

Dialogues of Discovery: Academic Freedom in a Catholic University

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Introduction

In reflecting on the readings and discussions connected with the week-long seminar on "The Catholic University and Academic Freedom," I found that I was left with a number of ideas, impressions and questions on which I would like to elaborate in an attempt to clarify my own thinking on this topic. While I cannot assume that these sometimes disjointed reflections would be of interest to others, I offer them here in the hope that they might spark some reaction from those who read them.

I. Academic Freedom and its Role in the Educational Process

The AAUP statement on Academic Freedom is probably the most widely-accepted definition of the concept and explanation of its purpose. Yet I was surprised at how many of my colleagues have not read it.

One could see this as a very good thing since it would seem to indicate that issues related to Academic Freedom have not been a problem for them. On the other hand, one is left with the suspicion that, because many have not read the statement, they may be interpreting the term Academic Freedom more loosely than the Statement intends.

Clearly, the statement indicates that Academic Freedom is not a *carte blanche*. It "carries with it duties correlative with rights" [AAUP 1940 Statement of Principles on Academic Freedom and Tenure]. While Academic Freedom entitles faculty to "full freedom in research and in the publication of the results," this freedom is "subject to the adequate performance of their other academic duties." Likewise, with regard to teaching, the Statement indicates that "teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject." Furthermore, the Statement allows for the possibility of further restrictions when it points out that "limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment."

I found two other parts of the introduction to the Statement especially interesting.

First, I had never noticed that the Statement clearly sets forth the *raison d' être* of institutions of higher education. They "are conducted for the common good and not to further the interest of either the individual teachers or the institution as a whole." It goes

on to point out that this common good "depends on the free search for truth and its free expression" [AAUP Statement-introduction].

Secondly, I had never given much thought to academic freedom as it relates to students. However, the Statement zeroes in on this very directly: "Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning."

These two sections of the Statement expand the scope of the concept of academic freedom beyond the rights of the individual faculty member and his or her situation and even beyond the institution. They focus on the purpose of education, the quest for truth and communication of the results of that quest with colleagues and students. All of these draw attention to the more expansive, positive consequences of academic freedom.

However, more often than not, references to academic freedom occur in the context of concern about actual or potential challenges to the concept. As a result, one frequently associates academic freedom with notions such as debate, dissent, controversy, dispute, disagreement, or even conflict. While none of these is essentially negative, they often denote or imply a defensive stance.

In contrast, I would propose that it might be helpful to focus attention on the positive aspects of academic freedom by concentrating on its role in the development of processes which facilitate the quest for truth and intellectual development.

Among these I would include:

- investigation
- examination
- dialogue
- reflection
- integration
- interpretation
- analysis
- discussion

All of these serve to counteract, or at least balance, those things mentioned earlier (debate, dissent, etc.).

II. Academic Freedom and the Catholic University

While the preceding comments apply to higher education in general, there are some issues related to academic freedom which are unique to Catholic higher education. In some cases, these have been rather problematic and at times the cause of rather serious controversy. This is illustrated, for example, by the reference to American Catholic colleges and universities as "a collection of now almost wholly secularized institutions which nevertheless blithely go on calling themselves Catholic." [Whitehead. "What to do about our largely secularized Catholic colleges and universities," p. 20].

In my opinion, the most critical of these issues are expressed in the following questions:

1. -What is the relationship of a Catholic university to the Church?
2. -How does one define Church?
3. -What is the relationship between academic freedom and the magisterium of the Church?

For some, the answers to these questions are clear and easily articulated. My own opinion is that the responses are as complex and multi-faceted as responses to the question "What does it mean to be a Catholic university?" Given the complexity of the issues involved it would seem safe to say that there is probably no definitive answer. The most appropriate response is dynamic and on-going. The continuing dialogue about the implementation of *Ex Corde Ecclesiae* seems to give further evidence of this.

I would like to reflect briefly on each of these questions.

In the opinion of some, the relationship between a Catholic university and the church is ecclesiastical and juridical. For others, an ecclesial relationship is not only more attractive, but also more appropriate, especially given the governance structure of most American Catholic colleges and universities. Furthermore, an ecclesial relationship seems more apt if one is interested in a collaborative rather than a juridical connection. One wonders if the two concepts—ecclesiastical and ecclesial—need be mutually exclusive or is it more a question of balance between the two.

Having done my graduate work at a European Catholic university located in an area where Catholicism was the state religion, I recall no time when questions were raised about the relationship of the university to the Church. Perhaps it was taken for granted that everyone understood what the relationship was. However, in concrete terms the relationship had to do almost exclusively with the faculty of theology where, as with most European Catholic faculties of theology, appointments were made with Vatican approval.

The second question, "What do we mean by the Church?," is tied closely to the first. For some, John Paul II is equating the term Church with the hierarchy in *Ex Corde Ecclesiae*. Others suggest that Church should be interpreted in "a way more consistent with contemporary theology and ecclesiology *i.e.* the people of God. (Catherine Mowry

LaCugna, "Some Theological Reflections on Ex Corde Ecclesiae," p. 121). This latter interpretation gives broader significance to the role of the Catholic university as an instrument for facilitating the search for truth. The Catholic university becomes in some sense the R&D division of the Church.

The last question, "What is the relationship between academic freedom and the magisterium of the Church?" is perhaps the most thorny. This stems largely from the fact that there is some divergence of opinion about what is included in the magisterium and about how these things are to be regarded.

Some point out that, even the most fundamental doctrines of faith—the Trinity, for example,—are open to continuing reflection and theological speculation. These efforts, they point out, contribute to a fuller understanding of these doctrines and, as a result, to the enrichment of our faith life.

However, even when based on serious scholarly investigation, dissenting opinions or sometimes even questions about these things are seen by some as problematic. How can this be reconciled with a scholar's commitment to seek ever greater understanding of truth? What are the limitations on scholarly speculation, especially if it leads to disagreement?

Perhaps there is at least a partial answer in the document on Religious Freedom from the Second Vatican Council (pp. 680-681):

Truth, however, is to be sought after in a manner proper to the dignity of the human person and his social nature. The inquiry is to be free, carried on with the aid of teaching or instruction, communication, and dialogue. In the course of these, men explain to one another the Truth they have discovered or think they have discovered, in order to assist one another in the quest for the Truth.

Realistically, it is important to recognize that this dialogue of discovery may involve risks and even problems. However, as John Paul II wrote with regard to opposition: "...it seems that in a constructive communal life the principle of dialogue has to be adopted regardless of the obstacles and difficulties that it may bring along with it" [Wojtyla, *The Acting Person*, p. 287].

What better place is there than a university, especially a Catholic university, to engage in these dialogues of discovery that are essential to the on-going revelation of truth. Without them we would fall short in our duty to respect the freedom of our students to learn by facilitating the expansion of their intellectual horizons—theological and otherwise.

Conclusion

As I prepare to retire from my position at an American Catholic university, I am more appreciative than ever of the privilege of having been part of an academic community where the exchange of ideas is infused by a concern for values and the well-being of

students and colleagues. While this may not be unique to a Catholic university, it is or certainly should be its most important hallmark.