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ACADEMIC FREEDOM AND CATHOLIC FAITH

BY GERMAIN G. GRISEZ

A philosopher examines academic freedom and faith. He discusses the concepts of academic freedom from both the secular and religious viewpoints, then makes practical suggestions for meeting the challenge presented to the Catholic college and university by the secular concept of academic freedom.

A BUSINESSMAN does not want people who do not understand his business telling him how to run it. A physician or dentist does not want decisions involved in diagnosis and treatment made by someone outside medicine or dentistry. A lawyer or judge does not want the legal process interfered with by politicians or others. Similarly, an academician wants to carry on his work of study and teaching without interference from outsiders who neither understand what he is trying to do nor appreciate the way he has of doing it.

In each of these cases, the right to immunity from interference depends on the important human good which is served. Freedom is a means to an end, not an end in itself. Business is a public trust, to satisfy the material needs of people. Medicine and dentistry deserve even greater immunity, because they deal with the more intimate goods of the very life and health of people. The law serves justice, a fundamental good not only for individuals, but for the community as a whole. Academic freedom also is a means to an end—knowledge, the discovery of truth and the communication of what has been learned.

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None of these forms of professional freedom is absolute. Business is subject to regulation for the common good. The healing arts are subject to regulations of agencies such as the Food and Drug Administration. Lawyers are servants of laws that can be made by non-lawyers, and judges are elected or appointed by some political process. The same holds for academicians. Generally we in the academic world hold that professional competence and integrity should be the only standards for judging our performance, and that the judgment should be made only by our professional colleagues. Still, whenever the treasury is low, which is often, we academicians declare that we perform a service to the community at large, and thus we admit that we have a public responsibility to which we can be held by the community as a whole.

The very financial structure of higher education is the greatest limit which the absolute idea of academic freedom undergoes in attaining some sort of concrete reality. The public supports what it likes and does not support what it does not like. The *public* here refers not only to the people at large, acting for instance through state legislatures or Church administrators, but also those who award governmental or foundation grants and those who make governmental and industrial research contracts. The extent to which limitations on academic freedom from such sources go unopposed and even unremarked by academicians is evidence of the efficiency of this system of controls, which does not crush, but simply starves to death, directions of inquiry and teaching found unacceptable by the consensus of secular orthodoxy among government, industry and philanthropy.

The academic profession defines academic freedom in terms of professional immunity from interference in research, publication, and teaching, together with the assertion that academicians have the same freedom of speech and action as other citizens. The profession recognizes that this freedom entails responsibilities, but it sees less clearly that freedom is only a means, not an end in itself.

The notion of academic freedom commonly accepted in the United States is contained in the 1940 *Statement of Principles on Academic Freedom and Tenure*, agreed to initially by the American Association of University Professors and the Association of American Colleges and subsequently subscribed to by many other professional organizations. This declaration reflects the humanistic and liberal faith that human goods are most likely to be achieved by un-

restrained human efforts. However, in view of the existence of denominational colleges and universities, an allowance is made for a restriction on academic freedom in such institutions: "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."

The significance of this manner of formulating the issue of the relationship between academic freedom and religion becomes clearer in an historical context. Many sources have contributed to the present notion of academic freedom, but perhaps none more than the thought of the German Enlightenment. Professors who had excluded supernatural faith from their own intellectual lives were dependent upon political authorities who were concerned less with promoting religion than with jealously guarding their principalities against politically divisive incursions of rival orthodoxies. The professors therefore formulated a notion of immunity that salvaged the interests common to both themselves and the political authorities: the academician should be free to publish and teach anything (including religious unbelief) *so long as he did not advocate any particular religious faith.*

The first report (1915) of the Committee on Academic Freedom of the American Association of University Professors considered that in the United States religious bodies have a right to establish institutions to propagate their faith. But the committee held that such institutions "do not, at least as regards one particular subject, accept the principles of freedom of inquiry, of opinion, and of teaching; and their purpose is not to advance knowledge by the unrestricted research and unfettered discussion of impartial investigators, but rather to subsidize the promotion of the opinions held by the persons, usually not of the scholar's calling, who provide the funds for their maintenance. Concerning the desirability of the existence of such institutions, the committee does not desire to express any opinion. But it is manifestly important that they should not be permitted to sail under false colors. Genuine boldness and thoroughness of inquiry, and freedom of speech, are scarcely reconcilable with the prescribed inculcation of a particular opinion upon a controverted question."

It was in this spirit that Sidney Hook expressed the sentiments of many American liberals when he wrote that "there is no academic freedom in Cath-

olic colleges." That was before Vatican Council II. Lately some Catholics have accepted the same view, even adopting George Bernard Shaw's dictum: "A Catholic university is a contradiction in terms."

This sort of thinking presents a challenge that is not being answered. For instance, one may consider the *Statement on the Nature of the Contemporary Catholic University*, signed by 26 men, almost all officials of Catholic universities, at a July 1967 meeting sponsored by the North American Region of the International Federation of Catholic Universities. The *Statement* asserts: "To perform its teaching and research functions effectively the Catholic university must have a true autonomy and academic freedom in the face of authority of any kind, lay or clerical, external to the academic community itself." The committee goes on to state that the presence of a theological faculty, interdisciplinary communication, and an effort to live in the Christian spirit should distinguish a Catholic university. Not a word is said about faith and its proper and primary role in Christian intellectual life. Specifics concerning the principles of theology and the Catholic mode of life have been so carefully avoided that the characterization, intended to be of the Catholic university, probably is better fulfilled by Yale or the University of Chicago than by any of the institutions whose administrators signed the document.

Philip Gleason suggested at the NCEA convention in March 1967, "that Catholic higher education is presently involved in the same sort of secularization process that led to the loss of religious identity in leading American Protestant universities in the late 19th century." I believe he is correct and the *Statement on the Nature of the Contemporary Catholic University*, far from providing any reason for thinking otherwise, is additional evidence for his thesis.

Conditions for Attaining Truth

The issue of faith and academic freedom is too complex to treat thoroughly in a brief article. However, I would like to set down a few propositions and offer some practical suggestions. The propositions contain nothing original, but they bear repeating because recently they seem to have been generally ignored in the Catholic intellectual community.

First, for the non-believer, the primary condition for attaining truth is *freedom*, because there is no truth except that attained by man's efforts. For the

believer too, freedom is necessary for attaining truth, but it is secondary. *The primary condition for attaining truth is humility and the obedience of faith*, because the First Truth gives Himself to man gratuitously in the divine revelation which is perfected in the Incarnation of the Word of God. The Word Incarnate is the Truth Who liberates; the gift anticipates the quest and truth precedes freedom.

Second, *faith is not a restriction on intellectual freedom*. Lacking faith, human reason and experience inevitably view the truths of faith as particular opinions on a controverted question. However, the presumption which leads to a judgment upon faith from the alien viewpoint of unbelief is a product not of freedom but of the bondage under which man's wounded nature suffers. Faith opens to the human intellect an entire realm of transcendent truth otherwise utterly inaccessible. At the same time faith generates its own critique of the myths that compete with it, myths which are actually projections of the human mind upon reality but which demand acceptance, usually by masquerading as scientific truths.

Third, *faith is not reducible to the sources of knowledge of which man is naturally capable*. If these have their own appropriate methods, their relative autonomy, and require freedom of inquiry, faith has its appropriate method, its autonomy, and requires freedom of acceptance. The method of faith is revelation, which is formulated in articles authoritatively proposed. The autonomy of faith means that these articles are not mere propositions offered for discussion, but are principles. What is held by faith is not an individualistic opinion considered as a mere personal possession, but a certain truth. The truth of faith makes an incontrovertible demand upon the intellect of the believer, a demand no more open to denial than that made by facts of experience or evident logical truths. The unbeliever is unaware of this demand, not because of any greater freedom on his part, but rather because of incapacity—as the blind man is unaware of the demand that visible evidence makes upon the minds of those who can see. But faith requires freedom of acceptance, because the act of faith is an affirmation of a Truth Who is a Person "now seen in an obscure manner," and so not encountered against one's will.

Fourth, *faith does not remain solely at its subjective moment of commitment to God, encountered personally and incommunicably*. Some have tried to eliminate the tension between faith and a secular

conception of academic freedom by reducing faith to something indefinite, always subject to rearticulation on the basis of a reflection dominated by reason and experience. But any Catholic should realize immediately that such a proposal salvages only a shadow of true faith, and saves this at the cost of abandoning its solid substance. That substance is not identical with its expression, but nevertheless that substance is uniquely expressed by definitive articles which are proposed (and disputes concerning which are adjudicated) by the living *magisterium*—the collegial teaching authority of the pope and the other bishops united with him. This authority, which is “external to the academic community itself,” cannot be set aside by Catholics. Acceptance of this authority, and all of its implications, is the most distinctive mark—though not the most fundamental characteristic—of truly Catholic intellectual life. A Catholic college or university should be proud to show this mark openly, for in the Catholic’s intellectual life it is a sign of that cross which remains foolishness to unbelievers, but the wisdom of God to those who believe.

Fifth, *genuine theology is impossible unless the principles of faith are accepted*. Some have suggested that theology should be carried on in Catholic colleges and universities on the same basis as all other disciplines, with no special subordination to ecclesiastical authority. But the *magisterium* is related to theology in a special way. Theology must respond to the *magisterium* of the Church much as a natural science must respond to the facts of nature, or better, to the instruments which record these facts. Theologies are falsified when anathematized, just as scientific theories are falsified when the results of experiment go against them. An empirical scientist can disregard the unfavorable results of experiment and insist that his theory reflects reality the better for ignoring the facts, but if he does so he ceases to be an empirical scientist and becomes a poetic speculative philosopher. The same is true of the theologian. In neither case is the quality of the speculation likely to be high, although recent experience indicates that an individual who abandons both science and theology in this way is likely to win praise for his remarkable vision and courage.

What practical suggestions can be made for meeting the challenge presented to the Catholic college and university by the secular concept of academic freedom?

First, administrative ineptness ought never to be defended—as I believe happened at St. John’s University—on the ground that the Catholic character of the institution is at stake. Laymen who desire full membership in a college or university operated by a religious congregation are not *ipso facto* devoid of fidelity to the Church. They do have a right, according to a Catholic concept of academic freedom, to participate in the government of their institution in proportion to their contribution. The Catholic character of a college or university is at stake, however, if rejection of the Church’s *magisterium* is defended in the name of academic freedom, as happened recently at the University of Dayton.

Second, as a procedural norm, the 1940 *Statement of Principles* is sound. There is no reason why Catholic institutions should not adhere to it. But a Catholic concept of academic freedom must be articulated, and the notion that faith is a restriction should be firmly rejected. A clear distinction must be drawn between *magisterium* and administrative authority, since the latter generally should not be ecclesiastical. The Catholic college is not Catholic because the Catholic Church runs it, but because Catholic faith is a first principle of its entire intellectual effort. Procedures must be developed that will reflect in practice the fact that a Catholic institution owes allegiance to the ecclesiastical *magisterium*. These procedures should be promulgated clearly, and every individual who enters a Catholic institution should be informed about them in advance. Explicit acceptance of the institution’s policy and procedures in this area should be a material condition of every contract.

Third, within most American colleges and universities, boards of trustees, not themselves scholars, play an important role. They represent the legitimate interest of the larger community which sustains the institution and is served by it. Trustees usually have the legal power—sometimes delegated to administrative officers—to approve faculty appointments, promotions, continuations, and promotions to permanency or tenure. Trustees normally do not have initiative in these matters; names come to their attention only after faculty approval. The right of the trustees of both secular and religious schools to exercise their veto in matters of this kind has encountered increasing opposition in recent years. Still, the right remains, and I believe that Catholic academic institutions will continue to exist only if trustees preserve this right and exercise it prudently and firmly.

In the case of Father Charles Curran, I believe that the Board of Trustees of Catholic University failed in both prudence and firmness. In prudence, since they proceeded in accord with a provision of the University Statutes for dealing with cases in which "a teacher offends against Catholic doctrine or is guilty of grave misconduct" (art. 66). Since Father Curran did not have permanency, the trustees need only have exercised their discretionary authority, through the Rector, not to follow the faculty recommendation for his continuation and promotion. Such a refusal would no more have required a hearing and a justification than would the refusal of the faculty to make a favorable recommendation if that had been the decision of the faculty. The trustees also lacked firmness. Apparently their deliberate judgment was that Father Curran did not belong at Catholic University. But faced with the coercion of a campus strike and pressure from the news media, the trustees surrendered.

Fourth, those who have money at their disposal and who also have the faith at heart should realize that work consonant with the faith in sensitive areas must receive the same sort of support within the Church that the governmental-industrial-philanthropic complex provides for work in line with its secular interests. A generation ago studies and conferences already were being supported by those sympathetic to a loosening of anti-abortion laws. Today there are many scholars who are indebted to such support, and there is a vast body of pro-abortion literature. Catholic bishops and organizations such as the Knights of Columbus have seldom given direct aid to specific academic projects. But the research contract is a most effective limit on academic freedom in non-Catholic universities.

Fifth, in institutions such as Notre Dame, Georgetown, Fordham, St. Louis, and Boston College the secularization process probably already is irreversible. Of all Catholic institutions, these have been among the most successful—by secular standards of success. But their success depends heavily on government aid. If government aid is withheld from institutions that remain truly Catholic—and this seems likely to happen if the implications of the Maryland case are followed out—the pressure on all Catholic institutions to secularize will be very great. The disposition among administrators of the larger institutions seems to be to yield quite meekly to this form of incursion upon the academic freedom of Catholic colleges and universities. Therefore, other Catholic in-

stitutions, especially the liberal arts colleges, must not look to the larger institutions for leadership. The lesser Catholic institutions should think through their own reason for existence, and try to summon the courage and the self-confidence to keep their identity. In their reflections, trustees and faculties of smaller schools should be encouraged by the consideration that while secular greatness probably can be bought for a price, the accomplishment of the mission of a truly Catholic college or university depends much more on divine grace than on human capacities. And the Lord seems to have a predilection for the humble.

Sixth, institutions that preserve their Catholic identity must allow full scope for authentic academic freedom. Often (at least, in the recent past) Catholic colleges have suffered under serious abuses. In many cases these abuses arose because of a failure by those in power to distinguish between the religious community and the academic community. Administrators were viewed as superiors; department heads, as delegates of these superiors, often exercised excessive unilateral power. Students were treated almost as if they were novices. By rights, faculty members should have the power to legislate in regard to academic matters; the principle of authority here is competence and participation in the work, not religious obedience. Students should be permitted broad scope to govern their own non-academic life, since the institution requires discipline for its academic purposes rather than for personal formation. Some consultation of the student in academic policy-making would be useful—though student judgment in such matters should never be decisive.

Seventh, bishops should not confuse discipline with *teaching authority*. If someone is denying the teaching of the Church, while claiming to be a Catholic, the proper response, at least in the first instance, is an affirmation of the authentic teaching. Bishops who are unwilling to declare what is the actual teaching of the Church in regard to some questions—*e.g.*, the morality of contraception—have no business condemning theologians for taking stands of which they disapprove. The *magisterium* of the Church is a *teaching office*. If the bishops, instead of allowing themselves to be intimidated into silence by the supposedly superior competence of academic amateur and professional theologians, use their authority to teach, then faithful Catholics will soon judge who are Catholic theologians and who are spinners of myths.

If the bishops fail to teach clearly, no amount of disciplinary effort, no intervention in academic processes, will prevent the spread of a secularist mentality which defends departures from faith and infidelity to the *magisterium* under the title of academic freedom. When essential Catholic doctrines are at stake, the faithful have a right to expect their bishops to intervene with prompt, firm and unambiguous teaching. Peter, Andrew, James, and John were not intellectuals; if Christ had wished to entrust His gospel to theologians He could have done so, since the scribes were available. A bishop may—in fact, he should—consult, study, and pray. But then he should teach, and if he cannot bring himself to teach he should resign.

Conclusions

I am sure that some will consider what I am saying a product of a classicist outlook, a fundamentalist frame-of-mind, or—worst of all—a preconiliar mentality. I plead guilty. A classicist outlook means that not everything is subject to change; with St. Paul I hold that Christ is the same: yesterday, today, and indeed forever. He is the Truth who never varies, and He is not discovered by mere human inquiry, however free.

A fundamentalist frame-of-mind holds fast to the essential principles without which faith cannot be discerned from fiction. No Catholic can accept the fundamentalism of biblicist literalism, because *sola scriptura* has never been the norm of Catholic faith. But I do hold fast to the living *magisterium* of the Church, believing that Christ spoke truly when He said: “He who listens to you, listens to me,” and that He keeps His promise to remain with the Church until the end of time.

Finally, my mentality is preconiliar, because I accept what Vatican Council II has taught as a legiti-

mate development of a continuous tradition, not as a revolution. As Paul VI said a month after the close of Vatican II (January 12, 1966): “The council opens many new horizons to biblical, theological, and humanistic studies. It issues an invitation to research and the advancement of religious sciences. But it does not deprive Christian thought of its speculative vigor. And it does not allow that arbitrariness, servility, uncertainty and desolation which characterize so many forms of modern religious thinking, when it is deprived of the assistance of ecclesiastical *magisterium*, to enter into the philosophical, theological, and scriptural schools of the Church.”

More recently (June 24, 1967), after restating the essential role of the ecclesiastical *magisterium*, the Holy Father went on to say:

Thus we sometimes have asked those who hear our humble and frank voice to seek a just doctrinal concept of the council, a concept of confirmation, of coherence, of development of the dogmatic heritage of the Church, and to avoid the danger of certain broad opinions which insinuate an arbitrary evaluation of the council almost as if this great ecclesiastical event could justify a concept of Catholicism different from that already well defined, and authorize free suppositions of different and discordant religious ideologies (though they still may preserve a sense and love of the Catholic religion).

I submit that Paul VI offers a more authentic interpretation of the spirit of the council, as well as of its letter, than that proposed by those who would subject the organized structures of Catholic intellectual life to the narrow requirements of a secular concept of academic freedom.