

# *Respect Without Recognition: A Critique of the OCSTA's "Respecting Difference" Policy*

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*In 2012, a provincial bill amended the Ontario Education Act to provide more focused measures to eliminate bullying on the basis of sexual orientation. Bill 13 specifically requires that students be allowed to establish gay-straight alliances (GSAs), including in the publicly-funded Catholic school system. The Ontario Catholic School Trustees' Association responded by proposing an alternative policy, called "Respecting Difference," on the grounds that GSAs run contrary to Catholic teaching. Respect is a complex ethical notion with a long philosophical history. Through an overview of what philosophers from different traditions (including Kant, Buber, Levinas, Hegel, and Rawls) have said about respect, it becomes apparent that the kind of respect that is due to all persons requires recognition, or a willingness to accept the other as a self-identifying subject who is irreducible to my experience. In its discussion of LGBT students, the OCSTA fails to accord them such recognition, even while it emphasizes the meaning of difference. Consequently, there is reason to conclude that it does not truly respect sexual minority students and that it is not fully committed to eradicating homophobia-based bullying in the Catholic school system. "Respecting Difference" declines to heed best evidence about the factors that actually protect LGBT students from bullying, and uses the guidelines for "Respecting Difference" groups as an opportunity to reinforce its pathologization of LGBT identity itself.*

## **Bill 13 and the Controversy over Gay-Straight Alliances (GSAs) in Ontario**

In January, 2012, in response to Bill 13, an anti-bullying measure, the Ontario Catholic School Trustees' Association (OCSTA) released "Respecting Difference," a resource for Catholic schools that ostensibly demonstrated the Association's commitment to tackling bullying and homophobia without sanctioning gay-straight alliances (GSAs).<sup>1</sup> The title of this document is telling. By invoking "respect for difference" to demonstrate their compliance with the spirit, if not the letter, of Bill 13, the OCSTA assumes an ethical obligation to alleviate the isolation and torment experienced by many LGBT students, regardless of its own views about homosexuality. However, closer scrutiny of the document and other related resources shows that what passes for respect according to the OCSTA is not consistent with most philosophical interpretations of respect, nor with best practices in creating safe schools. Although Bill 13 became law, and therefore Catholic schools in Ontario are now obliged to allow students to form GSAs, these persistent attitudes towards LGBT students on the part of some Catholic administrators are concerning. This paper will expose some of the shortcomings of the OCSTA's proposed alternative to allowing GSAs by analyzing the meaning of respect

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<sup>1</sup> To its credit, the Ontario English Catholic Teachers' Association always publicly supported Bill 13.

for persons through several philosophical traditions and arguing that the “Respecting Difference” document denies recognition—a key component of respect—to LGBT students.

Bill 13 is an amendment to the Ontario Education Act whose purpose was to update the language on bullying. In particular, the bill was a response to growing concern over cyber-bullying and especially bullying on the basis of sex, gender, or sexual orientation in Ontario schools. The most contentious clause reads as follows:

- 303.1** (1) Every board shall support pupils who want to establish and lead activities and organizations that promote a safe and inclusive learning environment, the acceptance of and respect for others and the creation of a positive school climate, including,
- (a) activities or organizations that promote gender equity;
  - (b) activities or organizations that promote anti-racism;
  - (c) activities or organizations that promote the awareness and understanding of, and respect for, people with disabilities; or
  - (d) *activities or organizations that promote the awareness and understanding of, and respect for, people of all sexual orientations and gender identities, including organizations with the name gay-straight alliance or another name.*
- (2) For greater certainty, *neither the board nor the principal shall refuse to allow a pupil to use the name gay-straight alliance or a similar name for an organization described in clause (1) (d).* (Legislative Assembly of Ontario, 2012; emphasis added)

Some Catholic school administrators argued that allowing groups called “gay-straight alliances” at Catholic schools would violate Catholic teaching and, hence, other goals that the schools legitimately sought to promote. Opposition to the bill was thus galvanized around the naming of this particular kind of student group, rather than more general points of controversy over school autonomy. As an alternative to allowing student groups called GSAs, the OCSTA proposed facilitating student groups called “Respecting Difference” groups” (OCSTA, 2012).

The tension surrounding the naming of GSAs reflects trenchant challenges within the educational system of a liberal democracy. As in society at large, the interests of different actors within the education system must be balanced so as to afford maximum liberty to all while denying basic rights to none. Whereas Bill 13 was designed to protect the rights of some within the system (LGBT students and all victims of bullying), the opposition claimed that in doing so it trampled on the rights of other actors (such as Catholic educators) (O’Leary, 2012). In some of the discussion surrounding Bill 13, there was an uncomfortable sense of sexual minority rights being pitted against religious rights—rights that are all vigorously protected in Ontario and Canada. This sense was only exacerbated by the backdrop of unequal funding for parochial schools in Ontario. The Catholic education system in Ontario is provincially funded alongside the secular (formerly Protestant) system, while other schools with explicit religious commitments remain private. Issues of religious freedom and government protection for schools in Ontario are, therefore, highly charged, making it difficult at times for policies to appear fair to all parties.

The concept of respect is at the heart of all such conflicts—real or apparent—between the rights of different individuals and groups. In democracies, respect is the currency with which such noble goals as human rights codes and legal freedoms are purchased, and the terrain in which battles over equality are played out. Without respect, the much-vaunted ideals of diversity and inclusion would be meaningless. Cardinal Thomas Collins, protesting the Bill’s limitations on religious freedom, even used such liberal language to make his case, saying: “There is no reason for controversy here... We simply ask that diversity be respected in our society” (O’Leary, 2012).

Collins’ request is not to be taken lightly. Whether Catholic schools are publicly funded or not, the imperative of respect for diversity limits the degree to which provincial legislation may dictate educational policy across different types of schools. The methods of diverse educational institutions must be respected as long as they, in turn, consistently respect diversity within their own walls. If Catholic schools indeed succeeded in respecting LGBT students via denominationally-consistent approaches, it could be unfair to

require that they adhere to particular models of LGBT inclusion or anti-bullying strategies, which are based on secular presuppositions. However, as I argue in the rest of this paper, the OCSTA fails to do just that.

## Respect for Persons: A Philosophical Overview

Respect for persons (and, by definition, respect for difference) is a concept with a long philosophical history. Accounts of respect vary in their scope and emphasis, drawing distinctions between the attitudes that accompany respect (for example, positive appraisal, fear, care) and the kinds of objects that may be owed respect (in addition to persons, some philosophers include nature, moral laws, and other things in this category).<sup>2</sup> Surely not all forms of respect are the same, and not all people deserve the same kind of respect from everyone they meet. Nonetheless, when it comes to an all-purpose account of respect for persons, ethicists generally converge on the notion that the person who is respected must be regarded as an *other* whose identity cannot be completely subsumed under the categories of the respecifier. Respect that claims to define the other for himself is not respect in the morally relevant sense. This can be borne out by a quick overview of prominent accounts from different corners of the Western tradition.

The most influential account of respect for persons derives from Kant's theory of autonomy as the basis of human dignity, as detailed in his ethical works. According to Kant, the human capacity for reason—the ability to deliberate about right action—and autonomy—the ability to give the moral law to oneself—are the foundation of human worth, *completely aside* from what an individual chooses to do.<sup>3</sup> Respect is the only coherent attitude toward an entity with such capacities:

a human being regarded as a person, that is, as the subject of morally practical reason, is exalted above any price; for as a person he is not to be valued merely as a means to the ends of others or even to his own ends, but as an end in himself, that is, he possesses a *dignity*...by which he exacts *respect* for himself from all other beings in the world. (Kant, 1996, 6:434–435, p.186)

The respect exacted by all persons in virtue of their reason yields the categorical imperative that dictates the treatment of humanity and provides the backbone of Kant's normative ethics.<sup>4</sup> To treat another person always as an end in herself is to confirm that her existence is not reducible to my purposes. She has a worth and an independence that place constraints on my actions, regardless of whether I can relate to her individually. Hence Kant refers to respect as the experience of “something that transcends the limits of our own imagination” and points us to the “sublime” (Buss, 1999, p. 520) .

Kant's account of respect has been challenged and developed in various ways,<sup>5</sup> but the kernel of his intuition—that respect involves limitations on my own experience of others—has remained powerful. In much of the continental philosophy that followed Kant, the emphasis on reason and autonomy as the markers of human dignity was replaced by a focus on our relation to pure difference.

For philosophers Martin Buber and Emmanuel Levinas (who, incidentally, were also theologians—a point that may be of interest to Catholic scholars), ethics begins with encountering another as a check on my own subjectivity. In Buber's language, the “I-Thou” dyad is one of subject to subject, whereas the “I-It” dyad

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<sup>2</sup> For an excellent discussion of the distinctions between different kinds of respect in the philosophical literature, see Dillon (2014). See also Hudson's discussion in Hudson (1980).

<sup>3</sup> Dillon helpfully explains: “because dignity is an absolute worth grounded in the rational capacities for morality, it is in no way conditional on how well or badly those capacities are exercised, on whether a person acts morally or has a morally good character or not. Thus, dignity cannot be diminished or lost through vice or morally bad action, nor can it be increased through virtue or morally correct action. ... It follows that even the morally worst individuals must still be regarded as ends in themselves and treated with respect” (Dillon 2014).

<sup>4</sup> “Act in such a way that you treat humanity...never simply as a means but always at the same time as an end” (Kant, 1997, 4:429, p. 38).

<sup>5</sup> For example, Buss (1999) argues that the awareness of another person's reason *follows* from, rather than precedes, our respect for them; sublimity is the first condition of respect (p. 539).

is one of subject to object. Experience always has an object: it subsumes some aspect of the world under the subject's understanding; the object does not "participate" in the experience (Buber, 1996, p. 56). We do not "experience" others precisely because they are not objects for us.<sup>6</sup> They are subjects who are capable of their own experiences. Buber summarizes: "The world as experience belongs to the basic word I-It. The basic word I-You establishes the world of relation" (Buber, 1996, p. 56). To say "Thou" (or "You"), to show respect, is to acknowledge the subjectivity of the other as parallel to, but radically distinct from, my own. If we approach the other with preconceived categories or as particular instances of our concepts, we fail to treat the other as a subject, as a "You." Relation (as opposed to experience) is simply this openness to the other: "Nothing conceptual intervenes between I and You, no prior knowledge and no imagination; and memory itself is changed as it plunges from particularity into wholeness" (Buber, 1996, p. 62).

For Levinas, a post-Heideggerian philosopher, my relation to the other is also open-ended and, by definition, asymmetrical. The ethical injunctions placed on me by encountering the other in fact precede or condition my own ontological status as a subject. I do not first exist, and then incorporate the existence of others into my experience. Rather, I perceive the existence of others—of otherness itself—and then come to understand myself as an ethical subject. Levinas (1998) refers to the humanism of the other metaphorically as "the face" saying: "In meeting with the face, it [is] not one's place to judge; the other, being unique, does not undergo judgment; he takes precedence over me from the start; I am under allegiance to him" (p. 202). This all takes place on an ontological level. It has nothing to do with the particularities of individuals we encounter, or our ethical assessment of particular choices they make. To respect a person is to recognize in her a primordial otherness that demands our humility and highlights our limitations, much as Kant and Buber suggested. To attempt to harness the other's identity for myself, to "experience" the other as an "It," in Buber's terms, is for Levinas the arrogance of absorbing the Other into the Same (Levinas, 2003, p. 40). Respecting the other requires respecting Otherness, or difference, as such. The face of the other is a "trace" that "obliges with regard to Infinity,<sup>7</sup> the absolutely Other" (Levinas, 2003, p. 42).

These continental philosophers (along with others such as Kierkegaard and Sartre) contribute to a rich understanding of respect as a form of ethical relation between two or more finite subjects. A more political account of respect derives from Hegel and is taken up by recent philosophers such as Rawls and Honneth. Hegel's account of social and political organization proceeds from the intuition that "the development of a subject's personal identity presupposes, in principle, certain types of recognition from other subjects" (Honneth, 1995, p. 37). Not only do I require recognition from others in order to form a stable self-conception, but I also must validate the identity of others in order to extract from them the validation that I seek for myself:

[I]f I do not recognize my partner to interaction as a certain type of person, his reactions cannot give me the sense that I am recognized as the same type of person, since I thereby deny him precisely the characteristics and capacities with regard to which I want to feel myself affirmed by him. (Honneth, 1995, p. 38)<sup>8</sup>

Respect is, thus, a structural condition for social cooperation, a way out of Hobbes' pessimistic view that we have radically incompatible interests (Honneth, 1995, pp. 41-44). Crucially, respect only functions when we view others as having independent ways of seeing the world and forming identities, ways that can be meaningful to ourselves. Honneth expands on this Hegelian insight to argue for the necessary connection between respect from others and self-respect, self-esteem, and self-confidence (Honneth, 1995).

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<sup>6</sup> "The human being to whom I say You I do not experience. But I stand in relation to him, in the sacred basic word. Only when I step out of this do I experience him again. Experience is remoteness from You" (Buber, 1996, pp. 59-60).

<sup>7</sup> It is noteworthy that for both Buber and Levinas, the humanity of the other—in both its ethical import and its constraints on my experience—points directly to the divine. This is akin to Kant's secular correlation between respect and the sublime. There is always a transcendent element to recognizing another person as a truly distinct subject who is owed my respect.

<sup>8</sup> This is, of course, a summary of Hegel's argument in the "master-slave dialectic" (from *Phenomenology of Spirit*), which Honneth argues was better developed in his earlier writings. See Honneth (1995, pp. 31-63).

The influential political philosophy of John Rawls is also dependent on a notion of respect that treats others' interests as equally relevant to social arrangements as our own. In his theory of justice as fairness, he argues that the distribution of goods and political power must be justified to everyone in terms that make sense from their own perspective. Trying to convince someone that something is in her interest when she feels it is not, or vice versa, is not only disrespectful but ultimately prohibits the emergence of stable political structures. Justice depends on mutual respect. He explains:

[M]utual respect is shown in several ways; in our willingness to see the situation of others from their point of view, from the perspective of their conception of their good; and in our being prepared to give reasons for our actions whenever the interest of others are materially affected. (Rawls, 1999, p. 297)

This description, which is arguably the cornerstone of liberalism, is consistent with the Kantian, Hegelian, and Continental perspectives we have seen already: it indicates the importance of meeting other people on their own terms. Rawls also emphasizes that respect does not depend on the content of a person's convictions, but on his ethical status as a certain kind of being: "We are not literally to respect the conscience of an individual. Rather we are to respect him as a person..." (p. 455).

Personhood as the object of respect is a difficult notion, which can be interpreted in many ways—as rational nature or autonomy; as the capacity to have experience; as a trace of the divine; as the possession of interests or points of view; or in other ways I have not explored here. Philosophers are far from any consensus on what makes all people deserving of respect, even though some form of respect is thought to be due to everyone. However, there is notable agreement about what is *not* the basis for respect. None of the definitions surveyed requires that respect is contingent on moral approval of a person's beliefs or actions.<sup>9</sup> Rather, they show that respect requires the willingness to see another person as an authority on her own identity, someone who is not reducible to my categories and judgments, who exists as more than a mere object of my experience. Respect confirms that the other is her own person. Whatever language is preferred by a given philosopher, this idea is central to any robust account of respect for persons. I will refer to it simply as "recognition."

"Recognition respect" is one of two forms of respect (in contrast to "appraisal respect") famously defined by Stephen Darwall (1977), and counted as the type of blanket respect that everyone deserves. Echoing Kant and Rawls, Darwall claims that "to say that persons as such are entitled to respect is to say that they are entitled to have other persons take seriously and weigh appropriately the fact that they are persons in deliberating about what to do" (p. 38). Although his definition is deliberately thin and formal, he notes that recognition starts with the other's conception of herself rather than my own conceptions: "[t]o fail to take seriously the person as the presented self in one's responses to the person is to fail to give the person recognition respect as that presented self or in that role" (p. 38).

The concept of recognition gives us the necessary leverage to distinguish between respecting LGBT individuals as the people they are and having a positive disposition toward homosexual activity (or any other behaviour). Indeed, this latter attitude is an instance of what Darwall calls "appraisal respect"; it is evaluative in nature and may be doled out discriminately based on one's own conception of the good. Yet it is "recognition respect" that is the foundation of peaceful coexistence in a diverse society. As Charles Taylor (1994) has argued, "[T]he demand for recognition...is given urgency by the supposed links between recognition and identity, where this latter term designates something like a person's understanding of who they are, of their fundamental defining characteristics as a human being" (p. 25). Honneth (1995) concurs that social conflict is fundamentally a struggle for recognition, and that "the experience of disrespect signals the withholding or withdrawing of recognition" (p. 132). However, it is precisely recognition that is conspicuously denied to LGBT students in the OCSTA's misleadingly titled document, "Respecting Difference."

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<sup>9</sup> Consequently, there is no reason to worry that showing respect for all persons entails moral relativism or ethical anti-realism.

## Recognition Respect, Difference, and Bullying

The OCSTA claims that “the Catholic religion respects all people” (OCSTA, 2012, p. 1) in the sense that “all people are created in the image and likeness of God, and as such deserve to be treated within [sic] dignity, respect and fairness” (OCSTA, 2012, p. 4). In applying this narrowly Catholic interpretation of what makes persons worthy of respect, they conceptually foreclose any possibility of encountering another person in his or her genuine difference. That is, they define the feature of persons that is worthy of respect *merely* as a common origin in the Catholic God, and thereby attempt to exonerate themselves from respecting others as the kinds of persons they take themselves to be. They abdicate recognition. This is illustrated clearly in the discussion of LGBT students in a companion document to “Respecting Difference,” called “Pastoral Ministry to Young People with Same-Sex Attraction”:

[T]he terms ‘gay’ and lesbian’ are not used to define people in the Church’s official teachings and documents. Although these words are common terms in current speech, and many people use them to describe themselves, they do not describe *persons* with the fullness and richness that the Church recognizes and respects in every man or woman. Instead, ‘gay’ and ‘lesbian’ are often cultural definitions for people and movements that have accepted homosexual acts and behaviours as morally good. (ECDCCCB, 2011, p. 1)<sup>10</sup>

At least two philosophical errors are made in this excerpt. First, the authors conclude that persons who define themselves as LGBT have misunderstood their own personhood and are incorrect about their identity. As we have seen, this type of judgment (even if it were warranted) is inconsistent with respect for persons, giving the lie to the claim that the Catholic religion respects all people. Second, the authors assume that if they were to recognize LGBT persons as the type of people they are, this would automatically commit them to moral approval of “homosexual acts and behaviours.”<sup>11</sup> Putting aside the spurious fear of homosexuality implied here, this is simply to conflate recognition respect with appraisal respect. Respecting those who are different from us cannot require moral agreement, shared identity, or unqualified approval. We must respect others *in spite of* not positively appraising everything about them.

Interestingly, the OCSTA claims to employ this distinction for its own ends in the “Respecting Difference” document. In discussing respect for LGBT students, the OCSTA claims that “it is possible to respect, affirm, and support the dignity of another person while at the same time disagreeing with their viewpoint on sexual morality” (OCSTA, 2012, p. 5). No doubt this is true, but it once again misses the philosophically salient categories. As is now well understood, sexual orientation is an aspect of personal identity, not a “viewpoint on sexual morality.” To respect LGBT persons *qua* LGBT is to recognize their identity—“a person’s understanding of who they are, of their fundamental defining characteristics as a human being” (Taylor, 1994, p. 25)—which is logically independent of any moral views they may hold. (A “viewpoint on sexual morality” may be something like a conviction that one-night stands are immoral, or that polyamory is acceptable given mutual consent of all parties.) Devout Catholics may personally regard homosexual acts with distaste or disapproval but recognize that sexual identity is not for them to assign to others.

Unfortunately, the OCSTA persistently refuses to recognize sexual identity in terms that make sense to LGBT people themselves, as true respect requires. In “Respecting Difference,” LGBT students are defined as “individuals who are dealing with same sex attraction or issues of gender identity” (OCSTA, 2012, p. 1). This gloss on queer identity is disrespectful in that it “fail[s] to take seriously the person as the presented self in one’s responses to the person” (Darwall, 1977, p. 38), and, moreover, is a counterproductive approach to

<sup>10</sup> “Respecting Difference” refers the reader to this and other “relevant normative policy guidelines” regarding sexual minorities in its list of Administrative Procedures, 4.iii (OCSTA, 2012, p. 11).

<sup>11</sup> In fact, in Canadian law, sexual orientation encompasses both “status” (identity) and “conduct” (such as choosing a partner and engaging in consensual sexual activity). See Clarke and MacDougall (2012, p. 144, at fn 1). It is incoherent to prohibit same-sex behaviours on the grounds that they are separable from sexual orientation, as Trinity Western University has attempted to do. Still, recognition respect can be separated from religious precepts; it is possible to disapprove of homosexuality while recognizing that some people are, in fact, homosexual.

reducing the bullying that ostensibly motivated the “Respecting Difference” protocol in the first place. Indeed, in offering up a Catholic alternative to Bill 13, the OCSTA seems to have been less concerned with presenting a Catholic solution to the problem identified by the government than it was with reframing the problem in terms that corroborate Catholicism’s disapproval of homosexuality. Had the document displayed genuine recognition respect for LGBT students, it would be plausible to believe that it was geared toward the eradication of homophobia and gender-based bullying. But in its denial of recognition respect, “Respecting Difference” subtly makes LGBT identity itself, and not the bullying of LGBT students, the main target of its disapproval. This can be seen in several ways.

First, the language of “dealing with same-sex attraction or issues of gender identity” is code for disapproval of queerness itself. The presumption is that these “issues,” rather than the social response to them, are the source of the problem. This language sanctions “pastoral care” for all LGBT students, *regardless* of whether or not they are being bullied, since it assumes that simply experiencing same-sex attraction or having a queer identity is itself an “issue.”<sup>12</sup> Indeed, the companion resources to “Respecting Difference” encourage targeting all suspected LGBT students for spiritual guidance: “Teachers, counsellors and chaplains should be aware of the particular challenges facing homosexual students and *should reach out to them with pastoral care*” (ECOCCB, 2004, p. 4; emphasis added). The goal of such outreach is not to protect students from bullying, but to help them avoid ‘sin’: “Teachers and others should try to lead the homosexual student to a progressively better sexual morality ... The steady progression of moral and spiritual conversion is the goal” (ECOCCB, 2004, p. 5). This motivation is starkly at odds with the government bill, which clearly aimed to extend support only to those students who are being bullied, simply because they are being bullied (Legislative Assembly of Ontario, 2012). The OCSTA’s inability to separate LGBT identity from the condition of needing help is an example of what some regard as the incoherence of loving the sinner while hating the sin.<sup>13</sup> Encouraging pastoral care for all LGBT students sends the message that there is something wrong with them, even if they have done nothing wrong, and even if they are not suffering.

Second, while the OCSTA condemns bullying in general,<sup>14</sup> by locating the source of the problem in LGBT students’ identities as well as (or instead of) in the social response to them, it implicitly downplays what is wrong with bullying, lumping together the victims and perpetrators of homophobic bullying in the same dubious category. In “Respecting Difference,” both the bullies and the victims are described under the heading “The Gospel Context: Against Bullying” (OCSTA, 2012, p. 1). The story of the Good Samaritan is recounted, noting that he “did not ask whether the victim had brought the violence upon himself, or if he was good and therefore worthy of being helped” (OCSTA, 2012, p. 2). The unmistakable implication is that LGBT students are not necessarily “good” and may well bring violence or harassment on themselves. The guidelines go on to say that we “need...to extend pastoral care to those who bully, exploit, or demean others” as well as their victims (OCSTA, 2012, p. 2). No distinction is made between the types of “care” that would be appropriate for each party. The language of punishment (such as suspension from school) or even education is not used. Lest this be viewed as an idiosyncrasy of Catholic pedagogy, consider an analogy: If students in a Catholic school were being bullied on the basis of their racial identity, the OCSTA would be very unlikely to recommend that the racialized victims receive “pastoral care” to deal with their identity “issues.” The bullies’ actions alone would demand rectification.

But perhaps the best evidence for the OCSTA’s lack of commitment to eradicating the bullying of LGBT students is the fact that it explicitly repudiates the best proven method of doing so. As mentioned, the OCSTA opposed Bill 13 primarily on the grounds that “GSA clubs, per se, are not acceptable in Catholic schools” (OCSTA, 2012, p. 1 at fn 2). Yet a growing wealth of literature attests to the harms to which LGBT

<sup>12</sup> LGBT students are always described in these documents as “wrestling” or “struggling” with same-sex attraction. It is never acknowledged that they may be completely comfortable with their sexual identity.

<sup>13</sup> As Green argues, “a sick person who seeks treatment for her illness is never confused about the fact that treatment targets her sickness and never the person as such. But actions that agents claim are motivated by hatred of sin or vice are often indistinguishable in practice from actions that any observer would reasonably think express hatred of the sinner herself” (Green, 2010, p. 509).

<sup>14</sup> “Recent concern regarding bullying and its highly detrimental effects on pupils is shared by the Catholic education system. The Catholic education system rejects bullying in all its forms and stands firmly for the respect due to all persons” (OCSTA, 2012, p. 3).

students are exposed in schools and the uniquely protective effect of GSAs (Clarke & MacDougall, 2012; Goodenow, Szalacha, & Westheimer, 2006; Toomey, Ryan, Diaz & Russell, 2011). The OCSTA's alternative, "Respecting Difference" groups, fails to replicate the features of GSAs that have been shown to be effective at reducing violence, suicidality, risky sexual activity, truancy, and depression among LGBT students. This failure is a direct outgrowth of the lack of recognition respect for LGBT students.

To begin, the OCSTA's imposition of the name "Respecting Difference" on student groups and its prohibition of recognizably queer terminology are not trivial. So undeniable is the connection, attested to by philosophers, between respect and the right to define oneself that the refusal to allow students to name their own club can have disastrous consequences. A recent tragedy in Ontario is a poignant illustration:

In October 2011, 15-year-old gay student Jamie Hubley took his own life...Before killing himself, Jamie...tried to set up a club at school to promote acceptance of gays and lesbians and others who felt marginalized. Jamie's attempts to establish a "Gay Straight Alliance" were thwarted by school officials who refused to allow a club so named. The most the school would accept was the moniker, "Rainbow Alliance." (Clarke & MacDougall, 2012, pp. 147-48).

True GSAs and watered-down versions such as "Respecting Difference" groups differ in more than name. GSAs "provide the opportunity for marginalized realities to be discussed safely, for students who would otherwise feel uncomfortable sharing their worldviews" (Conway & Crawford-Fisher, quoted in Clarke & MacDougall, 2012, p. 155) and "allow students to challenge the dominant paradigms of heterosexism and heteronormativity" (Clarke & MacDougall, 2012, p. 155). "Respecting Difference" groups "must be respectful of and consistent with Catholic teaching" (OCSTA, 2012, p. 10). GSAs are "student-led organizations which exist to provide support to sexual minority students [and] to educate others about sexual orientation" (Clarke & MacDougall, 2012, p. 155). "Respecting Difference" groups are not viewed as places for student-led discussion about sexuality. The OCSTA claims that "such matters are best dealt with privately and confidentially with proper counselling and chaplaincy staff. 'Peer counselling' in such a forum as a student-led group is inappropriate for such a dialogue and could, in fact, put students at risk" (OCSTA, 2012, p. 11). GSAs are "an excellent example of civic education in practice" that may advocate for changes in policy and participate in larger political movements outside the school (Clarke & MacDougall, 2012, p. 156). "Respecting Difference" groups "are not intended as fora for activism, protest, or advocacy of anything that is not in accord with the Catholic faith foundation of the school" (OCSTA, 2012, p. 11).

Perhaps most significantly, GSAs are specifically and unabashedly about sexual orientation and gender identity. "Respecting Difference" groups are a catch-all for any club that seeks to "promote gender equity ...anti-racism, or...awareness and understanding of disabilities or sexual orientation/same-sex or opposite-sex attraction or gender identity" (OCSTA, 2012, p. 10). If the OCSTA were truly committed to combatting bullying on the basis of sexual orientation and identity, it would encourage the formation of clubs dedicated exclusively to addressing these forms of discrimination, which send a clear signal that homophobia, and not LGBT identity, is unacceptable. (It could, of course, simultaneously encourage other clubs to fight racism, ableism, and so on.) The recourse to generic language of "respect for difference" ironically testifies that the OCSTA does not respect LGBT students at all.

We saw earlier that the recognition of difference is intrinsic, philosophically, to the concept of respect. An attitude that effaces difference or reduces the other to the perspective of the subject does not do the real ethical work required by respect. It may be objected that, far from disrespecting LGBT students, the OCSTA recognizes difference to a profound degree. Over a page of the short document is devoted to "the meaning of 'difference'" (OCSTA, 2012, pp. 5-6) and the "difference" of LGBT students as compared with heterosexual students is continuously reinforced.<sup>15</sup> But recognizing difference is not *sufficient* for respect. Indeed, it is

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<sup>15</sup> For example, the ECOCCB states: "Romantic attachments and behaviour are fully expected of heterosexual couples. Behaviour such as holding hands, embracing, kissing, dating and dancing that are romantically intended are all acceptable within appropriate limits" (ECOCCB, 2004, p. 5). However, the same behaviour exhibited by homosexual couples is "objectively immoral conduct" (ECOCCB, 2004, p. 5).



characteristic of homophobia to emphasize differences in sexuality as a fact in need of reconciliation or special comment even in situations when it is irrelevant. As Honneth highlights in Sartre's writings about colonialism and oppression, oppressors are all too keen to trumpet the differences between themselves and those they subordinate, as these differences are used to justify unequal treatment (Honneth, 1995, p. 157). To assess respect, the question is whether the differences are viewed as a facet of others' humanity that places moral constraints on my behaviour and signals the limits of my own understanding (to paraphrase Kant, Levinas, and others), or whether they are regarded as something that I am in a position to control. Mere recognition of difference can lead to either respect or disrespect.

Some Catholic educators have argued that their "different" approach to issues like bullying is the real victim of disrespect in these controversies over education policy. Invoking the humility required when we are confronted with genuine difference, the OCSTA writes:

The holistic view of the human person and the understanding of what constitutes the 'common good' may be difficult to explain to others outside a Catholic context, but part of the respect owed to Catholics is that those outside try to understand it or at least stand in a position of respectful disagreement with it. (OCSTA, 2012, p. 6)

It should be clear that, whatever disapproval documents like "Respecting Difference" are met with, Catholics are not being disrespected by measures such as Bill 13 in the way that LGBT students are disrespected by some Catholic educational protocols. There is no failure here to recognize Catholics *qua* Catholics, to let them define themselves and pursue the good life as they see fit. It is only the reckless imposition of these views on others who are deprived of their own recognition that is being challenged. To disrespect Catholics the way that the OCSTA disrespects LGBT students would involve something like excising the word "Catholic" in our description of them ("people dealing with catechism issues," perhaps?) or asserting that, although we love them as much as anyone else, it is best for them to convert to Islam. If we would not sanction a school system that sends such messages to Catholic students, then Catholic educators should not sanction sending analogous messages to LGBT students. Policies requiring that schools allow GSAs are aimed at ensuring everyone receives, at the least, recognition respect.<sup>16</sup> The alleged conflict between religious rights and sexual minority rights is, in this case, illusory.<sup>17</sup>

Even though Bill 13 has made "Respecting Difference" procedurally moot, the assumptions it reveals about the status of LGBT students can be played out in other aspects of school culture. As Clarke and MacDougall (2012) note, "[t]he 'bully' appears in many guises in schools....The 'bully' can, however, be the education institution or its leaders" (pp. 152-53). Even where GSAs are present, choices made by school administrations, such as refusing to use the terms "gay" and "lesbian" in their official documents, contribute to a climate of hostility that has demonstrably adverse effects for vulnerable students. Not surprisingly, LGBT students in Catholic schools have reported feeling a sense of "disintegration," their identity going unrecognized even as they are inundated with assertions of Catholic love or "respect" (Maher, 2007).<sup>18</sup> Respect without recognition is at best a paltry form of respect and, arguably, not respect at all.

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<sup>16</sup> In this light, the comparisons made between GSAs and other groups that Catholic schools might legitimately wish to forbid are particularly ludicrous. The most offensive comparison was made by the director of the Halton Catholic District School Board, Alice Anne Lemay, who said: "We don't allow Nazi groups either" (Boesveld, 2011).

<sup>17</sup> This is not to say that Bill 13 entails no constraints on Catholic educators' freedom. It clearly does. But their right to enforce education protocols that they view as consistent with Catholic teaching is overridden by the more fundamental and universal rights of every Canadian to be respected and protected from violence. This may entail that the existence of a self-governing Catholic school board is in itself unjustified, but I leave that discussion for another time.

<sup>18</sup> We do not know whether LGBT students in Catholic schools experience higher rates of bullying or other harms than LGBT students in non-Catholic schools because Catholic schools decline to collect such data.

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