, she wrote that "another force" was

[17] A. Alexander Stummvoll, *A Living Tradition: Catholic Social Doctrine and Holy See Diplomacy* (Eugene, OR: Cascade Books, 2018), p. 16.
[18] Ibid., p. 5. He says of his own training in International Relations (IR): "What puzzled me was the extent to which IR simply neglected religious ideas and actors" (p. xii).
[19] Madeleine Albright, *The Mighty & The Almighty* (New York: Harper Perennial, 2006), p. 8.
[20] Ibid., p. 7.

also at work: "Almost everywhere, religious movements are thriving."[21] Stateside, this was true as well. "A reawakening of Christian activism is also altering how we think about politics and culture in the United States," Albright wrote. "In contrast to Michael Novak's observation four decades ago, people now talk (and argue) about God all the time."[22] She concluded that we are in a new era, one that must take religion seriously:

> The art of statecraft consists of finding the combination [of military force, negotiations, arguments, etc.] that produces the best results. That, in turn, requires a clear grasp of what matters most to those we are trying to influence… In world affairs, it means learning about foreign countries and cultures; at a time when religious passions are embroiling the globe, that cannot be done without taking religious tenets and motivations fully into account.[23]

Her former boss, President Bill Clinton agrees. In the introduction to her book he acknowledged the potential for religion to be used for harm: "In the wrong hands, religion becomes a lever used to pry one group of people away from another not because of profound spiritual insight, but because it helps whoever is doing the prying."[24] Then he asks the important and relevant question: "Does this mean that policy-makers should try to keep religion walled off from public life? As Madeleine Albright argues, the answer… is a resounding no. Not only shouldn't we do that; we couldn't succeed if we tried."[25]

Albright considers the arguments of strict secularism to be foolish. A world without religion, she argues, is both unknown ("…although we know what a globe plagued by religious strife is like, we do not know what it would be like to live in a world

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[21] Madeleine Albright, *The Mighty & The Almighty* (New York: Harper Perennial, 2006), pp. 9-10.
[22] Ibid., p. 10.
[23] Ibid., p. 11. She also wrote that "The religious scholars I have consulted are passionate about the need for political leaders to educate themselves in the varieties of faith and to see religion more as a potential means for reconciliation than as a source of conflict" (p. 12).
[24] Ibid., p. xi.
[25] Ibid.

where religious faith is absent"[26]) and unlikely. Moreover, we do have hints that a purely secular society would not be a utopia. "We have… had clues from Lenin, Stalin, Mao Zedong, and I would also argue, the Nazis, who conjured up a soulless Christianity that denied and defamed the Jewish roots of that faith."[27] And thus, she gives full-throated support to the study of religion:

> Religion is a powerful force, but its impact depends entirely on what it inspires people to do. The challenge for policy-makers is to harness the unifying potential of faith while containing its capacity to divide. This requires, at a minimum, that we see spiritual matters as a subject worth studying. Too often, as the Catholic theologian Bryan Hehir notes, "there is an assumption that you do not have to understand religion in order to understand the world. You need to understand politics, strategy, economics and law, but you do not need to understand religion. If you look at standard textbooks of international relations or the way we organize our foreign ministry, there's no place where a sophisticated understanding of religion as a public force is dealt with." …American diplomats will need to take Hehir's advice and think more expansively about the role of religion in foreign policy and about their own need for expertise.[28]

A decade later, another Secretary of State made similar observations. "One of the most interesting challenges we face in global diplomacy today," wrote John Kerry, "is the need to fully understand and engage the great impact that a wide range of religious traditions have on foreign affairs."[29] The importance of religion cannot be ignored: "…religious actors and institutions are playing an influential role in every region of the world and on nearly every issue central to U.S. foreign policy."[30] "Leaders in public life," he wrote, "need to recognize that in a world where people of all religious traditions are

[26] Madeleine Albright, *The Mighty & The Almighty* (New York: Harper Perennial, 2006), p. 66.
[27] Ibid.
[28] Ibid.
[29] John Kerry, "Religion and Diplomacy: Toward a better understanding of religion and global affairs," *America* vol. 213, no. 6 (September 14, 2015), p. 14.
[30] Ibid.

migrating and mingling like never before, we ignore the global impact of religion at our peril."[31] As Secretary of State, Kerry decided that "It is not enough just to talk about better dialogue" but instead took action by creating the Office of Religion and Global Affairs within the State Department.[32] "Its mission is clear:" he wrote, "to expand our understanding of religious dynamics and engagement with religious actors."[33] In summary, Kerry wrote:

> The State Department understands the central role that religion plays in the lives of billions across the globe, and we know engagement can open a world of possibilities. The challenging array of foreign policy issues we face today demands that we recognize a fundamental truth: Our foreign policy needs a more sophisticated approach to religion.[34]

It is worth noting that both of these Secretaries of State are from Democratic Administrations. Contrary to a popular political narrative that sees Republicans as friendly to religion and Democrats as a secularizing force (politicians, the press, and academics have all asked whether the Democrats have a religion problem[35]), here we

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[31] John Kerry, "Religion and Diplomacy: Toward a better understanding of religion and global affairs," *America* vol. 213, no. 6 (September 14, 2015), p. 14.
[32] Ibid.
[33] Ibid.
[34] Ibid., p. 16.
[35] Consider, for example, the following selection of sources: Emma Green, "Democrats Have a Religion Problem," *The Atlantic* (December 29, 2016), https://www.theatlantic.com/politics/archive/2016/12/democrats-have-a-religion-problem/510761/; Mark Silk, "Do the Democrats have a religion problem?," *Religion News Service* (October 31, 2019), https://religionnews.com/2019/10/31/do-the-democrats-have-a-religion-problem/; Mark Silk, Peter Skerry, Michael Sean Winters, and M. Cathleen Kaveny, "Do the Democrats Have a Religion Problem?" Panel Discussion, Boston College Boisi Center for Religion & American Public Life, October 28, 2019, https://www.bc.edu/content/bc-web/centers/boisi-center/events/archive/2019/Do-the-Democrats-have-a-Religion-Problem.html; Gregory A. Smith and Peyton M. Craighill, "Do the Democrats Have a 'God Problem'?" Pew Research Center, July 6, 2006, https://www.pewforum.org/2006/07/06/do-the-democrats-have-a-god-problem/; David D. Kirkpatrick, "Some Democrats Believe the Party Should Get Religion," *The New York Times* (November 17, 2004), https://www.nytimes.com/2004/11/17/politics/some-democrats-believe-the-party-should-get-religion.html; Daniel K. Williams, "The Democrats' Religion Problem," *The New York Times* (June 23,

have two prominent voices in Democratic Administrations not only taking religion seriously, but calling for greater education about religion(s) within the Department of State specifically and within the government more generally. Kerry, in particular, had been criticized during his presidential campaign for not being Catholic enough: some bishops in his own Church publicly did not support him.[36] Many commentators have contrasted this with John F. Kennedy's campaign, where in order to win he had to prove he was not too Catholic.[37] Compare this further to Joe Biden's recent successful run for president. He also had some Catholic bishops opposing him—such as Bishop Thomas Tobin of Providence who snidely remarked that there was no Catholic candidate this cycle.[38] Yet Biden, unlike both Kennedy and Kerry, spoke openly and with ease about his faith and his trust in God, quoting Scripture, attending Mass, carrying a rosary with him daily, and reciting prayers and hymns.[39] Surely something has changed. In any case, the recommendations for taking religion(s) seriously in diplomacy and in public policy—as something worthy of sophisticated analysis, study, and understanding—bear more weight

2017), https://www.nytimes.com/2017/06/23/opinion/democrats-religion-jon-ossoff.html. [All of the above accessed 18 April 2021].

[36] David D. Kirkpatrick and Laurie Goodstein, "Group of Bishops Using Influence to Oppose Kerry," *The New York Times (October 12, 2004),* https://www.nytimes.com/2004/10/12/politics/campaign/group-of-bishops-using-influence-to-oppose-kerry.html [Accessed 2 March 2021].

[37] Richard John Neuhaus noted concerning the election of 1960: "Whatever his intentions might have been, then Senator Kennedy was widely perceived to be saying that his Catholicism posed no serious threat because he was not a very serious Catholic." (Richard John Neuhaus, *The Naked Public Square: Religion and Democracy in America,* second edition (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1986), p. xi; cf. p. 262).

[38] Jack Perry, "Bishop Tobin stirs up Twitter with Biden tweet," *The Providence Journal* (August 12, 2020), https://www.providencejournal.com/story/news/coronavirus/2020/08/12/bishop-tobin-stirs-up-twitter-with-biden-tweet/113796798/ [Accessed 2 March 2021].

[39] See, for example, Asma Khalid, "How Joe Biden's Faith Shapes His Politics," *NPR,* September 20, 2020, https://www.npr.org/2020/09/20/913667325/how-joe-bidens-faith-shapes-his-politics [Accessed 27 March 2021]. She writes, referring to a Scripture reference Biden made in a speech: "This wasn't a one-off religious reference; this is how Biden routinely speaks." See also Courtney Subramanian, "Biden's faith comes through in speech, quoting Catholic hymn and Bible verse," *USA Today* (November 7, 2020), https://www.usatoday.com/story/news/politics/elections/2020/11/07/joe-bidens-faith-comes-through-speech-quoting-hymn-bible-verse/6210854002/ [Accessed 27 March 2021].

and indicate a new context even more so because they originate from sources not widely considered to be very religious.

*6.1.2 Economics and Business*

The most obvious contextual change that implicates economics and business, and by extension education, is the advent of globalization. Miroslav Volf writes that "Religion and globalization aren't two neighbors, each living in its own home separated by a tall wall, alternately cooperating, competing, or quarreling."[40] Instead, he argues that "Unless we understand these two powerful phenomena in their relation to each other, we will neither know what is happening to us and to our world nor be able to act responsibly in it."[41] This is because

> More than anything else, with the possible exception of technological innovation, globalization and the great world religions are shaping our lives—from the public policies of political leaders and the economic decisions of industry bosses, investors, and ordinary employees, through the content of the curricula in our colleges and universities, all the way to the inner longings of our hearts.[42]

Developing themes that he says trace their origin to a "Faith and Globalization course that Prime Minister Tony Blair and I taught for three semesters at Yale University (2008-10),"[43] Volf defines *globalization* as "the 'primarily market-driven and market-values-embodying-and-promoting' form of planetary interconnectivity and interdependence and a growing sense of humanity's unity." He adds, "As I see it, this is only one form of

[40] Miroslav Volf, *Flourishing: Why We Need Religion in a Globalized World* (New Haven: Yale University Press, 2015), p. 1.
[41] Ibid., p. 2.
[42] Ibid.
[43] Ibid., p. 3.

globalization, a form that has become dominant in today's world."[44] This is indeed a new context.

The importance of religion in the field of economics may be growing because of globalization, but Benjamin Friedman makes the claim that they have been partners from the start. "No doubt," he writes, "economics is far from the only subject of human thought and debate that religious thinking has influenced, and continues to influence…"[45] Yet, economics deserves special attention:

> Because it is true that economics emerged from the Enlightenment, and because the conventional image of the Enlightenment downplays the importance attached to religion in favor of humanistic thinking, the commonplace assumption is that economics in turn likewise stands apart from religious ideas. This is not true, nor has it been, ever since the inception of economics as a modern intellectual discipline. Taking account of the influence of religious thinking is essential to a full understanding of one of the great areas of modern human thought.[46]

This is yet more powerful evidence of a post-secular context, a new era, a time ripe for the introduction of the study of religion(s) into the curriculum.

*6.1.3 Sociology and Political Philosophy*

In 1984, Richard John Neuhaus coined the term "the naked public square" to describe the American socio-political context that resulted from what he believed was a misreading of the First Amendment. He wrote,

> The naked public square is the result of political doctrine and practice that would exclude religion and religiously grounded values from the conduct of public

[44] Miroslav Volf, *Flourishing: Why We Need Religion in a Globalized World* (New Haven: Yale University Press, 2015), p. 42.
[45] Benjamin M. Friedman, "The American Exception: How faith shapes economic and social policy," *Harvard Magazine* Vol. 123, No. 3 (January-February 2021), p. 47. This piece is an excerpt from Benjamin M. Friedman, *Religion and the Rise of Capitalism* (New York: Alfred A. Knopf, 2020).
[46] Ibid.

> business. The doctrine is that America is a secular society. It finds dogmatic expression in the ideology of secularism.[47]

Significantly, he recognized that "the public square will not and cannot remain naked."[48] He claimed that "If it is not clothed with the 'meanings' borne by religion, new 'meanings' will be imposed by virtue of the ambitions of the modern state."[49] He said emphatically, "…it cannot be denied that the variant [of humanism] called *secular* humanism has had a pervasive and debilitating effect upon our public life."[50] And so he made an urgent appeal: "Whatever our political persuasion, if we care about a democratic future, we have a deep stake in reconstructing a politics that was not begun by and cannot be sustained by the myth of secular America."[51]

At the heart of his argument against secularism and for the proper reintroduction of religion into the public square is the First Amendment. Neuhaus believed that secularism had distorted the meaning of religious liberty:

> One idea that has been insinuated and legally rooted is a peculiar reading of what the First Amendment means for "the separation of church and state." It is not, as some fundamentalists complain, that God has been taken out of our public schools or out of our public life. God, being God, cannot be "taken out" of anything. It is the case that truth claims and normative ethics that have specific reference to God or religion have been, at least in theory, excluded.[52]

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[47] Richard John Neuhaus, *The Naked Public Square: Religion and Democracy in America,* second edition (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1986), p. ix.
[48] Ibid.
[49] Ibid. "The emptiness of the public square will be filled by a state-promulgated civil religion, which poses a threat of totalitarianism… Or the emptiness will continue until the public square is finally invaded by one or another existing belief system, whether of the left or the right" (p. 99).
[50] Ibid., p. 25, italics in the original.
[51] Ibid., p. 113.
[52] Ibid., p. 25.

For Neuhaus, witnessing the rise of the religious right in American politics through the Moral Majority, a significant problem was apparent:

> A dilemma, both political and theological, facing the religious new right is simply this: *it wants to enter the political arena making public claims on the basis of private truths.* The integrity of politics itself requires that such a proposal be resisted. Public decisions must be made by arguments that are public in character.[53]

He nonetheless agreed with the Moral Majority's diagnosis: "We insist that we are a democratic society, yet we have… systematically excluded from policy consideration the operative values of the American people, values that are overwhelmingly grounded in religious belief."[54] Neuhaus, though, called for public reason, a term that for him is far more respectful of religion and religious values, and far less individualistic, than the same term applied by Rawls.[55]

Has the situation changed since Neuhaus wrote? I think so. The strongest evidence regards the work of Jürgen Habermas. Whether Habermas is familiar with Neuhaus' work across the Atlantic, I do not know. He has, however, clearly moved away from endorsing the "naked public square" in liberal democracies to a more generous understanding of public reason that accommodates religious believers. Whereas his earlier work exemplified a secularist perspective, his later work is, using his own terminology, *post-secular.*[56] He believes we are in a new context that requires attention to

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[53] Richard John Neuhaus, *The Naked Public Square: Religion and Democracy in America,* second edition (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1986), p. 36, italics in the original.
[54] Ibid., p. 37.
[55] Ibid., p. 257. Writing as a then-Lutheran, Neuhaus states, "Christian truth, if it is true, is public truth. It is accessible to public reason" (p. 19).
[56] He writes, "…it is in the interest of the constitutional state to deal carefully with all the cultural sources that nourish its citizens' consciousness of norms and their solidarity. This awareness… is reflected in the phrase: 'postsecular society'… This refers not only to the fact that religion is holding its own in an

religion(s) and religious values.[57] After the terrorist attack of 9/11, Habermas delivered his famous "Faith and Knowledge" acceptance speech for the Peace Prize of the German Book Trade in October of 2001. In this speech, "Habermas develops the idea that the secularization hypothesis has now lost its explanatory power and that religion and the secular world always stand in reciprocal relation."[58] In his earlier writings, Habermas had fully supported the secularization hypothesis. Reder and Schmidt summarize his position this way:

> Habermas [in 1987] assumes that, with the development of modern democratic society, the function of religion is essentially transferred to secularized communicative reason: "…the socially integrative and expressive functions that were at first fulfilled by ritual practice pass over to communicative action; the authority of the holy is gradually replaced by the authority of an achieved consensus" … Underlying this assessment is the basic idea of communicative action, which states that communicatively acting persons reach agreements concerning their normative validity claims through rational argument and "only those norms can claim to be valid that meet (or could meet) with the approval of

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increasingly secular environment and that society must assume that religious fellowships will continue to exist for the foreseeable future. The expression 'postsecular' does more than give public recognition to religious fellowships in view of the functional contribution they make to the reproduction of motivations and attitudes that are societally desirable. The public awareness of a post-secular society also reflects a normative insight that has consequences for the political dealings of unbelieving citizens with believing citizens. In the postsecular society, there is an increasing consensus that certain phases of 'modernization of the public consciousness' involve the assimilation and the reflexive transformation of both religious and secular mentalities. If both sides agree to understand the secularization of society as a complementary learning process, then they will also have cognitive reasons to take seriously each other's contributions to controversial subjects in the public debate." (Jürgen Habermas in Joseph Cardinal Ratzinger and Jürgen Habermas, *Dialectics of Secularization: On Reason and Religion,* Brian McNeil, transl. (San Francisco: Ignatius Press, 2006), pp. 46-7).

[57] More specifically, he believes Europe and a few other countries are in a post-secular period. It is doubtful that he would agree the U.S. had ever entered a *secular* age from which to emerge as *post*-secular. I am making the claim that because of Taylor's secularity 1 being so pronounced in the U.S. in the late 1900's, it is fair to include the U.S. in the category as well, even if the experience will necessarily be different. Habermas writes, for example, "A 'post-secular' society must at some point have been in a 'secular' state. The controversial term can therefore only be applied to the affluent societies of Europe or countries such as Canada, Australia and New Zealand, where people's religious ties have steadily or rather quite dramatically lapsed in the post-War period. These regions have witnessed a spreading awareness that their citizens are living in a secularized society." (Jürgen Habermas, "Notes on a Post-secular Society," June 18, 2008, http://www.signandsight.com/features/1714.html [Accessed 3 March 2021]).

[58] Michael Reder and Josef Schmidt, "Habermas and Religion," in Jürgen Habermas et al., *An Awareness of What is Missing: Faith and Reason in a Post-Secular Age,* Ciaran Cronin, transl. (Malden, MA: Polity Press, 2010), p. 6.

> all affected in their capacity as participants in a practical discourse… Religion is in danger of blocking precisely this communicative action because it does not leave the religious participants in discourse free to enter the presuppositionless space of rational communication, but instead equips them with clear directives concerning the goal of the discourse.[59]

Compare that position to what he says in his "Faith and Knowledge" speech and we see that we are in a new intellectual space:

> …the search for reasons that aspire to general acceptance need not lead to an unfair exclusion of religion from public life, and secular society, for its part, need not cut itself off from the important resources of spiritual explanations, if only the secular side were to retain a feeling for the articulative power of religious discourse. The boundaries between secular and religious reasons are, after all, tenuous. Therefore, fixing of this controversial boundary should be understood as a cooperative venture, carried on by both sides, and with each side trying to see the issue from the other's perspective.[60]

Habermas has come to this new respect for the religious voice *qua* religious voice in public discourse through a double necessity. One the one hand, religion(s) aren't going away. He recognizes that the secularization theory is no longer convincing. On the other hand, he finds that "…practical reason fails to fulfill its own vocation when it no longer has sufficient strength to awaken, and to keep awake, in the minds of secular subjects, an awareness of the violations of solidarity throughout the world, an awareness of what is missing, of what cries out to heaven."[61] He worries, in other words, that by neglecting

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[59] Michael Reder and Josef Schmidt, "Habermas and Religion," in Jürgen Habermas et al., *An Awareness of What is Missing: Faith and Reason in a Post-Secular Age,* Ciaran Cronin, transl. (Malden, MA: Polity Press, 2010), p. 4.

[60] Jürgen Habermas, "Habermas on Faith, Knowledge and 9-11," a translation of Jürgen Habermas' speech accepting the Peace Prize of the German Book Trade on October 14, 2001, Kermit Snelson transl., https://imamsamroni.wordpress.com/2009/01/04/habermas-on-faith-knowledge-and-9-11/ [Accessed 3 March 2021].

[61] Jürgen Habermas, "An Awareness of What is Missing," in Jürgen Habermas et al., *An Awareness of What is Missing: Faith and Reason in a Post-Secular Age,* Ciaran Cronin, transl. (Malden, MA: Polity Press, 2010), p. 19. His definition of solidarity is this: "social solidarity… is… a coordination of action based on values, norms, and a vocabulary intended to promote mutual understanding…" (Jürgen Habermas in Joseph

"the unexhausted force [*das Unabgegoltene*] of religious traditions,"[62] we neglect a strong source of motivation to pursue the common good and "…resources of meaning, solidarity, and justice which are becoming depleted."[63] Radical individualism, guided by the profit motive and a political overemphasis on individual rights, has led to "a breakdown in solidarity"[64] and in the social cohesion needed to sustain society. "[R]eligion can provide 'stronger impulses towards action in solidarity', can help overcome the 'motivational weakness of a (purely) rational morality', and can 'offer life within community for the support of secular morality'."[65]

Thus, the same Habermas who once thought religious voices were uniquely unsuited for, and disruptive to, public discourse now claims that denying religious citizens their rightful voice also deprives the larger public of a spiritual resource that ultimately helps protect liberal democracies from radical individualism and moral atrophy. And so he makes a claim in political philosophy that is indicative of our new context:

> …the secular state… must also face the question of whether it is imposing asymmetrical obligations on its religious citizens… May the state require these citizens to split their existence into public and private parts, for example by

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Cardinal Ratzinger and Jürgen Habermas, *Dialectics of Secularization: On Reason and Religion,* Brian McNeil, transl. (San Francisco: Ignatius Press, 2006), pp. 45-6).

[62] Ibid., p. 18.

[63] Jürgen Habermas, "A Reply," in Jürgen Habermas et al., *An Awareness of What is Missing: Faith and Reason in a Post-Secular Age,* Ciaran Cronin, transl. (Malden, MA: Polity Press, 2010), p. 76.

[64] Ibid., p. 74.

[65] Jürgen Habermas, qtd. in Dermot A. Lane, *Religion and Education: Re-Imagining the Relationship* (Dublin: Veritas Publications, 2013), p. 15. Habermas also writes: "Secular morality is not inherently embedded in communal practices. Religious consciousness, by contrast, preserves an essential connection to the ongoing practice of life within a community and, in the case of the major world religions, to the observances of united global communities of the faithful. The religious consciousness of the individual can derive stronger impulses towards action in solidarity, even from a purely moral point of view, from this universalistic communitarianism." (Jürgen Habermas, "A Reply," in Jürgen Habermas et al., *An Awareness of What is Missing: Faith and Reason in a Post-Secular Age,* Ciaran Cronin, transl. (Malden, MA: Polity Press, 2010), p. 75).

> obligating them to justify their stances in the political arena exclusively in terms of non-religious reasons?... This not only raises the question of the subsequent translation of their rational content into a publicly accessible language. Rather, the liberal state must also expect its secular citizens, in exercising their role as citizens, not to treat religious expressions as simply irrational. Given the spread of a naturalism based on a naïve faith in science, this presupposition cannot be taken for granted.[66]

Not only does this indicate a new context, a post-secular context, but it also validates an approach to public education that helps form the civic skills necessary for the "complementary learning process in which the secular and the religious sides involve one another…"[67] It validates an approach to the teaching and learning of religion(s) that goes beyond *learning about* and includes *learning from*. Now is the time!

*6.1.4 Academia*

Finally, another indicator that we are in a post-secular period that is uniquely conducive to the introduction of religion in the curriculum of public schools comes from academia. Because most of our students are being prepared for college, and because colleges and universities have tremendous influence in setting the educational agenda, the shift in academia concerning the study of religion(s) matters.

In a 2018 publication entitled *The Resilience of Religion in American Higher Education*, authors John Schmalzbauer and Kathleen A. Mahoney examine evidence that higher education is not the thoroughly secularized space that is often imagined. According to one review, their research "finds faith alive and well in American higher

[66] Jürgen Habermas, "An Awareness of What is Missing," in Jürgen Habermas et al., *An Awareness of What is Missing: Faith and Reason in a Post-Secular Age,* Ciaran Cronin, transl. (Malden, MA: Polity Press, 2010), pp. 21-22.
[67] Ibid., p. 21.

education. The authors find that resilience evident both at public and private institutions."[68] The publisher writes:

> *The Resilience of Religion in American Higher Education* documents a surprising openness to religion in collegiate communities. Schmalzbauer and Mahoney … highlight growing interest in the study of religion across the disciplines, as well as a willingness to acknowledge the intellectual relevance of religious commitments … Finally, the volume chronicles the diversification of student religious life, revealing the longevity of campus spirituality … Far from irrelevant, religion matters in higher education.[69]

Another set of scholars have reached a similar conclusion. Douglas Jacobsen and Rhonda Hustedt Jacobsen describe the ethos of American colleges and universities since the 1960's. "These institutions shifted from being quietly secular institutions like [William F.] Buckley's Yale to being more visibly secular*ist* institutions where religion was intentionally pushed to the side."[70] This followed a period of renewed academic interest in religion(s) in the mid-twentieth century, during which, according to Martin Marty, "religious studies began to make a surprising and organized return to higher education."[71] Marty reports that, "In the course of half a century, tax-supported universities with visible religious studies programs increased from a handful to more than nine hundred."[72] Yet, under the throes of the secularization hypothesis, most people

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[68] Scott Jaschik, "'The Resilience of Religion in American Higher Education'," *Inside Higher Ed* (January 11, 2019), https://www.insidehighered.com/news/2019/01/11/authors-discuss-their-new-book-religion-american-higher-education [Accessed 6 March 2021].

[69] Baylor University Press, "The Resilience of Religion in American Higher Education by John Schmalzbauer and Kathleen A. Mahoney," https://www.baylorpress.com/9781481308717/the-resilience-of-religion-in-american-higher-education/ [Accessed 6 March 2021].

[70] Douglas Jacobsen and Rhonda Hustedt Jacobsen in Douglas Jacobsen and Rhonda Hustedt Jacobsen, eds., *The American University in a Postsecular Age* (New York: Oxford University Press, 2008), p. 9.

[71] Martin E. Marty, *Education, Religion, and the Common Good: Advancing a Distinctly American Conversation About Religion's Role in Our Shared Life* (San Francisco: Jossey-Bass, 2000), p. 109.

[72] Ibid. For a more detailed account, see George M. Marsden, *The Soul of the American University: From Protestant Establishment to Established Nonbelief* (New York: Oxford University Press, 1994). Marsden writes, for example, "By 1940, not only did virtually all church-related colleges have departments of

accepted the secularist arrangement according to the Jacobsens. "If religion was wielding less and less influence in society and might soon effectively disappear, why study religion at all?"[73] They acknowledge that the religious studies departments continued to exist, and that "religion… continue[d] to be a subject for analysis in some history, anthropology, and sociology departments."[74] Nonetheless, "Religion as a source of inspiration or insight concerning human life and thought was rejected… it was not to be discussed as an encounter with God or a source of transcendent value."[75] By the end of the century, George Marsden was complaining that:

> Today nonsectarianism has come to mean the exclusion of all religious concerns. In effect, only purely naturalistic viewpoints are allowed a serious academic hearing. As in earlier establishments, groups who do not match the current national ideological norms are forced to fend for themselves outside of the major spheres of cultural influence. Today, almost all religious groups, no matter what their academic credentials, are on the outside… or soon will be…[76]

Yet, in a new millennium, something new is happening. The Jacobsens, like so many others, note that the secularization hypothesis has not panned out and that religions are thriving. "[A] cultural consensus has emerged: religion will likely exercise a significant role in human affairs for a long time to come… Religion is not

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religion, but so did the vast majority of private colleges and universities, and even 30 percent of state universities… Only 27 percent of nationally accredited colleges had no formal offerings on religious topics. So great was the increase, especially after 1930, that Clarence Shedd of Yale, one of the leaders in the movement, could declare confidently in 1941 that 'state universities are more concerned today about religion than they have been at any time during the present century.' Although these gains appeared considerable, … In a typical year, only about one in twenty-five students at public universities was taking a religion course" (p. 337).

[73] Douglas Jacobsen and Rhonda Hustedt Jacobsen in Douglas Jacobsen and Rhonda Hustedt Jacobsen, eds., *The American University in a Postsecular Age* (New York: Oxford University Press, 2008), p. 9

[74] Ibid.

[75] Ibid., pp. 9-10.

[76] George M. Marsden, *The Soul of the American University: From Protestant Establishment to Established Nonbelief* (New York: Oxford University Press, 1994), p. 440.

disappearing."[77] In fact, they attribute the rise of the New Atheist movement to this changed context. "It is no wonder," they write, "that people like Richard Dawkins, Daniel C. Dennett, Sam Harris, and Christopher Hitchens have recently published hyperbolically critical accounts of religion and its dangers. They sense that the tide has changed…"[78]

What does this new context look like from the vantage point of higher education? The Jacobsens write that, "Today religion is everywhere, and it may be more visible at colleges and universities than anywhere else."[79] This presence is both diverse and pronounced. It calls for something new:

> In many ways it was easier for universities back in the heyday of secularization when religion was unobtrusive… Religion could be considered a bit anachronistic, yet still maintain a place in the curriculum. Scholars have never disputed its immense historical significance, nor have they questioned that ancient and contemporary religious texts and practices contribute to the social, economic, and political structures of a given culture. But treating religion as a subject that might appeal to someone's historical or social scientific curiosity is far different from seeing religion as a valid source of human meaning, as a driving force in scholarly research, or a core concern for higher education.[80]

Surely, American universities have not yet fully emerged from their secularized chrysalis, but the movement is already underway. The Jacobsens write, "While it may have made sense to ignore religion when everyone thought it was fading away, that stance is no longer viable. Whether one likes religion or not, it is time to take it seriously and address issues of religion head-on."[81] It took time for American colleges and universities to become secularized. Now, the pendulum is swinging the other way, and a

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[77] Douglas Jacobsen and Rhonda Hustedt Jacobsen in Douglas Jacobsen and Rhonda Hustedt Jacobsen, eds., *The American University in a Postsecular Age* (New York: Oxford University Press, 2008), p. 10.
[78] Ibid., pp. 10-11.
[79] Ibid., p. 13.
[80] Ibid., p. 14.
[81] Ibid., p. 11.

process of de-secularization is taking place. But unlike a pendulum, it is not leading back to the place of origin. Establishment is not where we are headed in higher education. This new arrangement that is coming into being is indeed something new, something post-secular.

Strong evidence of this transition comes from Harvard University, surely both a bastion of secularized academia and perhaps a bellwether. Writing for *Newsweek*, Lisa Miller captured the situation well:

> Religion at Harvard doesn't even merit its own department… A Committee on the Study of Religion oversees the courses, but it can't hire and fire, and it can't grant tenure. Diana Eck, the top scholar of world religions who runs the program, argues that its second-class status prevents it from drawing the biggest talent to campus… Undergraduates with more than a passing interest in religion are pointed to the Divinity School, half a mile away from Harvard Yard… Even now, in an era when a presidential candidate cannot get elected without a convincing "faith narrative," the scholars who study belief continue to reside in the Divinity School, and when the subject of religion comes up, the scholars on the Faculty of Arts and Sciences sniff at its seriousness.[82]

No one sniffed at its seriousness in 2006 more than the staunch secularist Steven Pinker when a faculty committee tasked with changing the undergraduate core curriculum came back with a proposal that all students be required to study "Reason and Faith." Pinker led the faculty resistance that ultimately replaced the requirement with a "Culture and Belief" component, which has since also been changed. Now, religious-themed general education courses fall under "Aesthetics and Culture" or "Ethics and Civics" requirements.[83] Pinker, an evolutionary psychologist usually listed among the

[82] Lisa Miller, "Why Harvard Students Should Study More Religion," *Newsweek* (February 10, 2010), https://www.newsweek.com/why-harvard-students-should-study-more-religion-75231 [Accessed 5 March 2021].
[83] Harvard College Program in General Education, "Requirements," https://gened.fas.harvard.edu/requirements [Accessed 6 March 2021].

intellectual New Atheists, may well have been like Harris and Hitchens in the Jacobsens' analysis: reacting strongly out of a defensive recognition that the tide has changed.

Concerning Harvard, the Jacobsens sum up the situation and its import:

> The course requirement was ratcheted down, but the Harvard report still strongly defends the inclusion of religion in the curriculum. It declares, "Religion has historically been, and continues to be, a force shaping identity and behavior throughout the world. Harvard is a secular institution, but religion is an important part of our students' lives." … The university is indeed "resolutely secular"—it studies the world as it really exists. But it is not a place dedicated to secularism, to the removal of religion from the hallowed halls of learning or from the world at large.[84]

Miller, having noted both the continued relevance of religion in the world and the increased presence of religion among students on the Harvard campus, poignantly notes that "To dismiss the importance of the study of faith—especially now—out of academic narrow-mindedness is less than unhelpful. It's unreasonable."[85] It seems, though, that the university is not dismissing the study of faith at all, but grappling with how it fits into the curriculum. In other words, it is feeling the birth pangs of the post-secular age, an age in which religion continues to matter and demands to be taken seriously in our schools, colleges, and universities.

### *6.2 The Meaningful Inclusion Approach (MIA)*

The post-secular context calls for a bold re-thinking of the place of religion in American public education. Unfortunately, most of the initiatives that have been

[84] Douglas Jacobsen and Rhonda Hustedt Jacobsen in Douglas Jacobsen and Rhonda Hustedt Jacobsen, eds., *The American University in a Postsecular Age* (New York: Oxford University Press, 2008), pp. 14-15.
[85] Lisa Miller, "Why Harvard Students Should Study More Religion," *Newsweek* (February 10, 2010), https://www.newsweek.com/why-harvard-students-should-study-more-religion-75231 [Accessed 5 March 2021].

proposed require only minor adjustments to the current system: an added course or two here, a tweaking of textbooks there. One exception is Nel Noddings, who proposes thoroughgoing changes in how we think about and organize schools.[86] Her approach to religion and existential questions is closest to my own, though I do not think she goes far enough. Noddings sees no need for separate courses for the study of religion(s) but instead favors the natural inclusion approach. She writes,

> Although a complete course in religious thought would be a welcome addition to the curriculum, such a course is not necessarily the best way to emphasize our concern. When students hear about religious and moral issues in all of their regular classes, they are more likely to be persuaded that we really do regard these matters as important.[87]

Her point is valid. We should indeed teach religion(s) across the curriculum. This is the "natural inclusion" argument; and it is a critical corrective to the hostility of neglect. It is the essential first step in the Meaningful Inclusion Approach. Noddings has the broadest understanding of natural inclusion that I have encountered. Far from limiting it to obvious cases, such as discussing religious motivations behind the Civil Rights movement or thinking through the ethics of human cloning or psychological experimentation for example, she finds opportunities to discuss religion and existential questions in just about every corner, even in math class.[88]

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[86] She says, for example, "The traditional organization of schooling is intellectually and morally inadequate for contemporary society." (Nel Noddings, *The Challenge to Care in Schools: An Alternative Approach to Education* (New York: Teachers College Press, 2005), p. 173).

[87] Nel Noddings, *Educating for Intelligent Belief or Unbelief* (New York: Teachers College, 1993), p. 1. She says further, "The discussion so far suggests that this vital material on belief and unbelief *not* be made a part of the formal curriculum. This is probably the right decision. Anything that becomes part of the formal curriculum is cast far too specifically and rigidly, examined unappreciatively by partisan and sectarian eyes, evaluated by student achievement, and—worst of all—made intolerably boring to all but a handful of students passionately interested in the subject" (p. 134).

[88] Ibid., pp. 1ff.

Noddings is correct that including religious and moral questions across the curriculum signifies to students that these issues matter. However, this is only one signifier, and another is needed. Students know that a subject matter is considered important and worthy of study when it has a permanent place in the formal curriculum. Indeed, the more important the subject matter, the more secure its place in the curriculum. Students know that we take mathematics seriously, for example, because it has a regular place in the K-12 curriculum. They expect to study math just about every year, if not every year. On the other hand, students sense that our communities really don't value art or physical education as strongly. Those subjects make appearances in the curriculum, usually not even earning full-time status, and they disappear quickly with budget cuts and when government-set standards lead to a laser-focus on other subject areas deemed more important. Most students do not study art every year, nor do they take gym classes every year. Though we might give lip service to their importance, kids know that that what we really value is securely a part of the regular curriculum. Math matters; gym and art do not. For that reason, among others, we should introduce the study of religion(s) into the curriculum as a standard longitudinal course of study, not an enrichment course, not an elective, and certainly not a piece of curricular jewelry—an adornment that can be removed when the budget gets tight.

The Meaningful Inclusion Approach requires that the study of religion(s) be included in the formal curriculum of public school students from kindergarten through twelfth grade. The subject matter is critical and it deserves the full attention of the educational establishment and our students. To signify even further that the study of religion(s) is indispensable, it should be evaluated as part of a school or school district's

accreditation process. Teachers who instruct in this area should be professionals educated in the discipline. Nothing short of this does justice to the enormous reality of religion in the world; its power for good and evil; its capacity for promoting peace and human dignity or for promoting war and oppression; its ability to give meaning and motivation to people's lives; its influence on everything from family life and community to politics, economics, and global environmental responsibility. Furthermore, because human life involves existential, moral, and spiritual questions that cannot be adequately addressed (or addressed at all) by an educational system in servitude to scientism, secularism, and the market economy, a revolution in education is needed. Religions offer ethical visions for thoughtful consideration, visions whose grounding claims to be not an "overlapping consensus" concerning individual rights and constitutional procedures, but the solid ground of an Ultimate Horizon. Students have a right and a need to ask spiritual questions and to reflect on the purpose of their lives and our lives together. Education worth its name should accompany students in searching for the truth and exploring the long history of ideas and commitments that have shaped the human person and society. Students should feel at home in their schools asking the most important human questions about whether there is a God, whether the human being has an eternal soul, whether there is life after death, whether our behavior in this life matters in regards to our eternal destiny, and whether faith is a reasonable act of the human heart and mind. We can welcome them into the great conversations of philosophy and religion without proselytizing, judging, or betraying the First Amendment. To do that, though, we need educators who are experts in the field—in both content and appropriate pedagogy. The study of religion(s) must become one of the core components of the public school curriculum.

One concern will immediately be the cost. This is a red herring! We know quite well that budgets reflect values. When something is as important as the study of religion(s), we will find the funding and make it happen. The real question is not the cost, but whether we have sufficiently convinced people of the seriousness of the proposal. Any major campaign for curricular reform faces the same challenge: inertia. This force can be overcome only through a successful communications effort that brings stakeholders on board. The seriousness of the issue is worth that effort, and is worth the cost in dollars as well.

A legitimate concern might be that by including religion(s) in the curriculum from K-12, it will become stale and boring very quickly. That need not be the case. Pedagogical transitions at key points in a student's career will keep the study fresh and relevant. These same transitions will accomplish three of the aims we have already discussed: building bridges and forming solidarity through encounter, practicing the art of dialogue that will promote peace and the common good, and learning how to translate between secular languages and religious languages as citizens committed to democratic participation. These three aims are not distinct and they certainly all have a place throughout the years of study; nonetheless, each of the three is more appropriate at a given stage of a young person's development and therefore more pronounced at a specific moment in the curriculum.

### *6.2.1 Primary School*

From roughly grades K-5 the focus of the study of religion(s) is on encounter. This is where the preposition *about* is most appropriate: students in K-5 are *learning about* religions and religious people, and learning that there are also people without

religion and/or who do not believe in God or gods. Above all, we are introducing young people to the wide world around them, a world of diversity and wonder. While some of this may already be taking place elsewhere in the curriculum—in a geography class, for instance—it is important that now it have its own place in the curriculum. It should be a part of every student's course work each academic year, exploring new religions each year, and filling the calendar every year with holidays and festivals that are not only secular but religious as well.

Although the focus will be on *learning about* religions, we must remember that *learning from* religions will naturally take place as well. Good teachers are already quite adept at encouraging students to draw knowledge, wisdom, morals, and meaning from secular sources; there is no reason they should not do the same, judiciously, with religious sources. As I write, it is concurrently the feast of Passover in Judaism, Palm Sunday in much of Christianity, and Holi in Hinduism, Jainism, Sikhism, and among some Buddhists. Rather than pretend these holy or festival days do not exist, we do well to highlight them, imagine why they are important—even central—to the lives of believers, and to encourage students to think critically about lessons they might take away from these sacred celebrations. Although the themes come from religious sources, should we not want all children to celebrate the liberation of slaves, to consider the nature of betrayal, to celebrate the victory of good over evil, and to think about the meaning of springtime as a season of new life? There is much that a child can learn from these religious holidays and holy days that helps them to grow as mature and ethical human persons, without ever necessarily becoming a Jew, a Jain, a Christian, or even a theist at all.

Remembering that the ultimate goal of including religion(s) in the curriculum is to promote a more peaceful society through encounter and solidarity, the selection of which religions to study will relate to their relative proximity to this goal. The choice of what to study, then, should be based on three criteria: 1) Religions or worldviews that are included have global and/or historical significance that require study in order to promote peaceful coexistence in a globalized world; or, alternatively, they have an important local presence; 2) No religion or worldview is denied a place in the curriculum *a priori,* but only based on the previous rule; and 3) Religions or worldviews that demonstrably undermine the goals of encounter, solidarity, dialogue, and peaceful coexistence in a pluralist society may be studied, but only under the critical lens appropriate to high school students. Thus, some agitator might demand that students in kindergarten learn about the Church of the Flying Spaghetti Monster. The request will surely be considered (rule 2, because the First Amendment demands neutrality); however, it will likely not make the cut (it is difficult to imagine that it meets either requirement of rule 1). On the other hand, while including the study of Amish communities might not make the cut in every school system since it does not have global significance, it may make it into schools in communities with a large presence of Amish. Every school system, though, would study Judaism, Christianity, Islam, Hinduism, and Buddhism, among others, simply because of the global and historical significance of each. The growing importance of humanism worldwide in its many forms (spanning from atheistic and secular on one end to religious on the other) make it an important candidate for study as well.

Some studies, though, must wait until high school (rule 3). For example, it is important for promoting a peaceful world community that students understand something

about Wahhabism; however, the critical thinking required is appropriate only to later secondary school students. Even then, justice requires that this not be a student's only encounter with Islam. Students will be best served by encountering some of the wide diversity of lived expressions within the religion, including Sunnism, Shi'ism, and Sufism.

In all of this, the buy-in required from the public will be critical, and here the Modesto Model is indeed worth imitating and further developing. When the various stakeholders know what this new approach is about and understand that there will be no proselytizing and no denigration of either particular religious faiths or belief/unbelief in general, then they will be more likely to support the curriculum and its goals.

An objection may arise that teachers may miss the mark, either unintentionally distorting the message and meaning of a particular faith community or intentionally violating neutrality and subverting the study of religion(s). The first case is not a reason for significant worry. Noddings writes,

> We profess the fear that teachers do not have the competence to teach the required material, but a considerable number of practicing teachers of mathematics do not have the mathematical competence of a proficient high school calculus student. Yet we do not abandon mathematics teaching. Mathematics is important… and we keep trying to improve both teaching and curriculum. An acknowledgement of the importance of intelligent belief or unbelief should induce similar efforts.[89]

The critical nature of the material makes the risk of individual errors worth taking. Good, reliable, and well-crafted textbooks will be crucial and will help mitigate the risk. Moreover, because the study of religion(s) will be stretched over the course of many

[89] Nel Noddings, *Educating for Intelligent Belief or Unbelief* (New York: Teachers College Press, 1993), p. 141.

years and will include many teachers, there will be a diluting effect and a built-in corrective. One teacher's error may be corrected by others and may diminish in importance in the overall arc of the curriculum. Regular professional development and online educator communities will also help to minimize this problem. Most directly, a parent or colleague who recognizes that something has been misunderstood and/or communicated wrongly to students can always take the teacher aside and educate them. This is the most direct form of professional development. In any case, teachers want to do their job well and are eager to learn new material and new methods. The fear that an error here or there will ruin the project is unfounded.

An intentional violation of neutrality, on the other hand, is more serious. Still, it is not a significant enough issue to derail the entire proposal. After all, there are already violations of neutrality in the schools. Parental involvement and communication with administrators is usually enough to address the problem. In rare cases, a school board or court challenge is required. This is a good system, and it will continue to serve us well. Watchdog agencies already exist, and they will surely continue to keep the public schools in line as they have regarding the school prayer and Bible reading decisions. For those who fear that the risk of litigation will increase and be costly, I make three arguments. First, the cost to society of not teaching about religion(s) is already too high (and is already an unconstitutional violation of neutrality) and outweighs the putative cost of litigation. Second, with community buy-in, the risk of litigation declines significantly (again, consider the Modesto Model as evidence). Third, with proper administrator and teaching training, fear of litigation will give way to confidence about the constitutionality

of the project and the importance of remedying any violations of neutrality in-house and immediately.

Despite the possibility of subversion, the Meaningful Inclusion Approach trusts teachers as the professionals they are. Elementary school teachers are the general practitioners of the education world. The work they do with students across multiple disciplines is truly astounding. We should expect that they are capable of adding one more specialty to their qualifications, and trust that they will do it well. Schools of Education will have to adjust to be sure that primary school teachers have the necessary knowledge and competencies to implement this component of the curriculum. The production of quality textbooks and teaching materials, professional development offered by school districts, online courses and summer institutes at Schools of Education, and professional forums will all be essential for successful implementation of the curriculum.

A mistake in other proposals for teaching about religion(s) is that they add one course to the high school curriculum to accomplish what I am describing here as encounter. High school is too late. Middle school is also too late. The type of learning involved in encounter is natural to our youngest learners. They have a natural curiosity about the world and their place in it. It is exciting to them to meet new people and to learn about their traditions. Introducing them to the rituals, symbols, basic doctrines, beliefs, sacred texts, and cultures of various religions is fun and lends itself to differentiated instruction.

With this age group, there is no need to address the negative aspects of the various religions. Showing religious people and nonreligious people in their best light is appropriate. Because we are spreading the study of religion(s) over the entire course of a

student's public school career, we can afford to postpone the critical analysis until later, when students' are developmentally ready. The goal for this age group is encounter: to know that the other exists and to form an attitude of both tolerance for diversity and, even better, respect and solidarity. Thus, an approach such as the Modesto Model, which though it does not stand on its own as a sufficient curriculum for the study of religion(s), could nonetheless work very well if adjusted for this age group as a component of the overall curriculum.

The Modesto Model and similar approaches aim to avoid controversy and to simply teach *about* religion. But, even in elementary school, the line between *learning about* and *learning from* religion will be indistinct. As we have already noted, this is a natural part of learning: there is no truly objective learning; we always *learn from* that which we study. Moreover, it is nothing to fear. As Dermot Lane notes, "Learning *from* religion … does not contain any intention of conversion. Furthermore, learning *from* religion requires the exercises of empathy and imagination—activities required in the teaching and learning of other subjects in the curriculum."[90] *Learning from* religion(s) simply intends to enhance/inspire the spiritual and ethical life/journey of each person, regardless of the personal path, or no path, that they choose. Rather than pretend that *learning from* does not take place, we should embrace the engagement of empathy and imagination that are so rich among primary school learners. Asking them to imagine life in another's shoes can lead to reducing the sense of otherness and building the social

[90] Dermot A. Lane, *Religion and Education: Re-Imagining the Relationship* (Dublin: Veritas Publications, 2013), p. 26.

bridges that we need for a peaceful civilization. It will likely help them to know their own shoes better as well.

Students, even at a young age, will readily learn lessons from the study of religions that are desirable learning outcomes: the universality of the Golden Rule and the importance of family and community, for example. They may also pick up bits of wisdom and truth from the various traditions that impact them personally, such as the Hindu respect for all forms of life or the Shinto reverence for ancestors. This may worry some parents and may be called into question by some secularists, and so the Meaningful Inclusion Approach must include instruction for administrators and school boards on First Amendment law, and it must include community forums to listen to and address concerns. On this particular issue of *learning from* religion, I agree with Dermot Lane who writes,

> …religious identity is not something that is given or fixed or determined at birth or at childhood or adulthood, out of which one then decides to enter or not enter into a relationship with other religions. Identity is shaped in and through dialogue, in and through relationships and the deepening of relationships. It is important that children from an early age have a respect for, and an appreciation of, other religions… Further, it is also emerging from seasoned practitioners of interreligious relations that the experience of and encounter with other religions not only promotes tolerance and respect, but also deepens and enriches one's own religious identity.[91]

Sharing this with parents would not only quell some fears but also invite them to continue to share their own religious traditions at home, knowing that what happens in the school will not denigrate but rather enrich the experience. Good education in the school never

[91] Dermot A. Lane, *Religion and Education: Re-Imagining the Relationship* (Dublin: Veritas Publications, 2013), p. 51.

replaces the parental duty of education in the home; and good home-school partnerships are key to educational success.

As elementary school educators know well, the success of the curriculum also depends on students being engaged in their own learning: asking and answering questions, telling stories, making connections, and demonstrating what they know and have learned through art, theater, music, etc. Teachers who are well-prepared will have an eye to heading off tokenism and disrespectful forms of cultural appropriation. They will be keen to turning such circumstances into learning opportunities. They will also be prepared for students whose initial reaction to diversity is to label and judge: people who look, believe, dress, or are otherwise different from themselves are "weird."[92] The strategies of a good anti-bullying program will be helpful here.[93]

One goal in learning about the various religious and nonreligious traditions is for students to locate places on the globe where a given way of life is prevalent. In every case, we want our students to know that people who follow this particular worldview are also present here in the United States. They should come away from their education feeling proud of a country that welcomes people of every creed and none. By fourth or fifth grade, they should be able to speak intelligently for their age and development,

[92] I find that a helpful tool comes from St. Thérèse of Lisieux, who, like Jesus, preferred to teach using images that were common and accessible. Thus, she says, "Jesus deigned to teach me this mystery. He set before me the book of nature; I understood how all the flowers He has created are beautiful, how the splendor of the rose and the whiteness of the Lily do not take away the perfume of the little violet or the delicate simplicity of the daisy. I understood that if all the flowers wanted to be roses, nature would lose her springtime beauty, and the fields would no longer be decked out with little wild flowers." This kind of parable need not come from a religious source to be a useful tool for instructing young children on the beauty of diversity and difference. (Thérèse of Lisieux, *Story of a Soul: The Autobiography of St. Thérèse of Lisieux,* John Clarke, transl. (Washington, D.C.: ICS Publications, 1976), p. 14).

[93] I make some practical suggestions in my book *Teaching Kids to Respect Others: Reflections, Activities and Prayers on Bullying and Prejudice* (New London, CT: Twenty-third Publications, 2018).

about religious freedom, the First Amendment, the separation of church and state, and religious pluralism. A healthy patriotism should be balanced with a genuine sense of connection to people around the globe, a sense of caring, and a sense of solidarity.

### *6.2.2 Middle School*

By middle school the excitement of *learning about* different religions and religious customs will have largely subsided. The focal point of instruction, therefore, will have to shift away from encounter. Middle school students are beginning to think abstractly and critically. They push the boundaries of authority to assert independence. Friendships and fitting into the crowd take on a heightened importance, as does the conflicting drive towards individuality and self-discovery. With the onset of puberty, questions of sexuality and relationships become especially important, and likewise, varying levels of confidence and insecurity become pronounced as self-esteem suddenly matters more than ever before. Students in this age group experience new emotions, including the darker feelings of human life such as depression and loneliness. Along with all these changes, they have new questions about life and their place in the world. This is the prime time for the study of religion(s) to shift into existential, spiritual, and moral mode, inviting students to bring the very questions and concerns they have about life into dialogue with the great religious and spiritual traditions in the search of meaning.

The Meaning Inclusion Approach changes emphasis from primarily *learning about* religion(s) to *learning from* religion(s) when students enter middle school. The key pedagogical tool is no longer encounter but dialogue. Students are invited into the Great Conversations that both religious and secular minds have engaged in since the dawn of humanity, assured that their contributions to the dialogue are important and unique, for

no one has ever been them before. No one has had their experiences, their feelings, their friendships, their concerns, and their personality before. In all of human history, they are indeed unique. This is important for middle school students to know. Their uniqueness makes them uniquely valuable as well. Just as we treasure a rare gem more than others, so too their inherent dignity lies partly in the fact of their singularity. From this starting point, where their voice in the dialogue is affirmed, we invite them to consider that despite each of our unique experiences there are many things that human beings have in common. We invite them not only to contribute to the dialogue, in other words, but to listen in order to learn and to grow.

Without ever endorsing one religion over another, or religion over nonreligion, we invite students to engage with the expectation that something from the religious and nonreligious traditions may speak to them in their circumstances. We invite them to engage critically to determine what sounds like wisdom and what doesn't ring true. We help them to avoid snap judgments, stereotypes, and generalizations, and we coach them to be careful listeners who have the aim of genuinely understanding what other voices are saying. This is the heart of dialogue and the way in which dialogue promotes *learning from* religion, a concept first developed by Michael Grimmitt to help negotiate the English school context and, in particular, its Education Act of 1944.[94] Describing the methodology that is involved in *learning from* religion, Grimmitt writes:

[94]Dermot Lane writes, "Education *about* religion goes back in the English-speaking world to the work of Ninian Smart in the 1970's, and in particular to Michael Grimmitt and his landmark book, *Religious Education and Human Development* (1987). In that book, Grimmitt introduced the concept of learning *about* religion and learning *from* religion." (Dermot A. Lane, *Religion and Education: Re-Imagining the Relationship* (Dublin: Veritas Publications, 2013), p. 22). Grimmitt writes, "But in equating R.E. [Religious Education; or what in the American context would better be called the study of religion(s)] with a process by and through which pupils learn about religion as a social phenomenon and come to an understanding

> This concern with enabling pupils to *learn from* religion influences the choice and presentation of content… The religious educator gives close attention to the 'style' of religious material and content—to the demands that it makes on the pupils' conceptual abilities, to its remoteness or closeness to their experiences, to its capacity for engaging their interests and imaginations and prompting them to ask personally relevant questions. He [or she] seeks to devise learning-situations which are sufficiently engaging at a personal level to stimulate each pupil to become involved in a form of 'interior dialogue' characterized by the exploration of such questions as: 'Are these beliefs/values/attitudes attractive or persuasive to me?'. 'Is there something here which teaches me about myself?—about what I regard as important?—about what values/beliefs I am committed to or should be committed to?—about what or who I am?'[95]

This correlates well with Thomas Groome's "Shared Praxis" methodology, especially the "dialectical hermeneutics" that he describes in Movement 4 and the invitation for personal decision making and lived response in Movement 5.[96] Having already named and critically reflected upon their present praxis around a generative theme, and having been given access to what Groome calls the Story and Vision of the given religious tradition, students now begin the work, alone and together, of

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of what is distinctive about a religious interpretation of experience, is our description of 'the process of religious education' complete? Some would say that it is because 'a secular educator concerned with the study of religion' can do no more and no less than this. Others, however, including myself, disagree… The distinctiveness of 'the process of religious education', I would suggest, lies in the type of interaction that it seeks to promote between the learner and what is learnt—a type of interaction which arises not out of R.E.'s exclusive allegiance to the methodological demands of Religious Studies but out of R.E.'s prior educational commitment to furthering the *personal development* of pupils beyond developing their intellects and beyond providing them with more knowledge of an 'objective' kind." … The type of interaction which I envisage R.E. encouraging between the learner[s] and what is learnt is not only one that enables [them] to *learn about* religion but also one that enables [them] to *learn from* religion about [themselves]." (Michael Grimmitt, "When is 'Commitment' a Problem in Religious Education?" *British Journal of Educational Studies* Vol. XXIX, No. 1 (February, 1981), pp. 48-9).

[95] Michael Grimmitt, "When is 'Commitment' a Problem in Religious Education?" *British Journal of Educational Studies* Vol. XXIX, No. 1 (February, 1981), p. 51.

[96] Thomas H. Groome, *Sharing Faith: A Comprehensive Approach to Religious Education and Pastoral Ministry—The Way of Shared Praxis* (Eugene, OR: Wipf and Stock Publishers, 1991), pp. 249-293. While Groome writes from a Catholic Christian perspective, his approach is appropriate and apt for *learning from* the many religious traditions.

appropriating the Story and Vision to their own lives, being invited to make decisions for their future praxis. Groome writes:

> [Students] are to evaluate both the version of Story/Vision as made accessible and the version of present praxis expressed in movements 1 and 2 by bringing these two "sources" to "judge" and be appropriated to each other. This requires participants to turn to their own interiority, to themselves as subjects, to discern how they appropriate community Story/Vision to their own reality, and to test their discernment in dialogue with other participants.[97]

The *learning from* reaches maturity, in a sense (and for now),[98] when students reach Movement 5, i.e. they engage both imagination and will to make personal decisions concerning their beliefs, feelings, ethics, outlook, and/or relationships—their way of being in the world—based on the dialogue with both the Story/Vision (the dialectical hermeneutic) and with their fellow students and teachers.[99]

Dialogue as Paulo Freire notes, promotes and draws upon critical thinking,[100] and that is true whether the dialogue is internal as Grimmitt and Groome hope to inspire, or external. Since developing critical thinking skills is an oft-stated goal of public education, and education in general, we should have no difficulty justifying this approach to the study of religion(s) in the curriculum. Still, there will be detractors. Unlike the elementary school program, which was largely devoid of controversy and remained positive about religion(s), the middle school program is unafraid to engage in areas that

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[97] Thomas H. Groome, *Sharing Faith: A Comprehensive Approach to Religious Education and Pastoral Ministry—The Way of Shared Praxis* (Eugene, OR: Wipf and Stock Publishers, 1991), p. 257.
[98] Groome regards as wisdom the observation by John Dewey: "Perhaps the greatest of all pedagogical fallacies is that people learn the thing they are studying at the time they are studying it." (Qtd. in Thomas H. Groome, *Sharing Faith: A Comprehensive Approach to Religious Education and Pastoral Ministry—The Way of Shared Praxis* (Eugene, OR: Wipf and Stock Publishers, 1991), p. 278).
[99] Ibid., pp. 266ff.
[100] Paulo Freire, *Pedagogy of the Oppressed,* Myra Bergman Ramos, transl. (New York: The Seabury Press, 1970), p. 81.

are controversial. Students, for example, may question whether religion and science are opposed to one another, or whether creationism better explains the origins of human life than scientific explanations—or if both might convey great truths, albeit one scientific and the other mythical in nature. They may question the violence of terrorism committed in the name of Islam or the violence of the Crusades and the Inquisition done in the name of Catholicism. They may resist religions seen as opposed to LGBT people, or they may charge religions with superstition, mind control, racism and/or genocide. This is sure to stir up controversy. Wonderful! As Nel Noddings says so well, "Without controversial issues, critical thinking is nonexistent or, at best, weak."[101] The controversy also adds to the excitement: students will be engaged by material that is meaningful to them rather than being subjected to boring lessons that attempt to transfer "inert ideas"[102] into their heads in the "static, cold-storage"[103] understanding of knowledge that John Dewey decried.

Middle school teachers, unlike elementary school teachers, are specialists in particular fields, whether math or science, history or music, etc. So it must be with religion as well. Middle school teachers of the study of religion(s) will be credentialed experts in the field. Since dialogue is our primary pedagogical tool at this stage of

[101] Nel Noddings, *Critical Lessons: What Our Schools Should Teach* (New York: Cambridge University Press, 2006), p. 1. Noddings also writes, "Not only does the full development of each individual human being depend on rational discussion of controversial issues but so does the health of our democracy. As Amy Gutmann (1987) puts it: 'Because conscious social reproduction is the primary ideal of democratic education, communities must be prevented from using education to stifle rational deliberation'…" (Nel Noddings, *Educating for Intelligent Belief or Unbelief* (New York: Teachers College Press, 1993), p. 141).
[102] The term is from Alfred North Whitehead, "The Aims of Education" (1929), https://www.educationevolving.org/files/Whitehead-AimsOfEducation.pdf [Accessed 7 March 2021].
[103] John Dewy, *Democracy and Education* (Lexington, KY: Feather Trail Press, 2009), p. 87.

development, teachers will develop alongside their expertise in religion a particular art in facilitating dialogical learning.

Schools of Education will readily convert rules of dialogue, such as those promoted by Leonard Swidler—rules drawn from the lived experience of interreligious dialogue[104]—into language accessible to middle school students and applicable to the middle school classroom. While the context changes, the substance remains. Our young people will be better prepared for adult life in a religiously plural, democratic society for having learned how to engage in dialogue instead of always debate, dismissiveness, or, worse, diatribe.

*6.2.3 High School*

Having gained basic religious literacy through encountering the religious "other" in elementary school, and then, in middle school, having entered into dialogue with religious and nonreligious traditions in the search for meaning and a meaningful spiritual and moral outlook, high school students are now well prepared for the next turn in their study of religion(s). Although we will not leave *learning about religion(s)* and *learning from religion(s)* behind—after all, we are ready to encounter religion(s) in more depth and with greater sophistication—we will change our perspective once again. At first, students learned primarily *about* religion by being observers of a phenomenon (think of a one-way arrow). Then, they opened themselves to a dialogue in order to learn *from* religion(s) (think of a two-way arrow). Now, the stance must be one of solidarity in

[104] Leonard Swidler, "Interreligious and Interideological Dialogue: The Matrix for All Systematic Reflection Today," in Leonard Swidler, ed., *Toward a Universal Theology of Religion* (Maryknoll, NY: Orbis Books, 1987), pp. 14-6.

which our students *learn with religion(s)*.[105] Together with religious and nonreligious people, they look at the problems facing society and work together on solutions. Thus, the stance of the high school student is not primarily on their personal development as it was in middle school, but on their ability to contribute to the common good. In the Meaningful Inclusion Approach, we take a Habermasian point of view that religious voices are not going away, that they have the potential to be truth-bearing and meaningful beyond their traditions, that they have the potential to motivate and inspire collective action, and that they belong in the public square as equal partners in our liberal democracies. And so, in high school, students work with religious and nonreligious partners (in person, through their writings or other communications, online, etc.) in analyzing problems in our world and proposing solutions (Think of multiple arrows in a quiver all pointing outward together).

The pedagogy implied in this approach is what Freire described as problem-posing education. He compared banking education (a teacher from on high depositing bits of pre-ordained knowledge into the minds of students and demanding recall on exams, etc.) with problem-posing education:

> Banking education resists dialogue; problem-posing education regards dialogue as indispensable to the act of cognition which unveils reality. Banking education treats students as objects of assistance; problem-posing education makes them critical thinkers. Banking education inhibits creativity… Problem-posing education bases itself on creativity and stimulates true reflection and action upon

[105] My own use of the term *learning with religion* developed organically from reflection upon Grimmitt's concepts *learning about* and *learning from* religion. Another use of the term that I have become aware of is that of Pim Valkenberg, who uses *learning with* to describe service-learning events done with the religious other. See Pim Valkenberg, "Learning With and From Religious Others," *Teaching Theology and Religion,* Vol 16, No. 4 (October 1, 2013), p. 391, https://onlinelibrary.wiley.com/doi/full/10.1111/teth.12143 [Accessed 7 March 2021].

> reality, thereby responding to the [human vocation] as beings who are authentic only when engaged in inquiry and creative transformation.[106]

Problem-posing and partnering with religious and nonreligious others will sharpen not only a student's critical thinking and dialogical abilities, but will also equip students as citizens capable of translating religious language into a secular idiom, and vice-versa. This, Habermas reminds us, is a critical competency in a deliberative democracy that recognizes the rightful place of religious voices, *qua* religious, in our public discourse.

Problem-posing education in the study of religion(s) has an additional benefit: it helps to unify the curriculum and thus resist the tendency for each subject area to exist in an isolated silo. Imagine, for example, that students launch into a study of poverty in a specific area of the world. Those students bring their knowledge from many subject areas to bear on the problem: the history and geography of the region, economic and political policies, the effects of climate change, mathematics, computer modeling, etc. They apply specific abilities they learned about dialogue, resisting the temptation to play Savior and instead listening to those whose lived experience in the region matters most. Among the many subject areas that help them to think about the issue, religion is not dismissed out-of-hand as has so often been the case in the recent past and in current practice. Instead, they apply the same intellectual rigor and critical thinking that bear on their non-religious subject areas as they consider religious insights and the unique power of religion to motivate people, inspire them to action, and sustain them with hope.

[106] Paulo Freire, *Pedagogy of the Oppressed,* Myra Bergman Ramos, transl. (New York: The Seabury Press, 1970), p. 71.

Let us take another example. In the Meaningful Inclusion Approach, students interested in climate change would take the words of Pope Francis in *Laudato Si* and the Dalai Lama in *Our Only Home: A Climate Appeal to the World* just as seriously as the words of Al Gore in *An Inconvenient Truth* and Greta Thunberg in her address to the United Nations. All these voices, and many others, would be considered worthy of critical analysis. Wherever truth, insight, wisdom, and motivation toward solidarity and action can be found, the student is equipped to tap into it and to translate its meaning, if necessary, into publically accessible language and/or into religiously accessible languages that allow us to work together. This is critical because their work in the classroom is not a mere academic exercise. It may very well issue forth in political activism, awareness-raising activities, non-profit business ventures, or service of one sort or another. This, too, keeps the class lively. Few people care to put a tremendous effort into something they care deeply about only to earn a grade and then to file it away. On the other hand, because this inquiry is tied to creative transformation, true reflection and action upon reality (to use Freire's terms), the classroom is both energized and humanized.

The study of religion(s) as a way of *learning with* religious and nonreligious others is therefore anything but dull and boring. Looking outward at the world and engaging their own interests and activism, students themselves create an intellectually stimulating atmosphere. The range of issues that might be addressed are as varied as the interests of the pupils involved, and could include human trafficking, climate change, racism, sexism, homophobia, genocide, female genital mutilation, forced abortions, deforestation, sweatshop and child labor, forced religious conversions, torture, just and

unjust war, and the treatment of migrants and refugees, just to name a few. In each case, there may be many religious voices and nonreligious voices worth hearing. The teacher, fully credentialed in the field, becomes a valuable guide to students in choosing resources and evaluating them properly.

Of course, sometimes a particular expression of a religion may be seen not as a source of inspiration and wisdom, but as a source of oppression. The students' continued encounter with religion, begun in elementary school at a lesser level of intensity, now deepens. Students grow in their ability to recognize complexity and diversity within religions and to recognize the dynamic nature of religion itself. They learn to resist the tendency to stereotype, generalize, and essentialize religions and religious people as well as nonreligious people. In other words, they move into a deeper type of religious literacy, one more in line with Dianne Moore's understanding of the term than Stephen Prothero's or that of the Modesto Model.[107]

Students who are graduated from a public school system that has treated religion(s) fairly through the Meaningful Inclusion Approach will know that religions are not museum pieces that only show up in history classes, but are living, dynamic, and diverse. They will be familiar with the contributions of religions to human history, knowledge, and culture, while also being aware of the darker moments of violence and oppression. They will know that religions are live options that the overwhelming majority of people in human history and today find meaningful and compatible with reason and critical thinking. They will know that intelligent and reasonable people believe in

[107] See Chapter 2.

God/gods and/or have religious faith, and that other reasonable and intelligent people do not believe in any gods and do not have religious faith. They will learn to cooperate with both, in ways that exceed mere tolerance and build bridges of solidarity and respect. They will also be keen to religious and nonreligious expressions that do not warrant respect and that are incompatible with freedom, religious liberty, and human dignity. They will know with Stephen Carter that religions are not mere hobbies that deserve attention only in one's private life, but are impactful on our life together and are equal partners in public discourse. Graduates will have been treated as whole persons, whose spiritual, moral, and religious selves were respected together with their intellectual selves, and will not have been treated as only cogs in an economic or academic machine. They will know that America is a wonderfully diverse place with a rich and complex religious history, a country in which all of the world's religions have found a home due to our commitment to religious liberty, a commitment that must always be nurtured and maintained. And they will know that their study of religion(s) has been in accord with the Constitution of the United States and has respected freedom of conscience while meeting the demands of a liberal education. In short, they will be religiously literate citizens in an increasingly pluralistic country and as members of a globalized world where religion has always mattered and continues to do so more than ever. As such, they will be positioned well to promote peace and the common good through a commitment to solidarity and dialogue. Their education in the public schools will benefit their aspiration to live meaningful lives and to make meaningful contributions to society as well.

The recent decades of American history have witnessed the hostility of neglect in regard to the study of religion(s) in our public schools. But a new age has dawned! In this

post-secular period, we are ideally situated to boldly challenge the curricula of our schools, making significant changes to better educate our young people, to ensure the health of our Republic, and to promote peace in the world. The days of established religion are long gone in America, and the interregnum of neutrality-turned-secularist has proven deficient and not up to the task. Mere tolerance, as Hollenbach reminds us, is a weak adhesive: we cannot simply "live and let live" when that implies radical individualism and a lost sense of community and solidarity. We need the study of religion(s) that will promote encounter, respect, solidarity, and a commitment to the common good. Our students deserve to have the tools and the guidance to grow as healthy persons and as healthy citizens, including those that come by way of religious traditions. Religion and education in our public schools have been unnaturally untethered for too long. Now is the time for the Meaningful Inclusion Approach. Now is the time for a more perfect union.

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