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TERENCE S. MORROW

The State of Civil Discourse on Campus and in Society

Introduction

One can find in any given day troubling examples of communication that may be seen by some, or many, as a sign that our civil dialogue has deteriorated. The tragic shooting of Congresswoman Gabrielle Giffords precipitated a robust examination of the state of public discourse in the United States. Congressman Joseph Wilson's "You lie" during President Barack Obama's September 2009 health care address to Congress was just another of the many examples that can be cited. Within academia, stories of students being punished for their classroom statements abound (see, e.g., "Georgia College Student"; Holland).

Before turning to a closer examination of civil discourse, though, it is important to acknowledge that it can and does occur. A striking example happened at the 2009 Minnesota State Fair when a Tea Party activist engaged Senator Al Franken in a discussion of health care reform ("Franken Talks"). The respectful way in which both listened to the other and articulated their own views and concerns might give hope to those who despair that civil discourse has largely disappeared.

Despite this example, public angst regarding the state of public discourse in the United States is widespread. Dr. Merrill Ridd, an emeritus professor from the University of Utah, captures the concerns of many:

The problems we face today are perhaps as basic to our way of life as any American has faced since its founding. Few things are so fundamental as health care, the economy and war. Emotions are high and intense. Surely we need to be honest, informed and avoid misrepresentation. Has partisan

divisiveness escalated to a level where vicious personal attack... has displaced thoughtful dialogue? Whatever happened to respectful, insightful civil dialogue? (Ridd)

Others join Dr. Ridd in expressing deep reservations about the capacity and the willingness of Americans to engage in meaningful public debate. One University of St. Thomas (MN) dean recalls a conversation with her peers: "We were just talking about the state of discourse whenever there was a controversial issue and the seeming unwillingness, in general, of society to engage in a meaningful way with people whose views differ from your own and to really engage with them in a way that could be productive" (Selix).

To measure fully the present state of 'civil discourse' in the United States, one must consider the nature of civil discourse itself. One commentator offered the following description. Civil discourse occurs when people "are willing to think seriously about the position of those different from their own and to consider arguments in its favor and the data, evidence, and conclusions" (Selix).

Understanding the purpose of civil discourse can aid us in assessing its current state. Appraisal of a dialogue's effectiveness cannot be premised upon the "success" in converting one's audience to one's own point of view. Such a perspective carries with it a win-lose framework that can impede open investigation and discussion of assumptions, evidence, and claims. Rather, the changing of people's minds should not factor into determining whether a particular enactment of civil discourse was effective. The participants' positions might not be altered, but the willingness to test the claims and evidence in a meaningful way might signal civil discourse.

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The quandary regarding civil discourse is pronounced at our colleges and universities. Much of the concern arises from the tension between competing goals that can appear antithetical. One objective is to create an environment in which ideas may be examined and challenged. For this purpose, protection of “academic freedom” is said to support expression of ideas that others might find troubling. To encourage students to examine critically their own views and those of others, some contend that colleges should not engage in punishing speakers for their views. As one commentator noted, “College campuses should be the last place where we want to start telling people what speech is bad and what speech is good” (Rosen).

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Another objective for colleges and universities is to maintain a campus upon which students do not feel oppressed or intimidated. At a university, one scholar noted, “students should feel safe from discrimination” (Rosen). To protect against a hostile learning environment, institutions often establish speech rules to proscribe certain communication, such as hate speech. The tension resulting from the two objectives might be captured in the following *Student Affairs Administrators in Higher Education* strategic objective: “To encourage campus environments which promote civil discourse, respect and appreciation of difference, freedom of expression, inclusivity and opportunities for individual and community development” (“National Association” 16).

Three Deep Traditions

To dissect the civil discourse tension at our colleges, this article turns to three traditions that offer understandings of civil discourse that cohere well with the nation’s democratic foundation and our colleges’ missions.

The Liberal Arts Tradition

The consanguinity between the liberal arts and civil discourse is well-known. St. Olaf’s past president Christopher Thomforde captured this sentiment: “Some folks at liberal arts colleges point out that civil discourse is the goal of a liberal arts education” (Selix). He explained that colleges and universities must create “safe space” for moral deliberation and discourse.

In part, the liberal arts tradition is central to the vitality of civil discourse in that both herald the value of understanding

the limits of one’s own perspective. Building upon this premise, one professor explained, “At St. Olaf, we are trying to teach a certain type of humility and empathy” (Selix). A core principle in the Western liberal arts tradition is exemplified in Socrates’ response to the Oracle at Delphi, in which he realizes that he is wise because he recognizes the limits of his own knowledge. This Socratic precept encourages a commitment to humility, one might hope, that carries over to public dialogue.

Another Platonic contribution to the liberal arts that can aid civil discourse lies in *dissoi logoi*, a rhetorical exercise in which a student is encouraged to develop the positions of opposing sides in an argument. Professor Douglas Casson at St. Olaf invokes *dissoi logoi* analysis when he requires his students “to take positions that they disagree with and defend them orally” (Selix). By undertaking to understand and argue an opposing position, students learn to appreciate the other’s perspective and to solidify, if warranted, their own views. Dr. Casson elaborates:

What (*dissoi logoi* analysis) forces them to do is try to empathize with a political, social, [or] religious position that’s completely foreign to them. And my hope is that that also helps us move toward a type of civility... because I think that empathy or imagining yourself in your opponent’s shoes is the first step toward open political dialogue. (Selix)

Development of the capacity to engage in *dissoi logoi* analysis can engender the empathy for another’s views that is a hallmark of the liberal arts tradition. It also can assist as we strive to engage in the meaningful dialogue that is said to mark healthy civil discourse.

It is essential to develop our capacity for understanding another perspective if civil discourse is to thrive. As Pearce and Littlejohn remind us,

If we can see the rationality behind our opponent’s position, we will no longer be able to characterize the opponent as insane, stupid, or misguided. When we realize the limits of our...assumptions, we will have more respect for the power of our opponent’s views. In the end, we will find the ability to disagree without silencing the other side through repression, injury and pain, or death. (167)

That our colleges and universities can inculcate the value and the practices of civil discourse by encouraging an expectation of rational reason-giving is a belief shared across academia. University of California-San Diego Chancellor Marye Anne Fox stated:

Through civil discourse and debate, we can challenge long-held views and expand our perspectives through thoughtful, constructive discussion. Every great university is set upon the rock-solid principles of freedom of thought and freedom of speech. Those freedoms are strengthened when our public discourse is reasoned and collegial.

The Lutheran Tradition

My relatively recent immersion in the Lutheran tradition leaves me with the growing realization that civil discourse and moral deliberation are fundamental components. I defer to Dr. Darrell Jodock and other authors in this issue who can better explicate the connections between Lutheranism and civil discourse. Dr. Jodock observed during a Gustavus Adolphus College campus forum:

A gifted person respects mystery in God and other humans, values differing opinions, understands what the Bible can teach without granting it the final word on everything and does not feel the need to be right. These are the most effective ways that Lutheranism can encourage civil disagreement. (Shandretsky)

I note that these ties between Lutheranism and a commitment to civil discourse have been well-noted. ELCA Bishop Mark Hanson, for one, called for the establishment of ‘communities of moral deliberation’ (Hanson). Bishop Hanson’s concern was that “we do not know how to engage in public conversation that is centered in moral discourse.”

The Legal Tradition

The Anglo-American legal tradition has long espoused the centrality of the freedom of speech and its inextricable connection to democracy and representative governance:

Democracy can only thrive when citizens can and do exercise their freedom of speech, but the marketplace of ideas works best when citizens and their representatives engage with others in debate and deliberation over their different, and often opposing points of view. It is through such constructive engagement that new ideas and innovative policy solutions emerge. Civil discourse, the respectful exchange of information, values, interests, and positions, is a necessary predicate for creative problem solving and democratic governance. (“National Institute”)

Beyond the scope of this article is consideration of the ways in which the adversarial nature of legal argumentation offers a model for civil discourse in political debate. Similarly, work in

legal scholarship on bargaining, negotiation, and dispute mediation, offers instruction in discursive practices that can foster constructive political dialogue.

The Confusing State of Discourse on Campus

The three traditions—liberal arts, Lutheranism, and legal—offer a theoretical framework that would support the practice of civil discourse on campus and beyond. This vision, however, is often undermined through campus policies and procedures that can have the unintended effect of stifling discourse, particularly on controversial issues. When combined with the inherent tension in a college’s mission considered above, policies and procedures can sap the capacity of the three traditions to encourage and educate students in civil discourse.

College handbooks present an especially troubling set of policies that seemingly send conflicting messages to students. The conflict emanates from colleges’ laudable efforts to balance the freedom of inquiry and expression with students’ need to be in a learning environment that is free from harassment and discrimination.

A well-documented example of this conflict is found in colleges’ handbook rules regarding hate speech. For the purpose of this discussion, this article will not delve into the legal distinctions regarding the free speech rights of public and private students respectively. College handbooks regularly set forth narrowly-drawn rules regarding hate speech, sometimes using ‘harassment’ as the operative term. Generally, the handbooks reflect the colleges’ objective of ensuring that “every student has the right to study in an environment free from harassment,” as one college handbook states.¹ Examples of harassment stated in handbooks typically include language that communicates “hostility or aversion to persons of a protected classification.”

These rules can be sometimes found in a school’s ‘Code of Conduct.’ One college’s “Student Code of Conduct” reads in part:

[The College] is a community of scholars whose members include its students, faculty, and staff. As a community, we share a dedication to creating an environment that supports trust, respect, honesty, civility, diversity, free inquiry, creativity, and an open exchange of ideas.

This code exemplifies the tension between the goals of ensuring free expression and creating a safe learning environment discussed earlier. Consider the student who attempts to determine whether a speech she or he is about to give violates this code, especially if the speaker recognizes that the view about to be expressed could reasonably be seen as disrespectful by others.

This is not to say, by any means, that harassment is appropriate or that these rules are inconsequential. The personal and

educational harms that can be inflicted upon students warrant protection from these dangers. Rather, the point here is that college policies can set up expectations that can be confusing, especially to an undergraduate student. For example, colleges that ban hate speech and harassment also often protect classroom expression. One college states that it protects “discussion and expression of all views relevant to the subject matter” in the classroom. Another states that “students are free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about debatable issues.”

“Colleges can best serve their students by acknowledging the tensions that pervade civil discourse.”

The right to protest at a college can also be confusing. At one institution, “support of any cause by orderly means that do not disrupt the operation of the Institution or violate civil law is permitted.” Another recognized the “right of peaceful protest,” provided that individual safety, protection of property, and “continuity of the educational process” are not threatened. A third college bans any “demonstration, riot, or activity that disrupts the normal operations of the College and/or infringes on the rights of other members of the College community.” Protest through posting handbills on campus can be similarly confusing. One college allows posting provided that “the rights of viewers, civility, tolerance and respect” are protected.

This brief review of some of the campus rules regarding public and classroom discourse suggests the ways in which an undergraduate student might be uncertain of his or her rights and responsibilities. Such uncertainty can create apprehension that works against the school’s effort to sharpen students’ abilities and willingness to engage in civil discourse. Rather than deny these conflicts—which exist in the workplace and the public arena as well—colleges can best serve their students by acknowledging the tensions that pervade civil discourse and helping students learn to navigate these shoals. This article next explores some ways in which colleges are striving to meet this responsibility.

Promising Programs for Civil Discourse

Despite the sometimes confusing signals that institutions of higher education can give regarding discourse, colleges and universities are responding to the challenges revolving around civil discourse and its practice on campus and in the United

States. Some have adopted first-year programs, such as that of the University of St. Thomas (MN), that encourage students to practice their ability to listen to and interact respectfully with people with whom they initially disagree. The university’s Connect Four program also requires students to attend campus activities that can help them develop the skills associated with civil discourse (University of St. Thomas). In announcing expansion of its programs, Dean Marissa Kelly explained, “You cannot educate students to be morally responsible leaders if they are not committed to civil discourse.” Focusing upon the range of traditions relevant to the practice of civil discourse, Harvard University embarked upon the Civic Initiative within its “Pluralism Project.” The Civic Initiative focuses in part upon the ways in which various religious traditions and communities participate in the nation’s civil life (Pluralism Project).

Some colleges have fostered active campus dialogue in the hope that these opportunities would encourage students to hone their abilities and their willingness to engage in civil discourse. Tufts University, for example, developed the Tufts Roundtable model. Students can share their views and debate issues on a website of blogs and videos (“Tufts Undergraduates”). And yet, while the approach may encourage civil discourse, the anonymity and other factors related to internet-based dialogue can revive the tensions related to a college and its mission as they relate to public discourse:

Internet blogs provide forums for discussions within virtual communities, allowing readers to post comments on what they read. However, such comments may contain abuse, such as personal attacks, offensive remarks about race or religion, or commercial spam, all of which reduce the value of community discussion. Ideally, filters would promote civil discourse by removing abusive comments while protecting free speech by not removing any comments unnecessarily. (Sculley)

To help students learn to “agree to disagree” on hot button issues, Tufts set up “teaching tables” at which students and faculty from a range of disciplines would be encouraged to gather and talk. In addition, the Roundtable publishes a magazine devoted to topics ranging from the war in Afghanistan to health care reform (“Tufts Roundtable”). Similarly, Loyola University (New Orleans) developed its Society for Civic Engagement, which fosters an environment in which “ideas, thoughts and concerns can be discussed and brought to the table for the Loyola and New Orleans community” (Loyola University). The Loyola program promotes “the dialectical method” as it helps students develop their capacity for

civil discourse. Moreover, the college developed the *Loyola Journal of Civil Discourse* as a forum “for civil discourse from all perspectives on controversial issues.”

Conclusion

Despite the understandable concerns regarding the current state of political discourse in the United States, I remain hopeful and convinced that our Lutheran colleges can be powerful institutions. We can offer our students purposeful guidance in civic engagement and discourse that encourages reflective and responsible participation in the public arena. Our colleges can provide opportunities for public engagement on our campuses and we can move beyond our ivory towers to engage in the issues of the day. Our liberal arts and Lutheran traditions are grounded in principles and practices that mesh neatly with the democratic reliance upon healthy and productive civic discourse. While challenges and instances of “failed” public discourse will continue—as they have existed throughout the history of democracy—I am confident that our Lutheran institutions will continue to serve our students and our society by inculcating and engaging in civil discourse.³

End Notes

1. During the 2010 Vocation of the Lutheran College Conference, where I first presented this material, I stated that I would not specify the colleges from which these examples were drawn. Each is a Lutheran institution. My goal was to encourage dialogue about the concepts; identifying specific institutions, I feared, would potentially undermine this goal. I have retained the anonymity of the colleges here.

2. This article is designed to reflect the ways in which we touched upon a set of themes and questions discussed during the 2010 Vocation of the Lutheran College Conference. With more time, we certainly could have delved more deeply into any one of these themes and examined specific discursive practices more fully. I am deeply grateful to all of the conference participants, who offered wonderfully insightful comments, questions, elaborations, and insights.

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