are distinctive civic institutions with a shared mission: the production and dissemination of knowledge, and the cultivation of intellectual virtues conducive to the acquisition of true, good beliefs. We—by which I mean the people likely to be reading these words—take the production of knowledge and the cultivation of intellectual virtues to be private and public goods. Individuals benefit from being properly equipped to evaluate claims about the afterlife, or about other religiously grounded claims; and so, in turn, does society. Though we may differ radically in our religious convictions, we can agree that it is beneficial for members of our society to adopt well-informed, intellectually sound positions on religion, the better to decide important questions such as the meaning of life or the legality of abortion. The following section argues that silence and naïve relativism on questions of religion hinder the advancement of this goal, and therefore believers and non-believers should fight to preserve the valuable role of religious intolerance in higher education.

IV. Religious Intolerance and the Ends of Higher Education

In March of 2013, Florida Atlantic University instructor Deandre Poole asked his students to write “Jesus” on a piece of paper and then step on it. One of the students went to a local TV station and reported that he’d been suspended for complaining about the exercise, and it wasn’t long before the entire nation knew about Poole and his “Jesus”-stomping religious intolerance.34

A heated public debate ensued about the scope and limits of academic freedom. The debate was generally framed as a conflict between educators’ freedom to challenge deeply held beliefs and their duty to be religiously tolerant. Poole reported that his student accosted him after class, repeatedly asking, “How dare you disrespect someone’s religion?” In a letter to the chancellor of FAU, Florida Governor Rick Scott also accused Poole of intolerance: “The professor’s lesson was

34. For coverage of the incident and an interview with Poole, see Scott Jaschik, “I was just doing my job,” Inside Higher Ed, April 1, 2013, https://www.insidehighered.com/news/2013/04/01/interview-professor-center-jesus-debate-florida-atlantic
offensive, and even intolerant, to Christians and those of all faiths who deserve to be respected as Americans entitled to religious freedom.”

To give the exercise was, in other words, an unacceptable exercise of religious intolerance on Poole’s part that failed to adequately respect at least one student’s religious beliefs.

But what, exactly, was unacceptable about Poole’s exercise—and what definition of religious tolerance does that accusation imply? Stanley Fish answers this question by asserting that religious tolerance in the university requires giving students a space where they can consider questions intellectually without having to put their own identities on the line. Educators cross a line, argued Fish in the New York Times, when they force students “to do something that brings to the surface, out in the open, some of their deepest commitments.” In Poole’s class, the student was “put in a position where a confrontation with his innermost being could not be avoided; no room to hide.” For Fish, the exercise would have been acceptable had Poole restricted his instruction to “think about what you’d do” instead of “do this.” The problem is that Poole requires students “to get out of their chairs and do something.” Civil debate about religion is fine, provided that it does not force students to act.

But Fish’s distinction between thinking and doing breaks down if we use it to describe a classroom discussion of religion. The first problem is that thinking and doing cannot be distinguished as though the former occurs without the latter. In reality, thinking, especially in higher education, often involves all kinds of doing. Professors ask students to raise their hands, to move their mouths, to type papers and hand them in, to sit in class and take exams, to ask and answer questions. (What are chemistry students in a lab doing? Just thinking?) True, Poole could have made his exercise a thought experiment, as Fish suggests he should have. But the ensuing vigorous discussion that Fish imagines would not subsequently be restricted to “acts of the mind,” unless talking and looking and gesturing and saying “I be-

lieve Christianity is false” aren’t really “overt acts.” As we have seen, in the classroom the only way to prevent beliefs about what is true from turning into actions is by remaining silent.37

When it comes to religion, what Fish characterizes as “acts of the mind” or “contemplation” can also confront you with your innermost being; it can leave you with no room to hide. In my Religions of the World course many students are shaken when they learn that Jesus never explicitly mentions homosexuals, or that there are in fact two biblical creation stories. My Muslim hijab-wearing students are no doubt personally affected by reading assigned opinion pieces on the oppressiveness of head scarves. Atheist students who think religion is just superstition may reconsider their position after meeting kind, intelligent, articulate defenders of religious faith.

Even if we accept that the thinking/doing division disallows Poole’s exercise, it’s hard to conceive of a rigorous academic discussion of religious epistemology—What is the authority of the Christian Bible? How does one interpret it properly?—that does not admit for sincere consideration beliefs that some people might find insulting or deeply troubling. Pretending that the “mere” contemplation of ideas cannot be existentially significant makes it difficult to understand the historical popularity of censorship.

In itself, none of this serves to validate the “Jesus”-stepping activity. It may be that Poole was excessively confrontational, or failed to explain sufficiently the significance of the exercise, or made any number of mistakes that can result in a lousy learning experience. Important questions remain about the limits of academic discourse. (Can a professor ask students to engage in a vivid thought experiment in which Jesus is a human deceiver who pulled off a hoax? Did I ask you to do so simply by writing those words? Is reading an “act” of the mind?) What should be clear, however, is that requiring students and faculty to confront, question, and defend their innermost being and deepest commitments is not unacademic. Poole’s activity might have been

37. In a 1943 decision, the Supreme Court recognized the overlap of beliefs, statements of belief, and actions when it ruled that “the flag salute is a form of utterance,” and compelling a student to salute was coercive—“to compel him to utter what is not in his mind.” West Virginia State Board of Education v. Barnette, 319 U.S. 624 (1943), 634. See Appendix, infra, 45.
wrong, but not, as Governor Scott suggests, because it was intolerant, nor, as Fish suggests, because it forced students to confront their innermost being. Neither of these are, in themselves, impermissible in universities.

No doubt there are some educators uncomfortable with Poole’s approach to pedagogy, especially in the religious studies classroom. Introductory courses on religion can be—and often are—taught as surveys of beliefs and behaviors, bracketing discussion of the historical or philosophical validity of a particular tradition’s claims. But teaching religion in this way isolates it from every other discipline. Teachers of history or biology do not simply survey beliefs about the identity of the early inhabitants of the Americas, or the various beliefs that people have had about evolution. Philosophers do not simply survey the various ethical positions held by different people at different times. To do good history, or biology, or philosophy, is to recognize not only that people have held a variety of beliefs for a variety of reasons, but also that certain of these beliefs are false and therefore not worth holding. The disinterested search for truth, one of the secular academy’s central ideals, necessitated the expulsion of fideism and apologist curricula from classrooms. But claiming that no religion has a monopoly on truth is not the same as claiming that no religion is wrong. The disinterested search for truth also means that one cannot bracket off a particular kind of belief as immune from criticism, especially when those beliefs overlap with other disciplines. This is the paradox of epistemological toleration—to pursue truth as morally good is incompatible with tolerating belief in falsehoods, no matter how important those falsehoods are to someone’s identity.

Indeed, the essential purpose and unique objective of higher education requires a space where religiously intolerant confrontations can take place, confrontations that force the sort of existential challenges that unnerve Fish. Needless to say, this is not the end of public parks or sidewalks, which would be miserable failures if using them involved actively justifying your religious convictions in response to the criticisms of passing citizens. The academy is different. To produce knowledge and cultivate intellectual virtues we must challenge ourselves through lived encounters with different ways of being in
the world. Edward Said uses the metaphor of academia as existential travel, unifying thought and action in the lived life:

The image of traveler depends not on power, but on motion, on a willingness to go into different worlds, use different idioms, and understand a variety of disguises, masks, and rhetorics. Travelers must suspend the claim of customary routine in order to live in new rhythms and rituals.38

With regard to Poole, it could be argued that students were being coerced into traveling, and it is for that reason their journey failed. The pursuit of truth requires open and willing dialogue, which is incompatible with coercion. Perhaps before being forced to take a journey, especially a journey that calls their own sense of self into question, students need to understand why traveling is important—that is, the goal of the pedagogue should be to explain the virtue of disinterested academic inquiry, here instantiated as the performative act of stepping on a piece of paper inscribed with “Jesus,” before forcing students into it. But this does not negate the main thrust of the argument, which is that religious intolerance is not a bad thing. Students and teachers, like anyone interested in truth, must ask themselves what will encourage others to adopt true beliefs. In some cases silence will be best, or a gentle introduction to the principles of disinterested inquiry. The problem with Poole’s exercise is not its intolerance, but rather its ineffectiveness.

Eliminating spaces dedicated to secular academic inquiry impedes the production of knowledge, and for this reason academic free speech is of singular importance in liberal democracy. “Academic freedom is not just a nice job perk,” writes Louis Menand. “It is the philosophical key to the whole enterprise of higher education,” which, stated plainly, is “simply the production and dissemination of knowledge—that is, research and teaching.”39 The enterprise of producing and disseminating knowledge is a “democratic ideal,” and so higher education is a civic good.40 Menand’s position recalls Justice Brennan’s majority opinion in Keyishian vs. the Board of Regents, which declared uncon-

40. Id. at 13.
stitutional the firing of instructors who refused to sign documents stating they were not Communists, as required under New York’s teacher loyalty laws. “Our Nation is deeply committed to safeguarding academic freedom,” opined Brennan, “which is of transcendent value to all of us and not merely to the teachers concerned. That freedom is therefore a special concern of the First Amendment, which does not tolerate laws that cast a pall of orthodoxy over the classroom.”

The history of intellectual progress is humbling and instructive. Time and time again, controversial views transform from heresies into accepted scientific and moral truths, whether the theory of evolution or the equal dignity of races. A certain degree of orthodoxy on religious matters is clearly necessary in churches, and non-confrontational religious tolerance—an orthodoxy of silence—should probably govern our interactions in the supermarket. But designated spaces for the unfettered investigation of unorthodox perspectives must be preserved for the sake of our collective civil investment in truth. That some of these perspectives may be insulting, offensive, treasonous, or blasphemous cannot disqualify them from consideration.

Nor can we forget about the cultivation of intellectual virtues, which is related to but distinct from the production and dissemination of knowledge. Students and faculty alike also need academic freedom to become the kind of people who are more likely to adopt and act upon true beliefs. As Justice Brennan recognizes in Keyishian, curtailing freedom of expression and association has a “stifling effect on the academic mind.” Pressure to be religiously tolerant curtails academic freedom of expression because straightforward statements about one’s religious convictions—“only Christians are saved”; “people who oppose homosexual marriage are cruel”—are quite reasonably understood to be intolerant, insulting, disrespectful, and therefore taboo. The result of this pressure is classrooms and campuses where students can expect to be educated without having to articulate and defend their deepest religious commitments (or lack thereof). In seeking to become a place of “unconstrained agreements,” argues Alasdair

42. Id. at 607.
MacIntyre, liberal education has had to purge itself of “fundamental debate on moral and theological questions.”

This religiously sanitized version of higher education makes it difficult to develop intellectual virtues such as consistency, integrity, and courage—virtues of what Brennan calls the academic mind. We are all intellectually deficient, susceptible to bias, fear, and complacency. Perhaps our worst failing is intellectual inconsistency, which helps us maintain self-serving views. “Criticizing others for something you are also guilty of—what a ubiquitous human failing,” as Nussbaum observes. Her solution is for us to courageously examine our beliefs and have the integrity to recognize when we are being inconsistent. We must listen generously and seek, in dialogue, our own inevitable mistakes and blind spots. When beliefs we do not accept are part of someone’s religious worldview, we do not make snap judgments about the quality of the person who holds those beliefs.

Without intolerance, however, the process falls apart. Academic dialogue about religion requires us to speak our minds about religious truths, even if others find our perspective insulting. To whom are we listening generously and openly, if not someone who possesses the courage and integrity to tell us we are wrong? How can we cultivate the intellectual virtues of epistemic humility and fallibilism if no one points out our errors and challenges our convictions? Religious intolerance, that is, withholding respect from certain religious beliefs, being clear about your reasons for doing so, and seeking the disappearance of the beliefs you do not respect, is a necessary ingredient in authentic interreligious dialogue, for the same reason that general pursuit of knowledge depends on regular old intolerance of falsehood. Whereas civility on the street requires people to avoid intellectual conflict, civility in the classroom does not. There, it is a virtue to speak your mind honestly and listen to others speak theirs, even when what gets said threatens people’s most deeply held religious commitments. Truth, as they say, can hurt, but it will also set you free.

Some may fear that religious intolerance could work against the possibility of interfaith dialogue in higher education. In fact, the opposite is true. Intellectually honest people, religious or not, care deeply about truth. They want to make sure their own beliefs are worth holding and they think others are better off doing the same. Interfaith dialogue is an opportunity not only to learn about other people’s beliefs, but also to challenge the basis of those beliefs and allow them to challenge one’s own. As former vice provost of Duke University Robert Thompson puts it: “Having to clarify, critically analyze, and defend one’s religious and moral positions—just as one would do with claims about science, economics, or political theory—is part of the learning experience and identity formation process.”

When, for the sake of tolerance, religious truths are homogenized or diminished to a matter of perspective, interfaith dialogue becomes a middle-school art show, where everyone oohs and ahhs and praises the work without passing judgment on its quality, lest they hurt someone’s feelings. This version of dialogue cheapens convictions about religion by reducing them to taste, and disrespects the participants by treating them like children. The opportunity for critical analysis and clarification is lost, just as it is if we avoid the dialogue entirely.

Meanwhile religious intolerance will live on, as it must by necessity, in other arenas. People will continue to vote one way or another on abortion and homosexual marriage and the rights of Muslim immigrants. They will attend churches that preach the exclusive revealed truth of one religion; they will talk with like-minded friends about the irrationality of religion; they will bemoan religious judgmentalism of every variety and purchase Coexist bumper-stickers—people will do all these things, but without the benefit of genuine interreligious dialogue, fewer of them will have critically analyzed the beliefs that animate their actions or defended them to someone who disagrees.

Modern liberal education is supposed to combine the Socratic ideal of the examined life with a Millian marketplace of ideas. The product, ideally, is individuals who have cultivated intellectual virtues and ideas that have emerged victorious from communal debate. The communal

aspect of the debate is important. It demands patience, open-mindedness, empathy, the courage to question oneself and attempt to see things as others do, a humbled recognition of the fact that we are all in this quest for knowledge together. But real academic debate, though it takes place in a community, is also combat. The ideal liberal university is a place of “constrained disagreement,” writes MacIntyre, “of imposed participation in conflict, in which a central responsibility of higher education would be to initiate students into conflict.”  

In this ideal university we are free to challenge each other on anything, to examine other people’s lives in addition to our own, to disrespect entire religious traditions by judging them false. We can engage in MacIntyre’s “antagonistic dialogue between fundamentally conflicting and incommensurable standpoints which moral and theological enquiry may be held to require.” We can be religiously intolerant. We must be, or there is no real conflict, no antagonistic dialogue, no competitive marketplace, no confrontation with your innermost being or the innermost being of others. Impious, disrespectful, intolerant Socrates disappears as he did in Athens, executed for the crime of refusing to tolerate people’s most deeply held beliefs. We are left with Fish’s academy rather than Poole’s, a safe place where, to use Fish’s words from his column, there is a moratorium on students and faculty bringing “to the surface, out in the open, some of their deepest commitments and anxieties,” where having room to hide takes precedence over being challenged to change. This loss of a civic space set aside for constrained combat between fundamentally conflicting moral and religious convictions would be a tragedy.

Just as there is a difference between campuses and grocery stores, there is also a difference between different spaces on campus. Students and teachers expect different norms to govern offices, dorm rooms, and classrooms. These can be thought of as forming an arc: at one end are spaces in which people expect not to be engaged in dialogues about their religious beliefs—the bathroom, say, or one’s personal residence. At the other end are spaces explicitly dedicated to the pursuit of truth.

46. MacIntyre, Three Rival Versions of Moral Enquiry, 231.
47. Id. at 221.
48. Fish, “Stepping on Jesus.”
This arc corresponds to a hierarchy of values. Do not knock on people’s dorm room doors and tell them they are going to hell, because that is not what one does in dorms. Do not stand on the table in the cafeteria and read aloud from Richard Dawkins’s *The God Delusion*. Intolerance meets civility in a spaces meant for privacy, and results in silence. But feel free to tell people that their beliefs relegate them to damnation in the context of a religious studies classroom—intolerance meets civility in a space meant for pursuing truth, and results in debate.

Allowing religious intolerance does not mean everything goes. Intellectual disagreements, as MacIntyre points out, are constrained. American football can be punishingly brutal, but it is still a rule-governed affair. (Without the violence football becomes flag-football, a very different sport with very different ends.) Like all rational discourse, the discourse of higher education depends on what Jurgen Habermas calls “the fundamental norms of rational speech.” I have never encountered a better enumeration of the basics than this one by economist and philosopher Deirdre McCloskey: “Don’t lie; pay attention; don’t sneer; cooperate; don’t shout; don’t resort to violence or conspiracy in aid of your ideas.” To these we may also add that not every moment or space is appropriate for a debate: don’t force arguments where they don’t belong. That, not intolerance, is uncivil, disrespectful, and ineffective, and therefore inadvisable.

There can be no real dialogue without such principles; they have normative force because of their practical necessity. But as Richard Rorty emphasizes, simply listing abstract rules of undistorted rational conversation is not enough—just as it is not enough to say that religious intolerance belongs in higher education. What counts as a sneer or as shouting can vary dramatically from one culture to the next, and so, too, will definitions of religion. “The pragmatist […] must remain ethnocentric and offer examples,” cautions Rorty.

Very well: I will offer examples. It is these norms, I believe, that rule out chanting “You killed Jesus” at a basketball game—as Catholic Memorial high school students did when playing against Newton South, a public high school with a large Jewish population. Basketball games are not spaces for theological debate. Catholic Memorial fans were not even interested in a debate; they weren’t paying attention; they were shouting. The same rules apply in the example I gave above, of the person who tells a passing stranger in a hijab that Islam is misogynistic. The supermarket and the public sidewalk are reserved for the ordinary activities of everyday life.

Setting apart the academy as a special place may be cause for concern among those who see an anti-intellectual backlash in society, particularly the world of politics. In response, it should be pointed out that the anti-intellectualism, if one wishes to call it that, often marches hand in hand with accusations of political correctness. Allowing for the open expression of one’s beliefs about religious truths, whether the exclusive truth of one’s own faith or the falseness of others, helps to mitigate the image of higher education as a place where censorship reigns and sensitivity dictates a kind of forced cultural relativism. (In this sense, perhaps part of what appears as anti-intellectualism is actually a valid criticism of problems in higher education.)

Needless to say, there will be hard cases—the case of Harper handing out pamphlets on campus, or students protesting the existence of Israel. Yet these cases are hard not because the activities involved are intolerant, but rather because they challenge dialogical norms and norms of civility. And however such cases get decided, we must make our decisions without sacralizing tolerance and respect. Higher education provides a civic space where believing in falsehoods and making bad arguments are graver sins than disrespect or intolerance—indeed, a space where certain kinds of disrespect and intolerance are virtues, not sins.

If we refuse to sacralize tolerance, the twin orthodoxies of silence and relativism will wither. As a result, we will preserve spaces where people can develop the intellectual virtues of humility and fallibilism alongside intellectual courage and love of truth. Students and faculty alike will develop the ability to discuss religion openly and honestly—a civic virtue that is badly needed in the public sphere. And though I cannot know what the results of those discussions will be—which beliefs will be abandoned and which embraced—I have no doubt that our collective journey towards truth and goodness benefits if it is informed, at least in part, by religious intolerance.