

Academic Freedom and the Catholic University

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I.

Discussions about academic freedom in Catholic colleges and universities seem fated to fight the last war all over again. During the 1960's there was a strenuous and broad-based effort to move Catholic institutions closer to accepted standards of academic and professional excellence. That meant approximating to the standards and criteria for excellence as defined chiefly at the same elite private institutions which had always set the standards of higher education in America. That these standards were rigorously secular was not in itself disturbing. Catholic colleges had always had as a primary practical purpose the upward mobility of the Catholic population, which for a century between the 1820's and the 1920's was largely an immigrant population striving to transcend its working class origins. And in the heady days after the Second Vatican Council, with its call to read the signs of the times and to enter into constructive dialogue with all forces working for human advancement, there was now also a theological motivation to become conversant with the natural and the human sciences which had contributed so greatly to modern humanity's "coming of age."

To establish the academic bona fides of Catholic colleges and universities, few goals therefore seemed more significant than adopting the same ideal of academic freedom recognized by secular institutions, especially given Catholicism's not undeserved reputation as an authoritarian enemy of freedom of thought. It wasn't just that Catholic schools had to live down the mistrust and even contempt of secular institutions which took the Whig view of the history of freedom as gospel. Catholic academicians themselves often had good reason for wanting to put as much distance as possible between their schools and bearers of religious authority, whether in the person of the ordinary, of the religious order which had founded and usually still ran their schools, or ultimately of the Vatican itself. The generation which taught me in college certainly was marked by suspicions of this sort. It would be cheap and irresponsible to dismiss the often painful personal experiences which inspired their suspicions.

Ideas like this must have been in the minds of the drafters of the 1967 Land O' Lakes Statement. As we saw during our discussion of that document, it insisted unequivocally on the full institutional autonomy of Catholic colleges and universities if they were to serve their academic and professional ends. Similarly, theological study was declared to be an autonomous discipline which answered to its own criteria and standards. When seen in their original context and against a history of largely mediocre Catholic academic achievement, these statements are understandable and even praiseworthy. Whether the same can be said thirty years later is more doubtful. I will argue here, as I did during our discussions, that the full autonomy called for by the Land O' Lakes statement represents a *self-defeating ideal*. It overlooks the real challenges actually facing schools which today

aspire not only to be successful academic institutions but also to keep faith with the religious traditions which created them.

My first point will be that the weight of an often sorry past keeps us from recognizing that our schools face far more immediate and serious threats to our academic integrity than those posed by the authority of the Catholic Church. "Academic freedom" tends to be seen as something which we supposedly already possess and have to protect jealously lest a clumsy exercise of the church's authority grab it away from us. To think this way is really to succumb to an out of date script which serves mostly to divert our vigilance away from dangers closer at hand. Then I will argue that, given the demonstrable course of secularization in higher education, it is our religious identity which is far more fragile and at risk at the hands of our academic and professional goals, rather than the other way around. But our religious identity is worth fostering not just for its own sake but also as an enhancement of our distinctively professional ends, for reasons I will explain. Finally, I will propose that an organic institutional connection of the type envisioned by, e.g., the controversial Canon 812 of the Revised Code of Canon Law, while not without risks, may be an appropriate development given the decline of the religious orders which have historically been the chief carriers of the religious mission and identity of Catholic colleges and universities.

II.

Academic freedom is not an end in itself. Its goal is not to create some sort of safe haven in which people can say, teach and write whatever they wish simply because it pleases them to do so. Rather, it exists as a precondition for the successful flourishing of colleges and universities. It is not a freedom *from* so much as a freedom *for*. Scholars are granted the freedom to speak, teach, and write without fear of reprisal for being wrong, *because society has judged that the open and disciplined pursuit of the truth, in the manifold ways developed in the modern university, serves the common good*. I noticed with interest the firm assertion of the service of "the common good" in the rationale for academic freedom in the 1940 statement of the AAUP.

Our freedom to speak, teach, and write as we wish is therefore rightly limited in many ways: by the choice of subjects which we are able to teach, by the pedagogical needs of our students, by the standards and methods of the particular discipline or profession in which we were trained, and by that over-arching awareness of "the common good" which is the ultimate rationale for the existence of colleges and universities. Very few would probably object to restraints of this order, even though in practice they entail fairly extensive limitations on what we say, teach, and write. They seem to be foundational to any realizable sense of academic freedom. Dismissing them means vitiating the very integrity of university education.

But these are scarcely the only limits on academic freedom. There are many others which affect every aspect of our work as scholars and teachers, most of them in a grayer zone than the ones just mentioned and some downright worrisome. Consider for example the matter of a university's "culture." Management types talk constantly about corporate

culture, its variations from one company to another, and the problems which crop up when through mergers one corporate culture collides with another. Universities too have cultures. Codes of speech and behavior can vary greatly from one school to another, depending on regional location, the ethnic profile and class affiliation of the student body and alumni, funding sources, the type of academic and/or professional programs, presence or absence of a religious affiliation, gender balance, relation to public worlds outside the university (business, the military, the media, etc.), etc. Codes of speech and behavior will be accordingly diverse, not just in their respective judgments of value but even in what they choose to consider important: things which matter critically to professional success at one school may be utterly irrelevant at another. Very often the codes are tacit and traditional rather than written and explicit, making compliance even trickier. It is true that there are procedural safeguards in place which try to ensure that faculty members who deviate from the code do not suffer come tenure time. But this only means that schools do the real scrutiny and selection at the hiring stage, when questions of "fit" get discussed obsessively.

What about the limits to academic freedom posed by the increasing budgetary pressures on all schools, state-supported as well as privately-funded? Will our programs be pressured to become profit centers, required to justify their place in the budget by the money they bring in via external grants, student enrollments, and the like? It doesn't take a paranoid imagination to see what a crushing concern for the bottom-line could do to our freedom to speak, teach, and write as we believe is appropriate. Or, to take an issue not too far removed from the budgetary realm, what about the increasing influence of student response to professors and their courses, especially in the form of standardized and anonymous evaluations? How far are these from becoming customer satisfaction surveys, and what effect do they have on freedom in teaching?

What about the troubled world of scholarly publication? Will scholarly monographs lose their de facto subsidies? Will university presses take a page from commercial publishers and look for the academic, or pseudo-academic, equivalent of the blockbuster? The state of scholarly journals is not reassuring either. The multiplication of journals seems driven more by extrinsic pressures to publish than by the intrinsic value and interest of the research. With more journals goes further specialization and balkanization, so that prospects of publication depend increasingly on conforming to the methodological and substantive interests of the journal's sponsors. (For the record, I note that *Logos* shows signs of bucking such dismal trends.)

What about the politicization of the contemporary academy? As John Searle noted in his recent talk at St. Thomas, the academy and the curriculum have always been "political" in the trivial sense that they had political consequences. But in the past generation political passions and agendas have metastasized, as the academy's (at least the humanities wing of it) traditional adversarial relationship to its host culture has been turned inwards and directed against itself. With politicization has come the substitution of accusation for argument. Far from promoting civil argument, the net effect of the ideological policing of the academy seems to have been to stifle debate. Radically skeptical epistemologies make the situation worse by scorning rationality and reducing all differences to matters of

power, the adjudication of which would seem to belong in the voting booth, in the streets, or in the courts, almost anywhere but in the university.

This list could be expanded, but I have said enough to make my point: we are beset by the most varied challenges and threats to our academic freedom, in comparison with which it is hard to see that posed by the Catholic Church as particularly urgent. Fixating on it as a uniquely threatening danger actually has the function of diverting us from much more immediate, and perhaps intractable problems, than that posed by St. Thomas' historic affiliation with the Archdiocese of St. Paul. In fact, I will argue, that connection has far more to offer of a beneficial nature than a threatening one.

III.

The truth is that the religious affiliation of an institution like St. Thomas is far more at risk from the university's general educational mission than the other way around, because secularization is part and parcel of modern colleges and universities.

The various professional dynamisms driving an institution like ours will inevitably drive a wedge between the school and its religious foundations. The history of religiously-affiliated colleges and universities in this country proves this. In the normal course of their development, such schools progressively divest themselves of that affiliation, barring some countervailing force, such as unusual administrative vision or an unusually close tie between the school and its ecclesiastical sponsor. The mechanics of this process are not mysterious. They have been documented in numerous books and articles by scholars such as George Marsden, Philip Gleason, and others, including a soon to be published study by James T. Burtchaell. The causes of secularization include such things as the desire to improve the professional quality of the faculty, which leads to lessened attention to religious commitment as a consideration in faculty appointments; a distaste for the administrative measures necessary to keep a Christian presence on the campus a public reality in a maximum of ways, from worship to curriculum to student life; the recruiting of students who lack any interest in or familiarity with the school's religious character, either because of a need to keep up enrollment or a desire to recruit the intellectually ablest students; the secularizing consequences of the specialization of knowledge; and the proliferation of graduate and professional programs, which are even more driven by demands for specialization and autonomous professional criteria. To these must often be added a measure of embarrassment and uncertainty about a school's religious character on the part of the very persons responsible for staffing and running the institution. This may make them willing to distance their school from its church or confessional affiliation, because they fear it will doom the school to second-class status within the academic guild—in short, they want to be accepted by their secular peers.

The process of secularization has been evident for the past century at dozens of once-Protestant institutions. I still remember my first sight of the dedication *Christo et Ecclesiae*, inscribed in stone above the gates of Harvard Yard, and hearing Prof. George

Williams recount his unsuccessful defense of the ringing of bells for chapel at Memorial Church (the memorial in question is for Harvard's war dead—*pro patria mori* being the secular university's highest measure of devotion—including, by the way, the names of a couple of Harvard students who died fighting for the Kaiser). These are but the thinnest of reminders that Harvard University originated as a Puritan seminary. A history not unique to Harvard: every single private college foundation that I know of prior to the 1890's began as some type of church-related or church sponsored initiative.

By contrast with the experience of formerly Protestant colleges, secularization has been much slower to work its results at Catholic schools. Various causes lie behind this difference. But there is no reason to think that our ultimate destiny will be any different, given sufficient time. It was discouraging to see how sure some of the authors we read in the seminar were that "it can't happen here." (E.g., Dick McBrien on Notre Dame's Catholicity.) Administrators and faculty at Catholic schools have been too slow to realize this, although anecdotal evidence, such as the sudden proliferation of Catholic Studies programs, suggests that "Catholic identity" is increasingly seen as something not to be taken for granted.

Why the tardiness to learn from our Protestant brothers and sisters? Insofar as it's not simply lack of concern about religious identity, or even a secret wish to see it discarded (the embarrassment factor alluded to above), several factors may be to blame. One is a certain parochialism that grows out of the very success of American Catholicism in creating its own massive institutional subculture. Our colleges and universities are so numerous as almost to constitute their own world. The Society of Jesus alone has twice the entire number of colleges affiliated with the Lutheran Church. Plus, the administration at most Catholic institutions has historically been composed of priests and members of religious orders, whose own educations and professional experience were probably not at secular universities. The result is an administrative version of *ex opere operato*: how couldn't we be Catholic? We have priests in every position of importance. (This of course is a situation which is changing rapidly.) Finally, one cannot overlook a certain boosterish complacency that seems endemic to American Catholicism: it can't happen here. We are left with a sweet insouciance when what we need is the wisdom of the serpent.

A crowning irony of secularization is that it succeeds in imposing, top down, a degree of uniformity and sameness on American higher education which would be keenly resented were it to come in the form of a hierarchically-defined religious orthodoxy. The current shibboleth of diversity should not be allowed to disguise this. When one hears the same slogans and programs invoked at one school after another, one rightly wonders just how much difference is really being cultivated. It is an odd type of diversity which results in each school aspiring to look very much like every other school. The standardizing pressures are very strong and we would be foolish to underestimate them. They are grounded above all in the dominance of discipline-based professional associations, of accrediting agencies, and the homogenizing effects of our system of graduate education. They exert their leveling effects in marketing strategies to offer an education with the broadest possible consumer appeal. And they receive powerful ideological validation

from the democratic passion for equality, which, as Tocqueville observed over a century and a half ago, strives relentlessly to produce sameness at the expense of liberty.

But if educational diversity is truly to be embraced as a good, the conclusion is inescapable: St. Thomas' Catholicity should be prized as its most fundamental and most valuable difference.

IV.

St. Thomas' religious identity is far more of an asset to its academic mission than a hazard. It deserves the special efforts necessary to ensure that it flourishes. I offer the following arguments:

1. *An overarching sense of purpose:* The university's Catholic affiliation gives our mission a transcendent and cosmic grounding that goes far beyond the public purposes to which secular institutions are dedicated. St. Thomas is no less committed than they are to the conventional goals of liberal education for life and citizenship, of technical and professional training and competence, for research, and the like. But all of these have a justification and meaning that is much deeper than the daily activities which keep the institution moving forward. We are no less susceptible to routinization than anyone else. But there are many rich local stimuli, above all the liturgy, to direct us away from immersion in the quotidian and to restore proportion and balance to our work. My own most vivid experience of this was the funeral mass last year for Maureen Brennan.

2. *A sense of historic continuity:* We are part of a continuous tradition of teaching and study which goes back to the universities of the Middle Ages and to the philosophical and biblical traditions of antiquity. Christianity is the carrier of this tradition. The history of western culture in a sense is our history. To say this is not to make a superficial baptism of western culture for the sake of an ecclesiastical monopoly. Nor is it to succumb to cultural chauvinism: Christianity's history is much broader than western culture, and has been so from the beginning. The gospel spread to the east as well as to the west (see no. 4). But a case can be made that western thought and education, from the Greeks to the emergence of the natural sciences, are unthinkable without Christianity.

And, at a more local level, St. Thomas is thoroughly embedded in the history of its city and state, thanks above all to the ambitious vision of John Ireland (see no. 6).

3. *A vision of the human good not controlled by instrumental rationality:* if the 'triumph of technique' is the story of modernity, St. Thomas holds to an understanding of human life in which questions of utility and power do not have the last word. This should be an especially critical advantage in our professional programs, in which preoccupations with method and technical expertise so easily displace questions about purpose and the good. Our contemporaries endlessly wring their hands about the decline of ethics in public life. St. Thomas ought to offer a better way. I presume that this is what the current official

touting of our "values-based" education is getting at. During our seminar discussions, I recall Chris Melloy making a point similar to this in describing how her work with children fit especially well into a Catholic context. The same could be true—I'm in no position to say whether it is—in education, bioethics, business, economics, and social work.

4. *A community committed from the beginning to recognizing and dealing with diversity:* From Pentecost (Acts 2) to *Lumen Gentium*, Catholicism has always recognized and made room for human cultural diversity, with an inclusivity that has not always been admired by other types of Christianity. Catholicism is far and away the most thoroughly international Christian church. Although the Roman passion for centralization and uniformity has sometimes sat poorly with this inclusivity, it cannot and does not seek to eliminate it. Given that Vatican II declared the Church to be the sacrament of the unity of the human race, we could hardly ask for a firmer mandate for cultural inclusivity. Also, Christianity can give an account of its respect for human differences and human dignity; secular endorsements of diversity tend to stumble when asked precisely why different individuals and cultures should be respected.

5. *An architectonic wisdom:* this phrase, which I think I picked up from theologian Michael Buckley, may sound overblown, given the actual divisions within our curriculum. But the aspiration to offer an integrated view of human understanding is part of Catholicism's intellectual charter. St. Thomas has a large and energetic theology department. Since I have been here, I have been impressed by the multiple efforts at connection and coordination which the department has made to reach out to other academic sectors of the university. Of course we may never get more than partway to resolving the complexities and the difficulties of constructing such an integrated grasp of human knowing. But in an age which seems resigned to fragmentation and skepticism, how many institutions are even willing to mount the effort? I am certain that it makes a difference to the intellectual atmosphere of a school when there is a vigorous and public effort made to reconcile a divine revelation, which Christianity claims to be and whose bearer and authoritative interpreter the Church claims to be, with what the disciplined ingenuity of human reason has disclosed to us about ourselves and our world—all of which the biblical monotheisms teach are the creation of the living God.

6. *Local roots and connections in city and region:* this is both historical and contemporary fact, as even superficial examination shows. The school is inseparable from the history of the church in this area, and both are inseparable from the larger history of city and state. To treat this fact as merely historical in a museum sense and not as a living reality would be a serious mistake. We are hearing a lot these days about St. Thomas' future as an urban institution. Such language needs to be attended to carefully, for it may encode a re-direction of the university from its historic character. If so, we may be distancing ourselves from invaluable sources of human, moral, and financial support.

V.

If the real situation of Catholic schools like St. Thomas is the one I have been describing, then perhaps the bold declarations of the Land O' Lakes statement need to be revised. Could we not today accommodate a greater degree of institutional linkage between the church and the university than we have in the past? Is Canon 812, for example, really as beyond the pale of what is tolerable in America as many Catholic scholars, theologians, and administrators have suggested? I would like to suggest cautiously that it is not, and that the benefits of an organic connection of some kind outweigh the risks.

The benefits to the university come above all from having an outside court of appeal, should cases of truly serious and unresolvable conflict arise within the university. In that case, better the bishop's mediation than the civil courts. If this seems draconian, remember that in the past most Catholic colleges and universities could rely on the religious order which had founded and still ran the school to be the ultimate carrier and custodian of the school's Catholic identity. The decline of most orders, both men's and women's, has created an unprecedented leadership situation. During our discussions, Dean Carrocci argued that today's Catholic laity are well qualified to be entrusted with this custodial mission. I have reservations about this claim. The reservations do not arise from doubts in principle about the integrity or qualifications of lay faculty and administrators. My concerns have to do with the long-range consequences of a lay-run church in general (a recent *Commonweal* cover reads: *The Laity Have Won—Now What?*). We are in the midst of what looks like a novel situation in Catholic life, in that the contribution of religious orders and congregations is rapidly being enfeebled. In the past, if I am not mistaken, it has always been the orders, often new ones, which have been the main engine for reform and innovation, at least since the advent of monasticism in the fourth century. Despite "the emerging laymen," it was *still* true during the ferment and run-up to Vatican II. It is true no longer. But wonder whether we have any firm grasp yet of the real effects of this change. Note that I am not denying the obvious, namely, the dominance of the laity, nor am I impugning the integrity of any individual, let alone the whole class, to which I myself belong. I am simply saying that the jury is still out on how beneficial this change will prove to be.

To acknowledge in some fashion an organic link with the hierarchy carries certain risks. (I want to say parenthetically that for me one of the benefits of our discussion in August was to be reminded about this.) It means that a great deal (too much??) would depend on the good will and the prudence of the ordinary. One hopes, for example, that he would learn to distinguish genuine appeals from those that were merely alarmist. Terry Nichols and others reminded us during our discussions that in a well-ordered church the rule of subsidiarity ought to prevail: tasks should be undertaken and decisions made at the level of competence closest to the local situation. Under normal circumstances the ordinary would have no reason to intervene in the life of the university, which is best left to the faculty and the administration. Only when normal operations broke down might intervention become necessary, and then only after very careful investigation and discussion. Sr. Sharon Howell spoke about the importance of regular and candid conversation between college and church, in order to build mutual trust and understanding. Everyone involved should in principle benefit from this increased understanding.

By preference I favor decentralization. I am not particularly happy that we are in the situation we are in. I am especially saddened by the decline of the religious orders and their educational apostolate, since they traditionally offered a measure of autonomy vis-a-vis the hierarchy. St. Thomas of course is a diocesan university, the product, as I understand it, of Archbishop Ireland's passion for uniform lines of authority, which semi-autonomous religious orders appeared to threaten. But I am willing to entertain episcopal oversight (forgive the redundant expression), properly defined, in a cultural situation in which the playing field appears far from level.