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On academic freedom

The relationship between theologians and the Church



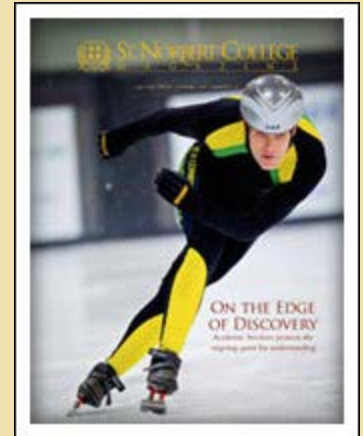
Patrick McCormick

Patrick McCormick, professor of religious studies at Gonzaga University, delivered a thoughtful analysis, excerpted here, of the relationship between theologians and the Church when he visited St. Norbert College to deliver a guest lecture. He clarifies the distinct roles of the theologian and the bishop, and it is interesting to note how his reflection on academic freedom, delivered out of his scholarly experience at a Jesuit foundation, aligns with the [Norbertine perspective](#) offered in this issue by [Howard Ebert](#) (Religious Studies).

Within the university, academic freedom resides in particular in the bodies of individual faculty members, because individual faculty members are the persons who engage in research and teaching and publication. They have to have enough elbowroom to be able to investigate questions that are controversial, that are new and fresh, and that lead sometimes in disturbing directions. So they have to be able to engage in full and free research, and they have to be able to engage in full and free teaching, and they have to be able to engage in full and free publication.

So, academic freedom resides in the university and it resides in the faculty member and it resides in the students. The students should have the right to gain the best access to the best information and the best knowledge available in all the fields in which they study. That is one of the reasons why the university exists. They should not be spoon-fed propaganda or indoctrination. They should be allowed to investigate and to question. ...They have that right to that, and the university has a responsibility to provide it.

In general, it seems to me, you could argue that academic freedom as an American idea begins in or around 1915 and is sponsored by the American Association of University Professors in one of their founding documents; and that the idea is repeated in subsequent documents in 1920, 1940 and 1958; and that other professional associations of



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[On academic freedom](#)

Patrick McCormick, of Gonzaga University, speaks to the relationship between theologians and the Church, in a lecture at St. Norbert College.



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American professors, university professors, have come to support this idea. Loosely speaking, their definition of academic freedom runs something like this: Academic freedom is the freedom of the teacher or research worker in higher institutions of learning to investigate and discuss the problems of his science, or her science, and to express her conclusions, whether through publication or the instruction of students, without interference from political or ecclesiastical authority or the administrators of the institution in which they are employed – unless their methods are found by qualified bodies of their own profession to be clearly incompetent or contrary to professional ethics.

So, basic position: Academic freedom as defined within the American context is the liberty of individual faculty members to do research ... that is limited only by their professional competence and by the review of their peers in the field.

Now, until the 1960s, most people in Catholic higher education did not believe that a Catholic university and a vigorous and full defense of academic freedom were compatible. The general assumption was that Catholic colleges and universities, which in the United States had largely grown out of parochial or diocesan settings or were sponsored by religious communities, were seen as an extension of the pastoral arm of the Catholic Church. ...

Also, the general understanding of leadership within the Catholic community, well up until the 1960s, was a profoundly hierarchical, clerical mindset that saw the exercise of any lay leadership as subservient to, or an executive function of, the ministry of the clergy or the religious community. That is, whenever a layman worked, or laywoman worked, for the Church in whatever role, they were there largely as a replacement for clerical authority, which was over and above them, and they carried out the mandate or the mission of that clerical or pastoral authority.

What happens in the 1960s within the Catholic Church and within the Catholic Church in the United States is revolutionary to that fundamental understanding of the relationship between higher and lower authority within the church. It's fundamental to the change in Catholic understanding of the place of academic freedom in the university. A number of things came together for Catholics, and for the larger Catholic church, and for Americans in the middle of the 20th century. And almost all of these are familiar to all of us, but we'll just run a short sketch of a couple of basic things.

With the rapid decolonization of the developing world that takes place after the Second World War, we have a shift in the understanding of government that takes place throughout the world. And that shift in the understanding of governance radically changes the role of the understanding of the citizen in relationship to government. I'm not saying that the rise in democracies meant that there was a rise in good democracies. I've often been asked at talks when I suggest that academic freedom is a constituent element of Catholic theology, "Do you believe that the Church is a democracy?" I say, "Well, yes, I do believe the Church is a democracy, kind of like Paraguay is a democracy." It's not a very good democracy, but yes, it's a democracy. We elect our popes, OK. I'm not suggesting that democracy came in and all was roses and perfume. What I am suggesting is that after the Second World War, the decolonization process and the response to the Holocaust and the Nuremberg trials is that there's a fundamental re-evaluation of the relationship between citizens and figures in authority. And obedience is



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displaced as the central moral virtue in institutions, and it is displaced by responsible autonomy. ...

Within Catholic universities, parishes, and institutions across the country, the 1960s gave witness to a shift in leadership, so that lay people began to take over the boards of Catholic colleges and universities. So in universities ... we have a shift from a primary focus on obedience to a primary focus on personal autonomy.

Now, one of the things going on in Catholic thinking at that time is that there's a reflection on trying to understand what the role of the vocation of the laity is or what the role of the vocation of the baptized is in the larger community. And there's a profound shift in Catholic thinking on that role and that responsibility.

I am not suggesting here that the Magisterium or the bishops do not have significant, even fundamental roles in establishing and protecting the teachings of the Church. What I am suggesting is that the role of the Catholic university is not simply the role to execute the decisions of the Magisterium. ... [The Catholic university] serves a distinct and autonomous function, which is in relationship to the leadership of the official teaching arm or the pastoral arm of the Church.

Now, the debates that have occurred in the last 10 or 20 years are about what exactly is going to be this relationship between Catholic universities and colleges in the U.S. with the pastoral arm of the Church – or the Magisterium, or the teaching arm, of the Church. And the answer to that has not yet been clearly formulated. ...

Now, a number of people, particularly bishops, within the Catholic Church are willing to agree that within most disciplines within a Catholic college or university, the autonomy within those disciplines ought to be respected. And that is within chemistry, within biology, within history, within economics.

Some Catholics and, in particular, bishops want to argue that in theology, or in questions of faith and morals, there ought to be a relationship between the theologian and the bishop that is such that the bishop will be able to exercise some control or influence over the theologian. ... What the bishops would like to do is to be able to exercise some form of juridical authority over those theologians or over Catholic institutions that bring in speakers who would not be allowed to be brought into a Catholic parish or a diocesan forum, and brought into universities that are identified as Catholic. [The bishops] see that as setting up a confusing context for the faithful, or misleading the faithful, or undermining the faith. ...

Some ... have compared the bishops to the Supreme Court and have argued that the theologians are like the lawyers of the court or the lower levels of the court, but when the decision is made by the Supreme Court, then it's infallible because it's final. I would like to argue, largely, against that position. And my argument against that position is that it doesn't adequately understand how theology or Catholic teachings are actually formulated, and, more importantly, how they're re-formulated.

Let me offer a counterargument to the position that the Catholic

theologian or Catholic university is an arm of the pastoral ministry of the Church, and it's ultimately the decisions of the bishops to the Magisterium that need to be followed in this position. These are my Catholic arguments for full Catholic academic freedom:

First, the development of Catholic teaching and theology has been enriched by the contributions of lively debate and dissent. ... It is often the presumption of official teachers that Catholic theology, like the Ten Commandments, descended from a mountain and was scripted by one author. In fact, Catholic theology ... is usually a mess that's been concocted by editors, writers and rewriters, and that some of our most basic teachings in Catholic theology are the product of dissenting theologians who disagreed with an earlier formulation who were silent for a long period of time, and whose position ultimately became the dominant or accepted position within the church. ...

Second, I want to argue that Catholic social teaching, which represents a body of thought that's about 120 years old at this point, has increasingly recognized the legitimate autonomy of smaller, more diverse and distinct groups within communities and call for procedural justice within all communities, including the church itself. ... Since about the 1930s, Catholic social teaching has argued that the principle called subsidiarity, within organic communities, protects the justice of these communities. That principle was largely developed in response to totalitarian societies, which argue that a monarch or ruler of a totalitarian society had authority in all areas of the citizen's life: in the political, civic, religious, sexual, familial – that is that there were no distinct, organic groups within the society that had authority that was not possessed by the head of the society.

Catholic theology rejects that totalitarian understanding of society, though, to be fair, it often practices it. ... When we look at Catholic teaching on economic workers or the rights of justice, or political justice, or full participation in society, or education, or culture, subsidiarity is an underlying principle that underlines all these teachings. ... The block or, as Jesus would say, “the beam of the Catholic eye” is the unwillingness from time to time, and sometimes for long periods of time, of Catholic authority in its own centralized location to recognize that this rule applies to itself.

Cardinal Ratzinger, who is now Pope Benedict XVI, argued in a document on the ecclesial responsibilities of the theologian, that, in fact, the theologian was a length of the pastoral arm of the Church and had the responsibility to explain the teachings to the laity: not to question, not to examine, not to publicly discuss or debate. That is a reasonable task for a first grade CCD teacher. It is not a reasonable task for a university professor or for a public theologian.

What would the implication of Catholic teaching be for that? The implication is this: The bishop has a real and important authority to promulgate the teachings and the faith of the Church in his diocese. And the bishops have a real responsibility to promulgate and protect that faith. If they believe individual or groups of theologians are taking public positions that are in disagreement, they have the ability to disagree with and to make public statements in correction of them. But they are not their employers, and they do not have juridical authority over them.

The theologian has a distinct and different responsibility from the responsibility of the bishop. The theologian, professor, or faculty member has a responsibility to promulgate, to examine, and to question. That is a

serious obligation. In the formation of conscience, Timothy O'Connell, out of Loyola in Chicago, has argued that the conscience can be thought of in three thoughts or processes, and that the third state of conscience is imperial conscience, which is the conscience that we must follow. So, if we come to the conclusion that something is wrong, you must not do it. We have to follow our conscience. But, in order to get to that place, we have to do a thorough examination of facts of the case. We have to reflect, we have to seek out the best counsel and advice, discuss, dialogue, and re-examine the position and then we come to this place.

The bishops are in the place of Conscience Three. They are in the place of making authoritative statements on behalf of the church, for what they believe to be the truth. But unless they are standing on a house of sand, these arguments must be based on transparent and reasoned evidence that are available and accessible to the members of the faith community. And that is the role of the theologian. That is the job of the theologian, to continuously critique, examine, and understand, and to be in conversation with other disciplines and other areas, so that there can be a vigorous and thorough examination of positions that are going to be formulated by the Church – and then a thorough and vigorous re-examination of those positions as they continue to be reformulated in new and changing contexts.

The responsibility of the university and of the theologian is distinct from the responsibility and the duty of the bishop. Conflating those responsibilities is a categorical mistake and is the kind of mistake that confuses the university with a Catholic parish or a Catholic grade school. They are fundamentally different animals, and unless we understand that difference, we're not going to be able to appreciate why the Catholic university, the institution, and the faculty have a vigorous and full academic freedom in order, I would argue, to better serve the Church. Theologians are not small bishops, and bishops are not big theologians. They are different animals entirely.

The Church's ability to teach in areas of justice is, by the Church's own admission, dependent on the Church's ability to give witness to transparent protection of procedural justice within its own institution. It is not enough to defend the notions of the right, good, and just in pontifical statements, if the actual practices within the human institution of the Church, which also resembles other civic, political, and economic institutions, if those practices do not reflect procedural justice and due process. ... Catholic social teaching, for the last 120 years, has been fundamentally oriented to the protection of the rights of workers. But the protection of the rights of workers is not only the protection of their right to a living wage and safe working conditions, which were the primary concerns of Leo XIII. Particularly, under the pontificate of John Paul II and his analysis of the rights of workers, Catholic social teaching has argued that workers have a right in institutions to share in the governance of those institutions and to work for themselves, which means to exercise a legitimate autonomy in the workplace.

That legitimate autonomy means not only that they would have a share in the ownership of the company, but it means that they would have a share in the guidance or the leadership of the company. In John Paul's understanding, the worker is simply not a slave or a beast, but is a human subject that brings to the shared labor of the enterprise her or his intellectual or moral gifts. Their full or free participation in that larger society is a legitimate exercise of their charism as a worker. John Paul II said on several occasions that workers had a right to this kind of autonomy.

In larger part, he was responding to the understanding of the worker under the Soviet system, and he is rejecting a totalitarian understanding of the worker as a slave. And he is in support of the Solidarity movement and its participation in not only the labor force but in the politic and civic governance of society.

But he cannot have it both ways. If the principle applies to Solidarity in Poland, it applies to Catholic professors in the U.S. It's the same principle. And the argument is that the responsibility of the governance of the institution is shared by those who work and bring their gifts and talents to that institution.

According to Catholic social teaching, we work not just for a wage, but we work to perfect ourselves by participating in the larger common good and by making a contribution to that society. We find work rewarding because it is challenging enough to draw out our full range of talents and gifts, and because we become fuller and richer persons through that labor. We find work rewarding because we are able to make a valuable contribution to the improvement of the common good in society. That is specifically what the university professor does at a university that is Catholic or secular. They use their full range of talents to develop themselves and to participate in the creation of a greater common good. My argument would be that Catholic social teaching in all of its areas supports a full and vigorous understanding of academic freedom.

Third, I want to make an argument that Catholic theology itself is in full support of a vigorous understanding of academic freedom. ... We have two visions of leadership within the Catholic community. One is a profoundly hierarchical and centralized notion of leadership, and this is offered to us as the Petrine, or Peter, model of leadership. But anybody who's ever been to St. Peter's [in the Vatican] knows that at the front of the square there are two statues. One of those statues is of Peter, and one of them is of Paul, and the debate, dialogue, or disagreement between them is the conversation that is the Council of Jerusalem, which began the Church as we know it today.

We are not a Church simply of Peter. We are a Church, both architecturally and theologically, of Peter and Paul. And it has been the tension between these two polar understandings that, for the Church community, has invigorated the tradition of Catholicism for the last 2,000 years.

All of us are familiar with the Petrine vision of the Church, and the Matthew vision of the Church, which celebrate that hierarchy and the leadership of centralized authority. But our first theologian in the Catholic community was Paul, who writes before the four gospels, who writes before anybody else, and who offers us the most important understanding of the Church in his theology of the body of Christ, which is exemplified most clearly in 1 and 2 Corinthians. What Paul offers us is ... an understanding of the Church as an organic community, made up of diverse and distinct gifts that do not trump one another. It is not Paul's vision that one gift has authority over all other gifts; that the gift of the teacher trumps the gift of the speaker, the gift of the tongues, the gift of the servant, the gift of the one who provides hospitality. He sees these as multiple, organic gifts within a community. ...

Not only is this prevalent in Paul's theology of the Church, but it was absolutely clear in Paul's political activity in the Church. Paul felt no compunction whatsoever in challenging James and Peter in their leadership of the Church, and on fundamental issues about ecclesiology

and about membership of the Church. And the Council of Jerusalem, the first council of the Church, is an example of Paul's willingness to question and force the Church to re-examine its position on membership of the community itself – and acceptance or rejection of the Gentiles, and dependence upon the law, or circumcision. These were fundamental changes that absolutely changed the nature of the Church for all time to come.

So what we see in both Paul's theology of *communion* – or within the organic membership of the Church and his political activity, in debate and disagreement with Peter and with James – is his assumption that the body of Christ, or that the Church itself, is not a hierarchical pyramid structure with a centralized authority. It is an organic community that is in conversation with that. I would say that both the development of theology, the insights of Catholic social teaching, and the fundamental theology of the Church itself would be in vigorous defense of a full understanding of academic freedom within the Catholic community.

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