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## CATHOLIC HIGHER EDUCATION: IS IT IN OR OUT OF THE CHURCH?

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*Msgr. George Kelly is no stranger to the readers of this journal. Once again with his characteristic insight, he probes here the timely topic of the relationship which exists between the Church and Catholic Colleges and Universities.*

Why has Christianity, which played a leading role in Western education until a century ago, now become entirely peripheral to higher education and, in fact, come to be seen as absolutely alien to the educational enterprise?

- George Marsden  
Duke University



THE DEATH OF PROTESTANT HIGHER EDUCATION IN THE 19TH CENTURY HARDLY turned out to be a boon to the Catholic Church following the Second Vatican Council. Had Harvard, and/or Yale, remained respectably faithful to their religious foundations, the Pope and the American bishops might have drawn on that experience to deal with the rebellious Catholic college presidents who by 1967 had decided to survive in the world of secularized Harvards and Yales by severing the juridical connection with their sponsoring Church.<sup>1</sup>

Catholicism had proved to be a worthy competitor for the soul of Protestant America, whose politics, if not its anti-Catholic crusades, was rationalized on the campuses of well-known centers of Protestant learning. One by one those centers fell until, as George Marsden of Duke University's Divinity School recently affirmed, the entire Protestant enterprise, a formidable force in Protestantizing America, was largely abandoned voluntarily to become an embarrassment to once proud Churches which wished no longer to acknowledge they ever conducted such a system<sup>2</sup>

Avery Dulles has summarized this process as schools following "the slippery path that led from denominational to generic Christianity, then to vaguely defined religious values, and finally to total secularization."<sup>3</sup> The Jesuit priest adds: "Many competent observers are of the opinion that this drift is by now inevitable in practically all Catholic universities."<sup>4</sup>

If the Catholic Church once had the countervailing will against a well-orchestrated Protestant Crusade, to develop its own system of higher education which, in spite of recent losses, still numbers more than 230 institutions, does it have the determination today to resist, to offset, and to maintain unashamed Catholicity on self-proclaimed Catholic campuses against the now culturally dominant Secular Crusade? Secularism reigns triumphantly in 2,000 American colleges and universities where religion (George Marsden says) "is about as important as the baseball team." These institutions, too, in a given year shape the lives of 12.5 million of the country's best and brightest youth, and

through them the culture of the nation.<sup>5</sup>

Certainly, the Protestant experience is more of a warning to Catholics than a guiding light. From a broadly Christian perspective, or in terms of a vital worshipping community, the “mainline” churches which very early adopted the surging secular American way as normative, are virtually empty on the Lord’s day except for spectacular occasions. Furthermore, Protestantism today has only a vestigial voice at the periphery of those culture shaping institutions, including government, which they once dominated. Protestant divines were destined for defeat once they accepted as binding rules for their higher institutions of learning the following propositions: (1) Only pragmatic concerns of the secular order are subject to empirical verification; (2) only science and an evolutionary world view are the basis of a proper search for truth and of right thinking; (3) only academics should have control of learning’s process.

What was the result? In George Marsden’s view - the undermining of belief in any particular religion as having a divine origin.<sup>6</sup>

## THE CATHOLIC TEMPTATION

Fr. Richard John Neuhaus, one-time Lutheran pastor, wrote a book five years ago called *The Catholic Moment*,<sup>7</sup> a lengthy expression of hope that with Protestant America a thing of the past, the time had arrived perchance for the Christian influence to return effectively to post-Modern America through the instrumentality of the once reviled religion of popes. He had some doubts whether Catholics could, or would, seize this day, but it is clear from his analysis that the Church’s intellectuals, following the lead of the Second Vatican Council and in union with John Paul II, could have a lot to say about whether or not his hope would be realized. In the meantime, he himself became a Catholic and a priest, and just before he did both, he evaluated Marsden’s account of the death of Protestant higher education.<sup>8</sup> The Neuhaus editorial, in a magazine of which he is editor-in-chief, decided that in spite of Catholic higher education’s continued seriousness about being religious institutions, the declaration made in 1967 by its leadership at Land O’Lakes, Wisconsin,



George Marsden

declaring Catholic university independence “in the face of authority of every kind, lay or clerical, external to the academic community,” was, as a formula, “a perfect invitation to follow in the footsteps of those who have gone the way so incisively traced by George Marsden.”

The final judgment on the truth of that estimate has not been made, but the arguments over what is a clear Catholic trend since 1967 have been frequent, sometimes bitter. Lately, the *Association of Catholic Colleges and Universities* (the successor to the College Department of the *National Catholic Educational Association*) is confident that its endorsement of Land O’Lakes, and its resistance to hierarchic overview of any kind, if this meant Church directive or law, is the course to continue pursuing for reasons of academic excellence, government funding, and peer approval. Indeed, of survival. In 1992 there is a conviction among those who have followed this controversy that the *National Conference of Catholic Bishops* has also been persuaded that ACCU’s position is de facto a viable development for Catholic higher education, even though Rome still has misgivings. A certain ennui has set in, but in the beginning, when the breakaway of Catholic higher education from hierarchy was proposed, mostly by Jesuit college presidents and Fr. Theodore Hesburgh, the battle was joined with relish by opposing forces. It soon became clear that the debating sides had different expectations for the Church, as much as for the Catholic college.

Permit me to recapture the mood and the arguments of one of the earliest and most fierce confrontations that occurred after Land O’Lakes. The story is an important part of the historical record.

## THE REVOLT AT ST. JOHN’S UNIVERSITY AND THE AFTERMATH

On December 20, 1965, seventy faculty members (out of 500+) went on strike against St. John’s University, N.Y.C., a confrontation which, before it ended the following May, would rouse the academic world, secular and Catholic, and bring down upon the Vincentian Community accusations of anti-academic freedom, anti-unionism, inferior education, and violations of the new spirit of Vatican II, which at the time was still in session.

At the heart of the dispute was an attempt to eliminate all substantive relationships between the University and the Catholic Church, and to deny the authority of the Board of Trustees to identify any areas wherein the status of the University as a religious institution might influence teaching. St. John's fought off this attack alone, and that of the academic world, Catholic and secular, with very few exceptions, and with minimal help from Church authorities.<sup>9</sup>

The priest making this report to the hierarchy's chief officer was the one brought in shortly before the trouble began (August 1965) to re-organize St. John's University, and who would remain president for the next twenty-four years. He would not have gone to Cincinnati when he did without the urging of Gabriel Cardinal Garrone, at the time prefect of Rome's congregation of Catholic Education. Joseph T. Cahill, C.M. is his name.

When Fr. Cahill retired in August 1989, a local headline said of him, "He is St. John's." This appreciation only reflected the classes of students he taught weekly, the cafeteria breakfasts he ate with them, and the campus benches on which he spoke with hundreds of them for almost a quarter of a century. His more notable contribution, however, was transforming St. John's from a medium-sized Brooklyn college to the country's largest Catholic university (almost 20,000 enrollment). And beyond that, Cahill's enduring significance will likely derive chiefly from the fact that, during the ecclesiastical turmoil of the post-Vatican II era, he stood almost alone among major presidents to insist that an authentic Catholic university must be institutionally committed to the Catholic faith as this is defined and taught by the Church's magisterium. Of the twenty institutions in New York State which in 1965 were considered fully Catholic, only St. John's University today is legally free under public law to make such a commitment to the Church.

*The Significance of 1965:* "The Strike" in 1965 had little to do directly with what occurred ten years later in Cincinnati. Yet the violence of the reaction in Catholic academic circles to the work stoppage foreshadowed the unparalleled breakaway movements of Catholic leadership that would follow the Council. "Land O'Lakes," the 1967 declaration of revolt against Church authority by Jesuit college presidents and Notre Dame's Theodore Hesburgh, was still unwritten. Yet the mood of rebellion in Catholic circles was already present, almost unnoticed

by most bishops, encouraged by some. Secular journalists, typified by columnist Murray Kempton, were unsurprisingly persuaded that St. John's had "treated its faculty disgracefully."<sup>10</sup>



The burgeoning problem for the Church was the growing animus of the Church's professorial class against "patriarchy" and "religious" control of the college campus. One well-touted academic at the Catholic University of America considered St. John's so-called violation of the faculty's academic freedom and tenure both "notorious" and "reprehensible".<sup>11</sup> Fr. Clarence Friedman, university representative for the National Catholic Educational Association called upon the Vincentian provincial to "terminate the strike because it was an embarrassment to Catholic educators." However, such emotional reactions formed at a distance were off the mark. Neither firing professors nor academic freedom were the real issues, as the American Arbitration Association had reason to sift out five years later.<sup>12</sup> St. John's simply had outgrown its own machinery, doubling its student body, almost tripling its faculty, and its budget, too. Fr. Cahill, brought in to update the university's administration, quickly discovered that his battle went beyond arguments over pay, tenure, and faculty committees. A prominent strike leader spelled out the more substantive issue:

Before any significant reform can be accomplished, the top personnel will have to be changed because they are incapable of anything constructive. It will probably be necessary to get the Vincentians out of St. John's altogether and, if the faculty mobilizes against them, they may decide to go.<sup>13</sup>

Some leaders of the United Federation of College Teachers (UFCT) considered the Catholic commitment a form of bigotry in itself. In their eyes "a Catholic university in the ecumenical sense" was much more desirable. (Later important Catholic college presidents would think so too.)<sup>14</sup>

Recalling those first days many years later, Cahill reminisced that his Board would have closed St. John's then and there, so essential did the members consider the Catholic commitment to the university's life.<sup>15</sup> It was

a pronouncement Cahill first made to the Board prior to the strike (October 25, 1965):

St. John's University regards it as a solemn duty at this time to reaffirm its position as a Roman Catholic institution of higher learning.... This trust means that St. John's University must adhere not only to the highest standards of excellence, but also to the teaching, legislation, and spirit of the Roman Catholic Church. Nothing whatsoever shall be allowed to compromise this resolve.

*The Roman Intervention:* By the time St. John's became the first private university in the country to negotiate a labor contract with a local chapter of the American Association of University Professors and the university-based faculty association, it was being hailed by the chairman of the Middle States Association of Colleges and Schools as having enjoyed "the dubious distinction of being one of the most evaluated and scrutinized higher educational institutions in the United States."<sup>16</sup> Cahill's work of reorganizing internal structures proved to be easier than defending Catholic identity during a wild period of Catholic revolution. Outsiders never realized that no more than seventy faculty walked the picket line, the university never closed down, ninety per cent of the students attended class regularly, while trade unionists delivered supplies at night when there were no pickets. The main outside opposition continued to be Catholic, largely because of Cahill's fierce determination to resist any faculty member who would dilute St. John's commitment to the Church, its faith and its life-style. As if to annoy his critics more, President Cahill soon established an endowed John A. Flynn Chair in Contemporary Catholic Problems, a Catechetical Institute with ties to the Roman Congregation responsible for catechesis, and an Institute of Catholic Higher Education intended as an effort to organize colleges in support of what the Holy See was trying to do to keep Catholic colleges within the fold. Although initially encouraged by the presidents of Villanova, Gannon, and Niagara, the latter effort eventually failed, leaving Fr. Cahill as a lonely leader of the opposition to the group that eventually called itself the Association of Catholic Colleges and Universities (ACCU). If the steamrolling effect of "Land O'Lakes" on Catholic college presidents (not without assistance from important bishops in the newly formed NCCB) won that particular day, Cahill's virtuoso performance attracted the attention of Gabriel Cardinal Garrone, prefect then of the Congregation for Catholic Education.

By 1969 the issues in controversy were clearly evident in the responses to a Garrone survey of Catholic university presidents. Fr. Robert Henle, S.J., who spoke for the "Land O'Lakes" group was a leader at one end of the ideological spectrum. Cahill, speaking only for himself, adopted the position then being articulated in Rome.<sup>17</sup> As an example, each president responded differently on the relationship of the Catholic college to the magisterium:

*Fr. Robert J. Henle, S.J.:* "Magisterium is effectively present in the Catholic universities primarily through the conscience of the individual Catholics."

*Fr. Joseph T. Cahill, C.M.:* "The magisterium is concretely presented in the Catholic universities as the most important guideline in the teaching of Catholic theology and, where the sciences touch, of Catholic philosophy."

While Henle and Company were at odds with Cahill on other points, contradictory notions about Catholic higher education, indeed of the Church, are evident in these two views; one stressing the individual, his or her subjective views of Church teaching, no mention even of a correct or rightly formed conscience, nor of binding Catholic truth and responsibility for its faithful transmission; the other tying the university into the Church's Body, to its teaching, and to its life-style. Each of these views, once institutionalized, changes the religious practice, not only of its putative young believers, but of the Church itself: one socializes the student into a form of "pick and choose" Catholicism; the other, whatever the students personal choices may eventually become, forms and indoctrinates collegians about Catholic faith and morals, with the same assurance it guarantees facts and truths about the solar system. And, since Catholic college graduates are the ones most likely to head up the Church's infrastructures - the parishes, the catechetics offices, the seminary faculties, the charitable agencies, etc., one need speculate little about the kind of headship each theory of formation will produce.

A university, after all, is not an independent world of its own. It is precisely what the lexicographers call it, "the highest level of an educational system," of which there are many forms - state-owned, privately-owned, German, American, English models, operating under secular or religious charters. Each system socializes its faculty and student body into its own particular ideology

and life-style. The Church, through the instrumentality of a special campus ministry available to those who care to use its services, does the best it can to carry out its mission in other universities. On the contrary, as President Cahill said more than once: "Our entire university is a campus ministry to all who teach or study here."

Such views brought Cahill into conflict with the National Catholic Education Association (later, too, with its offshoot, the ACCU), illustrated best in an exchange of correspondence between him and the latter's executive secretary, Msgr. John F. Murphy. Cahill objected to the NCEA's tactics during the strike, and to its studied gloss of the factual situation developing on Catholic campuses - no commitment to the faith, no religious practice among large numbers, and behavior styles inconsistent with Catholic ideals. These, Cahill insisted, called for action by the American bishops not by the NCEA.

In a first letter (February 23, 1976) he took umbrage at the NCEA's treatment of St. John's:

Statements made by some of your Executive Committee indicated I was considered a "nut" and so forth. I resent this most bitterly, Monsignor. It is an unfair tactic used by many so-called "fair-minded" men so as to blacken the reputation of those who disagreed with their positions ... These charges are false and I am certain that my colleagues, many bishops of this country, and my Ordinaries will defend me and my concerns."<sup>18</sup>

Within two weeks Cahill was back to Murphy, criticizing the NCEA's Report to Cardinal Garrone. He insisted that the NCEA had lost the proper focus on the vital issues of the day, was over-optimistic because it failed to take account of the darker side of the real Catholic college world, which, he maintained, is "not totally unrelated to contemporary teaching and formation procedures."<sup>19</sup>

This letter also challenged what can only be described as "sacred cows" which the NCEA, in defense of the *status quo post-Vatican II*, insisted on worshipping:

While many alumni of Catholic institutions are "loyal and grateful to their colleges," there are large numbers of alumni presently unhappy with what is happening to their sons and daughters on Catholic campuses, unhappiness which is shared by pastors of souls, up to and including Pope Paul VI. Whether future alumni will be "loyal and grateful" is a matter of some concern.

Too much stress is placed on government aid for the survival of authentic Catholic education of quality.

Granted, if the price is right, government support is always desirable ... while (NCEA's) draft statement acknowledges the rights of secular society over higher education, it does not support sufficiently the rights of the Church and hierarchy, who represent the common good of the Church.

Alternatives to reliance on government for survival are never easy. But there are alternatives, one of which is eschewing public funds which can be had only at the expense of formal Catholic identity and Catholic performance.

Accrediting agencies in the United States judge an institution on what of itself it professes to be according to its own statutes. They take the Catholic profession into account. Furthermore, professional unionization of faculty, as at St. John's University, also recognizes the Catholic commitment which accompanies hiring ...

It is no longer true in the American world (that) educational "control is exercised basically by the educators themselves."

Government, foundation, and professional bureaucracies have a large and increasing role. There is no reason, therefore, why only Church authority's role should be minimal.

(In his final comment Fr. Cahill asked Msgr. Murphy how many colleges considered Cardinal Garrone's 1973 requests reasonable, to wit, [1] that Catholicity be expressed in college statutes; [2] that machinery for self-discipline in doctrinal matters be spelled out in those statutes.)

*The Bernardin Presentation:* Rome had been dealing with the breakaway tendencies of NCEA/ACCU since 1968. And without success. Meeting after meeting went by with dialogue designed for only one end product - the freedom of college presidents to conduct their universities without interference from Church authorities. In November 1972, for example, during an International Congress of Catholic Universities in Rome, convoked by

the Holy See, Fr. Henle warned Garrone he would sever Georgetown's affiliation with the Church if the Cardinal tried to enforce Church norms on the United States. Almost instantaneously, Fr. Hesburgh threatened to walk out, if he found this to be the objective. Years later he would explain to a reporter that he saw this as an attempt by the Curia to have "local bishops decide what will be taught and who will teach in the universities."<sup>20</sup> The heart of the matter was not this at all, simply the establishment of norms by which the Hesburghs of the Church could be made to guarantee that what was taught about the Catholic way of life and who was doing the teaching was consistent, if not with the Catholic institutional commitment, at least with its public claim to be "Catholic." Privately, NCEA leadership circulated the impression that Rome was going their way, willing at some point down the road, to accept a college's external autonomy from ecclesiastical oversight regarding faith and morals. By 1975 Cardinal Garrone was annoyed, to put it mildly, at what he considered patent efforts to distort his position and that of the Holy See. He had become weary of interminable dialogue as a way to forestall decision-making by institutional leaders.

Throughout these years of seemingly endless parleys, one question kept echoing in the Roman hallways: Where are the American bishops? Most of them did not seem to realize the significance of what was actually taking place. They presumed that their colleges, like their parochial schools, would be there forever and fully Catholic. During the St. John's strike, for example, Brooklyn's Bishop Bryan McEntegart expressed sympathy but offered no practical help. He was at the time deeply involved in large building projects of his own. Cardinal Spellman, by then in failing health, when informed of the issues at stake, shot off one of his typical one-liners to a Vincentian: "Well, if it's war, it's war." But he, too, remained on the sidelines, even during the Charles Curran debacle at Catholic University, the year he died (1967). And so the drift of Catholic higher education away from Church oversight of its Catholic claims continued with benign neglect by the hierarchy. But not all. In 1971, after Fr. Cahill established the Institute for Catholic Higher Education, Bishop William McManus, then Auxiliary Bishop of Chicago, telephoned me wondering what it was all about. His friends at NCEA were concerned, he said. After a friendly chat he seemed assured that ICHE was no threat to NCEA. McManus, later Bishop of Fort Wayne-South Bend, Hesburgh's Ordinary in fact, had come to prominence through his work for the U.S. bish-

ops in Washington. The following year Baltimore's Archbishop Borders became chairman of the NCCB's Higher Education Committee and a stalwart ally of the NCEA's views on higher education. Prior to his elevation, Borders was a well-known campus minister at a secular university.

In September 1975 Cardinal Garrone enquired whether the president of St. John's University would be interested in appearing before Archbishop Joseph Bernardin as an alternate voice to Fr. Hesburgh for Catholic higher education in the United States. Cahill was, and that meeting took place in Cincinnati on November 14 at which he and the head of the NCCB found common ground in the Catholic problems of the day. Bernardin expressed annoyance that Rome so early in his term expected him to deal with the dissent and disobedience of Charles Curran, something which his predecessor avoided doing, he said. In his turn, Cahill reminded the Archbishop that he not only presided over the country's largest Catholic university, but he taught 350 collegians several times a week. Most of them, he said, products of twelve years of Church schools, could not identify the seven sacraments. He came to Cincinnati for guidance from the NCCB not only for himself but other like-minded presidents. Taking early note of NCEA's views, Cahill candidly admitted: "We do not agree with their opinions. We feel duty bound to protect our Catholic birthright in the way we have chosen. We also respectfully request that our position be heard."<sup>21</sup> It was Cahill's view that this matter was no mere academic issue but an episcopal problem of major significance to the Church. In Bernardin's presence he made Paul VI's latest anxiety his own:

Some Catholic universities in recent years have thought that they can respond to the questions of man and the world by weakening their Catholic character. And the consequences? They have helped in the weakening of Christian values by putting in their place a humanism that transforms itself into a true and real secularization. They have helped in the lowering of standards of behavior in the sphere of the university campus by letting the fascination of many virtues drop out of the students sight.<sup>22</sup>

President Cahill was mindful that in this same address the Pope told the Jesuits, and presumptively everyone in Catholic higher education, to maintain intact the character of the Catholic university by "complete orthodoxy of doctrine, respect for the magisterium of the

Church, fidelity to the hierarchy and to the Apostolic See, without indulging in doctrinal relativism of a university that wants to call itself Catholic.”<sup>23</sup> In Cahill’s mind all of this was still possible. Still, in view of what the real world of the Catholic campus had become, it was not likely to happen without local bishops’ help. Those faithful to the Catholic understanding were swimming against a powerful tide unleashed by enemies of that tradition within the bishops’ own Washington machinery. In essence Fr. Cahill was asking Bernardin: What will you do to help us?

Archbishop Bernardin’s reaction was slow in coming, but not Cardinal Garrone’s. It seems proper to relate the response of the Cardinal when the Cahill statement reached Rome. The French Prefect wrote the St. John’s president as follows:

The statement that you made to Archbishop Bernardin and the NCCB Administrative Committee is a remarkable document for its candid and respectful presentation of the facts and its sincere recourse to the bishops. We are deeply delighted by both these aspects.<sup>24</sup>

Garrone concluded with the prayer that the witness of St. John’s University would be “worthy of serving as a beacon to other institutions of learning in your land.”

As events developed, Archbishop Bernardin apparently did not agree. Although the NCCB president had assured Cahill that the statement would be passed on to the new chairman of his education committee, whose name he did not choose to identify, the Vincentian president never heard from him again. We later learned that the new official was Bishop William McManus. Six months later, at the Spring 1976 meeting of the NCCB’s Administrative Committee, the problems of Catholic higher education were discussed. The voice heard by the country’s leading bishops was not that of Fr. Cahill, but of Fr. Hesburgh who confidently assured his listeners: “Trust us.” No one present asked him a question, and only a few were aware of the issues raised by Joseph T. Cahill.

*The After Shock:* Undiscouraged by the rebuff, President Cahill persisted in his own undaunted path, true to the traditions of his university and the Vincentian community, in unison with what clearly was the mind of Paul VI, later of John Paul II. He continued, too, to reject so-called Bundy money from New York State, those di-

rect grants to private universities based on the number of degrees granted per annum. Under the formula St. John’s would be entitled to three million dollars or more a year - provided the university abandoned its Catholic identity (the New York Constitution barred direct aid to Church-affiliated schools.) However attractive 60 million dollars over twenty years might be, Cahill absolutely refused to compromise his institution’s formal commitment to the Church. Under Bundy it was not possible to have Catholicity or the Church affiliation appear in the philosophy, objectives, goals or statutes of the University. At the time of passage twenty years ago, there were twenty identifiable Catholic colleges in New York State, of which Fordham, Canisius, and St. Bonaventure were the best known; in 1990 only St. John’s is legally free in New York State to call itself Catholic and to insist in its faculty contracts, as it does, that each professor bind himself to respect the Catholic nature of the institution. During a period which saw four major buildings and a new campus within the New York Archdiocese, this was no simple task. But Cahill’s management skills were equal to the challenge. As he explained:

St. John’s is a seat of learning and culture, but you cannot let that interfere with running it as a business. My paramount duty is to keep the University financially viable, because otherwise its benefits to the students, the community, and even larger educational interests would not be possible.<sup>25</sup>

St. John’s tuition of \$6,500 for full-time undergraduates (1990-1991) is lower than that of any other major private university in the state. When Cahill began his tenure the annual budget was 16 million dollars; when he left it had reached 115 million dollars, 47 million of which derived from student aid, mostly in Federal or State money for students.

In the meantime the college of bishops followed the pattern developed after Vatican II. New York bishops were not on record in opposing the religious disaffiliation that accompanied acceptance of Bundy money. At the national level the NCCB identified more and more each year with the goals and procedures of the “Land O’Lakes” concepts of “Catholic higher education.” It issued a pastoral on the subject in 1980 without adverting to heterodox teaching on Catholic campuses or making any demands on the administrators or professors as all recent popes have done. Archbishop Daniel E. Pilarczyk, chairman of the appropriate committee, in a letter to his fellow bishops about the forthcoming pastoral,<sup>26</sup>

expressed encouragement in “renewed efforts of the colleges and universities to restate their Catholic identity and mission,” at the very time the leading representatives of ACCU were fighting Rome about the New Code of Canon Law (then in process), as it related to the rights of Church authority on the conduct of Catholic colleges. Indeed, the final pastoral approved by the bishops in November 1980 neither defined “Catholic identity” nor even “academic freedom” within the context of the faith commitment. Two years later (1982) Bishop James Malone, then vice president (later president) of the NCCB, led a delegation from the Association of Catholic Colleges and Universities to a private meeting with John Paul II, where the pope heard again from Americans that any oversight by hierarchy of their operations would cause legal trouble for them, because bishops were extrinsic to the administration of higher education. This claim was made to a pope who five years later in New Orleans (September 12, 1987) told the same college leaders that “bishops should be seen not as external agents but as participants in the life of the Catholic university.” Jesuit William Byron, who attended that 1982 meeting, was invited March 4, 1990, to address the North American College in Rome, the NCCB’s school where many of the future bishops of this country are presently being trained. In that address, itself a justification of the post-Vatican II course of Catholic higher education, he made what he thought was an important distinction:

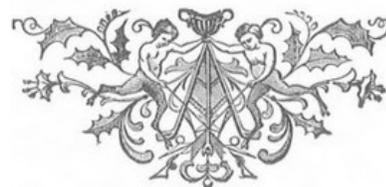
The role of the teacher of theology is not to proclaim but to explain the faith, hoping for a response not of faith but of understanding. The distinction is important<sup>27</sup>

If such be the case, the Church has little need of this kind of uncommitted institution.<sup>28</sup>

### BUT WILL THEY BE AUTHENTICALLY CATHOLIC?

Will those colleges teach what the Church teaches about life here and hereafter - the content of the eventual Universal Catechism, for example? And teach that faith precisely as the Church teaches it, and with such conviction that their graduating students leave school with a love of the Church and a sense of their destiny and responsibility as baptized Catholics? What alumni do afterwards the college president cannot control. But will they, at least most of them, have a correct notion of what it means to be Catholic? Considering recent charges by

prominent bishops that present day Catholic youth are religious illiterates, who will step forward today to guarantee a better product tomorrow? There are external pressures on all Catholic institutions, an imposing secular culture, faculty associations, shortage of money, over-reliance on government, the delicate balance between creativity and ecclesial obligations, etc. So, what are we to do about the self-created difficulties, e.g., the institution which takes for granted that the modern Catholic theologian need only explain the faith, not proclaim or defend it?<sup>29</sup> What about the attitude of Catholic academics, including college presidents, who will not make a public profession of or take an oath of fidelity to the faith?<sup>30</sup> What about the view in many academic centers that doctrinal statements, such as “Jesus is the Lord,” “This is My Body,” etc., are expressions growing out of someone’s theological method (and so subject to revision), not necessarily a statement of Catholic truth calling for assent by those who say they believe? What about classroom teachers of theology who do not deny the truth of so-called doctrinal propositions, but maintain that modern scholars view them as true in a different way, usually devoid of supernatural content?<sup>31</sup> Does not the widespread institutionalization of this approach signify a doctrinal crisis about the reality underlying such sacred Catholic concepts as God our Father, Jesus the Son of God, the Triune God, Jesus’ Resurrection, the Divine origin of the Apostolic Succession, Original Sin and Redemption, Mass and the Real Presence, Mary’s Virginitly, Moral Absolutes, Heaven and Hell, etc.? These are the very doubts the first Synod of Bishops saw as being engendered in the Catholic Body as early as 1967.



Supervising the preaching of the faith and the conduct of disciples has never been easy, not even in Apostolic times. But it is almost impossible if those who teach the faith consider that it is their private enterprise and demand *laissez faire* (“hands-off”) from those charged with the Church’s well-being, even as they function within institutions which bear the Church’s name and which would not exist without the Church’s blessing. The result of this “false liberty” and “laissez faire” can only be that “lamentable disorder,” about which Pius XI decried sixty years ago when he attacked robber barons for plundering the economy and heads of state for allow-

ing it to happen. Although the author of *Quadragesimo Anno* was dealing with temporal matters, he was, interestingly enough, outraged more about the harm done to souls, than to bodies, by such abuse of freedom by citizens and by failure of government to do its duty.<sup>32</sup>

But what should any pope think about sins against the faith by professors? Or sins of disobedience by priests and religious? If these role models for young Catholics engage in disorderly conduct, can their institutions be considered authentically Catholic? And if not, who is prepared to say so?

Can we perchance learn an abiding lesson from the Protestant failure? Perhaps George Marsden provides a clue. Operating out of what he calls “my impression,” he insists that champions of so-called “liberal Christianity” expect their students to think as they do, i.e., to be cold-bloodedly scientific about religious study, and to indoctrinate their students with confidence in their method, not necessarily in the content of religious belief. Those who do not share their historicist and pragmatic outlook on matters religious (says Marsden) are given pejorative labels (“arch-conservative,” “fundamentalist,” commonly), primarily because they equate religious propositions with truth. The end result of this process, in this view, is the impairment of truly religious faith.

The Duke University professor concludes his analysis with two practical proposals, his strategy for dealing with the realities of secular university life in his world:

(1) A demand in the name of “truth in marketing” that self-proclaimed pluralist colleges provide viable theological alternatives in support of particularist religious belief. He would favor learning tracks, unashamedly advertised, for Mormons, Falwell fundamentalists, or Harvey Cox liberals, etc. This recommendation is hardly suitable for a Catholic campus because it suggests truth rests not in God’s revelation or in the reality of nature but in people’s perception of either, a valid Protestant concept to be sure. However, a variation of his suggestion has emerged in Catholic circles since 1970, viz., Catholic Institutes of theology, of catechetics, of formation, established on and off campuses to provide authentic instruction in the Church’s name. Such Institutes are commonplace in mission countries where the Church does not have ready access to mainstream communi-

cation. While these Institutes can and do serve a valid purpose in developing countries for a time, they do not come to grips in a Church like ours with the more serious problem which their very existence suggests. It is a surprise to no one that such Institutes are resented by the reigning elites because they suggest something is wrong with the established Church machinery.

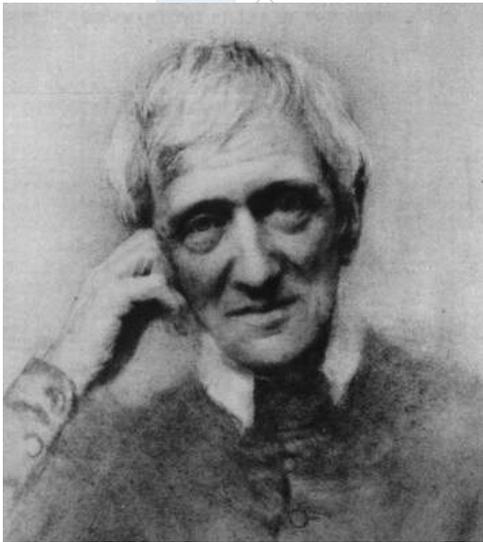
(2) Professor Marsden’s other suggestion, conjured by the irreversible situation he faces, is that “serious Christians should concentrate on building Christian institutions that will provide alternatives to secular colleges and universities.”<sup>33</sup> Catholic world lay people are already taking this matter into their own hands, creating and maintaining new Catholic colleges such as Christendom, Magdalen, Thomas Aquinas; or by a few priests and laity radically altering the administrative objectives of an institution like the Franciscan University of Steubenville or the Sacred Heart University in Bridgeport to follow Catholic norms and way of life. Still, it would be a major blunder for a Church with a patrimony of 232 colleges, training at least 550,000 of its future leaders to cede by default the largest system of its kind in the history of Christianity.

The Land O’Lakes protagonists have been so persuasive in deconstructing the typical American Catholic institution of higher education in the name of teaching excellence, research grants, university prestige, even survival, that the essential elements of the matter under discussion - young students and their commitment to the Catholic faith - rarely come under critical analysis or involve confessions of personal responsibility by administrators of Catholic colleges. Yet more than 90 per cent of those attending these Catholic institutions - about a half million - are undergraduates, eighteen to twenty-one year old collegians.<sup>34</sup> At aspiring “research universities” the education of undergraduates is becoming an afterthought, and this at a time when functional illiteracy in religious matters is characteristic of American youth, even among young Catholics.<sup>35</sup> In former days Catholic educators took credit for moving their young into the mainstream of industry, labor, and government, but they were fairly successful in placing them on the upward mobility track as fully believing and practicing Catholics.<sup>36</sup> Today, however, Catholic institutions focus attention on the size of their budget, their research grants and memberships on

public boards, the number of judges or governors who wear their mortarboards, the sexual, racial and ethnic mix of their enrollment, and so forth. Rarely anymore do they refer to the Mass attendance, the marital stability, the moral character of these same graduates. With secular recognition there has come a tendency to downplay excellence in forming pious religionists.

Cardinal Newman once remarked that the Catholic university, if it were not supervised by hierarchy, would become a rival Church. This is the situation that has developed in the United States. It is incumbent on hierarchy, therefore, to begin to deal with this matter realistically, if the Church's future in the United States is to be made secure. In the Catholic scheme of things, Catholic college presidents must, as Catholic educators, be led to guarantee the authentic transmission of the faith as convincingly as they admit their professional responsibility to advance the academic achievements of students. That will not be possible as long as bishops tolerate the view, presently controlling their academy, that the American

situation demands the Catholic educational establishment to be a co-equal teaching party within the Church whose definitions of the faith, even if contrary to magisterium, are legitimate.<sup>37</sup> Since they are the Church's supervisors, they must supervise, and supervise according to the prescriptions of Catholic law.



*Cardinal Newman*

Such proper exercise of episcopal authority is not possible if the National Conference and the Roman Pontiff are not one in their view of the present unsatisfactory situation and in their determination to correct it. There are other obstacles, to be sure, not the least of which is demythologizing the legends created after Vatican II about what bishops cannot do because of governments, accrediting associations, faculty unions, and public opinion. Few would expect bishops to be unjust or imprudent, but many would agree that crucifixion may well be the price they pay for protecting the faith of

present and future generations entrusted by the Church's highest authority to their care. An important element in their pastoral ministry is the persuasiveness of their counsel to college presidents to put their own house in order if they claim a Catholic identity and if they wish the continued support of their bishop. The Ordinary of a diocese is not a policeman, nor need he be if "the principle of subsidiarity" works, i.e., if those at lower levels of responsibility are concerned that the public laws of the Church be observed. Almost twenty years ago (November 29, 1972) American delegates to a Congress of Catholic Universities in Rome were signatories to a document drafted by their International Federation. Entitled "The Catholic University in the Modern World," sections 59 and 60 of which agreed that, when the truth of the Christian message was at stake, the bishop had the right to intervene in the conduct of a university by advising the persons involved, by advising the administration, and in an extreme case by making a public declaration. The voice of the bishop, the document continued, may also be heard not only concerning theological positions but also when the pastoral work of the Church is adversely affected by the work of a university "committed to fidelity to the Christian message." Cardinal Gabriel Garrone, the prefect at the time of the Congregation, went beyond the university report, requesting that Catholic colleges (1) set out their commitment in their statutes and (2) create instruments of self-regulation in matters of faith, morality, and discipline.<sup>38</sup> Later on, John Paul II made clear in 1987 that bishops were not "external" to the committed Catholic institution,<sup>39</sup> which prompted the suggestion that a college president could make him internal by appointing him or his delegate to the Board of Trustees. Unfortunately, very little has been done in twenty years to implement these agreements or to take the suggestions seriously. Still the bishop has the overarching responsibility to hold such colleges to account so that interventions similar to those approved by the 1972 Congress are accepted with good grace by 1992 faculties and acted upon when they deal honestly with a serious matter of Catholic integrity.

Perhaps because of the 1983 Code of Canon Law, there may be a new concern over what John Paul II continues to expect of Catholic higher education everywhere. Catholic educators are beginning to give renewed assurances to parents and bishops of a firmer determination on their part to solidify the Catholic commitment. In spite of what one reads in the press or hears from the grapevine, a Fordham audience was assured by Avery

Dulles that the death of Catholic higher education may be greatly exaggerated. Unlike Protestant sponsors of old, he said, “the Catholic Church has a more vigorous teaching office.” The Catholic community, from potential benefactors to bishops, is also beginning to realize the value to Catholic institutions of private funding over government subsidy. If Catholic leadership (here he means bishops) supports scholars and academic excellence, Dulles continued, administrators and faculty are likely to be proud of their ecclesiastical allegiance, not afraid of it. The retired Jesuit theologian presumes, however, that the Catholic college’s hiring and promotion policies will include a consideration of religious convictions of potential faculty along with academic criteria, and that strict Catholic theology courses will be preserved to offset the common trend in some places to substitute a social science approach to the teaching of the Catholic religion for doctrinal catechesis.<sup>40</sup>

At the same Fordham Conference, Chicago’s Cardinal Joseph Bernardin announced there was no turning back from a mixed sectarian/secular identity model for Catholic higher education, i.e. toward the old Church model. In his view the sectarian model, such as institutionalized by evangelicals and fundamentalists, is unsuitable for Catholics because it tends to be too defensive and by that fact alone lacks credibility in the present day public forum. Bernardin places his confidence in good public relations between bishops and educational leaders, symbolized by his own annual luncheon with local college presidents. These events facilitate quiet solutions to thorny problems, helping to resolve them before conflict situations with their tensions arise and before open disagreements help erode public confidence in the Church. His regard for Land O’Lakes’ redefinition of Catholic higher education is positive, expressing the opinion that the policy of bishops in France and Great Britain seems sound since it leaves concrete application of Catholic principles to those engaged in the day-to-day operation of these institutions.<sup>41</sup>

The approach suggested by these presentations, and the scale of priorities upon which they are based, means in practice a continuation of the laissez-faire policies toward Catholic higher education that were initiated

by Church authorities in the United States after Vatican II, (In those years 1968-1972 Rome opposed those policies.) It may be granted that Protestant higher education fell into a pit of its own making, driven by the exaltation of private interpretation of matters religious over a “vigorous” Church teaching office. Still, is not Catholic higher education today rife with private interpretation of what it means to be Catholic? Granted, too, the complexities of any institution with two parents - the Catholic college always had a secular/secular identity - is it not true in the present circumstances that our colleges are now only accountable to secular outsiders, not to ecclesiastical superiors? And have they not indicated repeatedly that they have no objection to realistic adjustments to the fatherly rules of the secular world more readily than to the norms of Mother Church? The question, therefore, is not the

sectarian/secular model per se, but the side toward which the institution tips its balance. If the balance favors secular approval at the expense of faith commitment, the presumption that good public relations and dialogue will redress harm that comes thereby to the faith of the young is unrealistic.

Students of history’s radical conflict situations know that that party prevails which de facto is the more powerful force. Protestant academics made a choice against their Churches.

Catholic academics, in defining their institutions, are now making the magisterium of scholars a legitimate alternative to the magisterium of bishops. This is an unacceptable Catholic choice.

In his Fordham address Cardinal Bernardin rightly expresses the concern of bishops about the long-range negative impact on the Church of defective theological training given to Catholic graduates by non-Catholic divinity schools. He confesses that today’s Catholic college presidents share with bishops concern about this turn of events. Yet, the defective doctrinal formation of the graduates of Catholic colleges is a matter of more serious pastoral concern. The hierarchical magisterium looks less than vigorous if it makes no move to prevent the results which the previously cited Neuhaus editorial suggested were inevitable. Most of the “lunches” between college presidents and bishops since 1970 have been friendly interpersonal exchanges of hopes and wishes, rather than a



*“The Catholic community, from potential benefactors to bishops, is also beginning to realize the value to Catholic institutions of private funding over government subsidy.”*



submission of minds and wills to the norms and laws of the Church. Diplomacy within Churches, as among States, often devolves into trading of words or signing of pacts, permitting the realities of a given situation to remain precisely where they are.

A Church body - even a college - if it is credible to anyone, must be credible first to its own people and defensive of its own integrity. Whether the outer world considers it respectable depends in large part on how well the institution proclaims its special understanding of human needs to a worldly public. But, how serious its claims are received by that public depends on its institutional conviction about the truth of what its Church teaches, that teaching for which it rightfully demands a fair and full public hearing. If that college or that Church appears half-hearted about its supposed deeply-held convictions, any public relations campaign is lost before it is undertaken.

#### BACK TO THE DRAWING BOARD

The heroes of the post-Vatican II Church, at least if one follows journalistic opinion or studies the favorite authors of well-touted magazines or scans the standard consultants' list of the National Conference of Catholic bishops, invariably are university administrators or faculty who are intimately tied into public dissent from magisterium. The relationship of the Catholic establishment with notable Catholic dissenters, with their sponsors or protectors, has been well documented. In post-Vatican II days, therefore, Joseph T. Cahill played the lonely, and up to now unsung, role of defending Catholic teaching and Church policies as grist for the mill of Catholic higher education. His success in leaving behind a viable and institutionally committed Catholic university is due partially to his low profile, his aversion to the limelight, which helped him develop into a hands-on administrator with a certain managerial expertise. While his in-house prestige was high, his public image was faceless. He made no earth-shaking speeches, and whatever he said in public reflected the best Catholic thinking on what his Church and his University were about. This presidential style denied him headlines, but it also preserved him from unnecessary public controversy. He had his fill of that during the 1965 strike. Whatever his private thoughts, Cahill was not one to challenge his bishops' or his pope's right to govern Christ's Church. But he could be a formidable foe of a public official, of a professional evaluating team, or of a faculty member who misread or denigrated St.

John's contribution to Catholic education or American society. He decided what could or could not go on at St. John's, enjoying, as he did, the support of his Board of Trustees, whose non-Catholic members were often very prolix about their commitment to the University's Catholic identity.

If St. John's from 1965 to 1990 grew still reasonably Catholic, it was as much the direct result of Cahill's commanding character and faith convictions as for any other reason. This does not mean that sorties against the faith were absent everywhere, but those forces clearly remained muted. He suffered when several of his own company departed the priesthood, theologians too, for the scandal they gave to students and for the injury they inflicted on St. John's image. He was quite good, when the circumstances were right, at easing out of faculty, whatever their political or ecclesiological persuasion, professors who embarrassed the university. He may not have won all his battles, but his defeats were few, and were well separated in time. He was not an enemy of those presidents who capitulated to the pressures of the times by taking Bundy money, but neither would he dialogue further with them because he saw little profit in such conversations. In spite of his shyness he was discovered by Rome but remained untapped and unused at home. Unquestionably he had enemies within and without the University, those who would have liked to see him disappear at one or another given moment. But lust for popularity (of which internally he enjoyed a great deal) was not the driving force of this priest, whose vision was Catholic to the core at a time when being fully Catholic in academic circles was not looked upon as a pearl of great price.



On June 26, 1990, the Congregation for the Doctrine of the Faith in a special instruction denied to any Catholic, professor or no, the right to dissent publicly from Church teaching. President Cahill thought that was true in 1965, when priests and prelates began to take public dissent for granted. In 1985 President Reagan at a convocation on campus likened St. John's to "a new Harvard." President Cahill demurred: "We are not a new Harvard. We are St. John's."

It will be interesting to see what future Church

historians will say about Fr. Cahill, if they can find his name under the bales of headlines that today give more credit to his counterparts. It will depend also whether any truly Catholic universities are alive well into the twenty-first century.

## CATHOLIC LAW AND THE CATHOLIC COLLEGE

St. Thomas Aquinas defines law, on the one hand, as “a kind of rule and criterion of actions by which one is induced to act or is deterred from acting,” and on the other, as “an ordering of reason for the common good promulgated by one who has charge (or care) of the community.”<sup>42</sup> He also recognized that when society lives under law tensions are bound to arise when those responsible for everybody’s welfare frustrate the ones who are unable or unwilling to live under law:

Men who are well disposed are led willingly to virtue by being admonished better than by coercion, but men who are evilly disposed are not led to virtue unless they are coerced.<sup>43</sup>

Society becomes lawless, prone to violence, and certainly disorderly when law and its enforcement fall into desuetude and when warring factions become a law unto themselves. In the orderly society citizens are attuned to the design of public law, including its privileges and responsibilities, from an early age, usually by parents, religious leaders, educators, public opinion, etc., to play the roles which society’s statutes expect of them. Obviously there are times when the law is bad, and legislators or judges may well be too, making change desirable in one or the other order. But equally, if not more, upsetting are those periods when disorder has become the rule of the day, when ordinary and law abiding citizens find no peace because proper authority does not protect them from lawbreakers. In a well-structured society, as the Church in the United States had been for more than a century, higher authority had little need of canonical penalties to restrain unseemly behavior by priests and religious. The Catholic formation that went on in the parish, educational, and religious centers was more than adequate to turn out respectful and disciplined Catholics by a process called “anticipatory socialization.” The disorder following Vatican II resulted in part from the breakdown of that system, and the dysfunctions are substantial. The present situation is not likely to cure itself. As Pius XI had reason to note sixty years ago, disorder “cannot be

curbed and governed by itself.”<sup>44</sup> Church elites deceived by the attraction of their own opinions and false liberty grow impatient with restraint and seek to substitute their judgment for that of magisterium and to lead the faithful to follow their direction, not that of the pope and the bishops in union with him. Without the virtues of faith and obedience operative in the lives of Catholic elites, especially priests and religious, it is not possible to have a Church that represents Christ credibly.

It was to that end - the reconstruction of proper ecclesial order in Catholic higher education - that John Paul II published his *Apostolic Constitution on Catholic Universities*, August 15, 1990. Following twenty-two years of discussion by Roman officials with university personnel, the Pope finally issued his directives, not in a letter from the Congregation for Catholic Education, but as an Apostolic Constitution of the Pope himself.<sup>45</sup> This document has the force of law for the universal Church and, while it deals specifically with Catholic universities, the Pope makes it clear that “it is also meant to include all Catholic institutions of higher education,” viz. colleges (see No. 10).

When John Paul speaks of the Catholic university, therefore, as “born from the heart of the Church” (*Ex Corde Ecclesiae* is the Constitution’s name), his concerns extend beyond the research labs, beyond the creative scholarship expected to flourish in large universities, to our youth, who as future Church leaders are introduced in Catholic colleges for the first time to an advanced exposition of Catholic doctrine and to what the Pope hopes would be an exemplary model of the Catholic way of life. In view of the recent history of Rome’s relationship with one of the Church’s critical problems, it is important to understand not only what he expects, but what he demands:

### *General Principles for a Catholic Institution:*

1. “Fidelity to the Christian Message as it comes to us through the Church.” (No. 14)
2. “An Institutional Commitment,” i.e., “an academic institution in which Catholicism is vitally present and operative.” (No. 14)
3. “A relationship to the Church that is essential to its institutional identity - one consequence (be-ing) *recognition of and adherence to the teaching authority of the Church in matters of faith and morals.*” (No. 27)
4. “Bishops should be seen not as external agents but as

*participants in the life of the Catholic university.”* (No. 28)

5. “By its very nature, each Catholic university makes an important contribution to the Church’s work of evangelization - a living institutional witness to Christ and his message.” (No. 49)

#### *General Norms:*

##### *Article I: Their Nature*

1. “Are to be applied concretely at the local and regional levels by Episcopal Conferences.” (No. 2)
2. Catholic universities other than those established by hierarchy “will make their own the general norms and their regional applications, internalizing them into their governing documents.” (No. 3)

##### *Article II: Institutional Nature*

1. A Catholic university is linked with the Church either by (a) “a formal, constitutive and statutory bond” or (b) “by reason of an institutional commitment made by those responsible for it.”
2. “Every Catholic university is to make known its Catholic identity either in a mission statement or in some other appropriate document, unless authorized otherwise by competent ecclesiastical authority - to provide means which will guarantee the expression and preservation of this identity.”
3. “Any official action or commitment of the university is to be in accord with its Catholic identity.”
4. “The rights of the individual and of the community are preserved within the confines of the truth and the common good.”

##### *Article III: Establishing a University*

With the consent or approval of hierarchy of one kind or another.

##### *Article IV: The University Community*

1. Teachers and administrators must be informed of “their responsibility to promote or, at least, respect that (Catholic) identity.”
2. Theologians are to be faithful to the magisterium of the Church.
3. “The number of non-Catholic teachers must not be allowed to constitute a majority within

the institution, which is and must remain Catholic.”

##### *Article V: Within the Church*

1. Each institution is to maintain communion with the Holy See and Diocesan bishops.
2. *Each bishop has the right and duty to watch over the preservation and strengthening of the institution’s Catholic character.*

This Apostolic Constitution took effect on the first day of the academic year 1991.

If Catholic colleges are ever to return to their reasons for existence as Catholic, the process must begin somewhere. And given the present circumstances it is likely to begin on a one-to-one basis with a college president of vision and courage. In the words of Archbishop John Ireland, “The timid move in crowds, the brave in single file.” More than two hundred colleges, historically founded as Catholic, speak still of their independence of magisterium, some call themselves non-denominational, while continuing to use their Catholic origins to attract students and other kinds of endowments. The struggle of St. John’s University twenty years ago laid bare the issues at stake not only for such students, but for the long-range well-being of the Church in the United States. The Catholic college campus is a major lifeline of the Church, especially to its future leadership. It intersects with the pastoral life of the Church. While the stakes for the Church are high, those issues are not difficult to grasp.

If the Church in the United States in a short span of years, a century and a half, has achieved levels of religious accomplishment higher than most other communities of the Catholic world, credit must be given to the vast network of parishes and schools, which were placed by bishops and their early associates in every corner of this expanding country. In due course they acquired respect from the Church’s enemies for their numbers, and from those who lived the Catholic way of life as a matter of conviction with love and devotion. From the rural church to the metropolitan cathedral, from the parish kindergarten class through the lecture hall of every Catholic university, from a convent cell to the motherhouse, each institution which bore the name or the blessing of the Church, whatever the human imperfections of its leadership, faithfully proclaimed and witnessed the ideals and the norms of the Catholic faith.

An unanticipated upheaval occurred in the Amer-

ican Church after 1962, not one initiated by the Council itself, whose authentic reforms and innovations have received wide approval. Still, the dysfunctions have also been considerable, not the least of which has been the lowest levels of Sunday Mass attendance in this century, the tepid response of young Catholics to the Church's call for priests and religious, and high rates of dissent from Church teaching by one of the best educated Catholic populations in the world. Thus far, Catholic leaders are hesitant to relate low performance or "pick and choose" belief patterns to what actually goes on within the Catholic teaching world. Furthermore, efforts to control the spiritual damage or to recapture the authentic direction of these Church bodies have come mainly from Rome, providing further excuse for disaffected institutional leaders to claim autonomy from a Curia (or a Pope) that lacks a sense of the "American Experience." Of particular significance is the fact that at this moment Catholic higher education is the only segment of the Church's formal teaching machinery reporting growing enrollments. At risk to the Church's future is the tendency to allow the Father Cahills of the Church, and they are many, to shift for themselves, creating the

impression that the course espoused by the Association of Catholic Colleges and Universities is inevitable no matter what John Paul II and bishops in union with him would prefer in theory.

Are these remarks of John Paul II made directly to representatives of Catholic higher education in the United States to remain a dead letter? Even after an Apostolic Constitution?:

The Catholic identity of your institutions is a complex and vitally important matter. This identity depends upon the *explicit profession of Catholicity* on the part of the University as an institution, and also upon the *personal conviction and sense of mission* on the part of its professors and administrators....

Undoubtedly, the greatest challenge is, and will remain, that of *preserving and strengthening the Catholic character of your colleges and universities* - that institutional commitment to the word of God as proclaimed by the Catholic Church. (His italics.)<sup>46</sup>



## NOTES

<sup>1</sup>The case for the Land O'Lakes approach is made by Neil G. McCluskey, S.J. (ed.), *The Catholic University: A Modem Appraisal* (University of Notre Dame Press, 1970). Earlier John J. McGrath developed the thesis that the assets of civilly incorporated institutions belong to the general public, not to the sponsoring body. See his *Catholic Institutions in the U.S.: Canonical and Civil Law Status* (Catholic University of America Press, 1968). The unraveling of the Catholic connection in Jesuit higher education is told sympathetically by Paul A. Fitzgerald, S.J., in *The Governance of Jesuit Colleges in the United States 1920-1970* (University of Notre Dame Press, 1984).

Classic to the case made after Vatican II for the secularization of American Catholic universities is a publication called *The Sectarian College and Public Purse: Fordham -A Case Study* by Walter Gellhorn and R. Kent Greenawalt (Oceana Publications, 1970). This study prepared the Fordham Board for making application to New York State for so-called "Bundy Money," which required the Jesuit university to declare itself nondenominational. The introduction to this work was written by Timothy S. Healy, S.J.

The positions taken by the above authors is rejected by Adam J. Maida in his *Ownership Control and Sponsorship of Catholic Institutions* (Pennsylvania Catholic Conference, 1975) and *Church Property, Church Finances and Church Related Corporations: A Canon Law Handbook* (with Nicholas P. Cafardi and the Catholic Health Association of the United States), 1984. Kenneth D. Whitehead's *Catholic Colleges and Federal Funding* (Ignatius Press, 1988) takes aim at arguments to the effect that the need for government aid or accreditation precludes a juridical connection with the Church. Whitehead argues that the Federal Law permits Catholic colleges to establish their own accrediting agencies, as Jewish institutions have done.

<sup>2</sup>George M. Marsden, "The Soul of the American University," *First Things*, January 1991, p. 35.

3Avery Dulles, “Catholic Identity in Institutional Ministries: A Theological Perspective,” an address at a Conference on the Future of Catholic Institutional Ministries, Fordham University, April 21, 1991 (unpublished manuscript, p. 18).

4Ibid., p. 15. Peter Steinfels reported this Fordham conference on page one of the *New York Times*, May 1, 1991, at which various speakers called for a firmer approach toward maintaining throughout these institutions “an interest in Catholic issues.” However, the customary fears were also expressed, e.g., that heavy-handed measures reinforcing Catholicism will speed secularization, rigid religiosity hobbles Catholics intellectually, the Vatican is ready to pounce on people, excellence in teaching and research, not loyalty to the Church, is the preferable option, some will bridle if religious commitment is to be weighed with academic qualifications, inability to attract quality in an institution bound to a narrow religiosity, etc.

5The questionable effects of present day secular higher education on the literacy and cultural skills of the young has been amply covered by people like Allan Bloom in *The Closing of the American Mind* (Simon and Schuster) and E. D. Hirsch in *Cultural Literacy* (Houghton Mifflin). In choosing the secular model, at the expense of the religious, educators pay little court to the deterioration of the American character and the social fabric.

6Ibid., p. 45.

7Harper & Row, 1987.

8See *First Things*, the January 1991 issue, p. 7.

9Archives of St. John’s University (hereafter ASJU). A document entitled “To His Excellency, Most Reverend Joseph L. Bernardin, President, and Members of the NCCB Administrative Committee” (November 14, 1975).

10*New York World-Telegram*, March 16, 1965.

11See Neil McCluskey (ed.), op. cit., p. 257.

12American Arbitration Association, Case No. 1310-0343-68, in the *Matter of the Arbitration between St. John’s University, New York, and Peter O’Reilly*, January 22, 1970. O’Reilly, then a Chicago priest, was a strike leader, whose allegations of anti-academic freedom and anti-unionism were rejected. AAA found that SJU acted reasonably in not renewing his contract. He was not entitled to damages, in part because of his unprofessional conduct. Later, when notified of this judgment none of those who had slandered St. John’s apologized for their intemperate judgments.

13Francis Canavan, S.J., “Academic Revolution at St. John’s,” *America*, August 7, 1966, p. 139.

14ASJU, Georgetown University’s president, Robert J. Henle, S.J., replying February 15, 1969, to Cardinal Garrone’s inquiry said this: “It is very important that the atmosphere on a Catholic campus be ecumenical and open, that it not be burdened with legalisms and juridical limitations.”

15ASJU. The story of the strike and its aftermath is best told in Barbara L. Morris’ *To Define a Catholic University: The 1965 Crisis at St. John’s*, an unpublished doctoral dissertation for Columbia University, 1977, p. 203; cf., also George A. Kelly, *The Battle for the American Church* (Doubleday, 1979, pp. 65-69).

16 See Barbara Morris, op. cit., p. 299.

17 See George A. Kelly, op. cit., pp. 69-95.

18ASJU, Joseph T. Cahill to John F. Murphy, February 23, 1976.

19ASJU, Joseph T. Cahill to John F. Murphy, March 3, 1976.

20*National Catholic Register*, July 18, 1982.

21See footnote 1.

22ASJU, Paul VI address to Jesuit University rectors, 1975.

23Ibid.

24ASJU, Garbriel Cardinal Garrone to Joseph T. Cahill, November 29, 1975, Prot. N. 524/70/III/111.

25ASJU, Statement on the occasion of his retirement.

26ASJU, March 19, 1480.

27Origins, March 15, 1990, pp. 669-675.

28It is commonly asserted that a Catholic theologian is not a catechist, when his own commitment to the faith should make him the Church’s catechist of the highest order, even as he spins new theories about the faith which are consistent with its true meaning.

29William Byron, S.J., president of the Catholic University of America at the North American College in Rome, March 4, 1990. Reported in *Origins*, March 15, 1990.

29William Byron, S.J., president of the Catholic University of America at the North American College in Rome, March 4, 1990. Reported in *Origins*, March 15, 1990.

30See the report of the Catholic Theological Society of America on these subjects issued April 15, 1990.

31See Richard Neuhaus' view of Richard McBrien's reinterpretation of Catholic Doctrine, op. cit., pp. 76-77.

32*Quadragesimo Anno*, Nos. 131-132.

33Ibid., pp. 45-47.

34Of these 232 institutions, 180 report themselves as colleges. Fifty identify themselves as universities, of which only about a dozen are large. Even in a large Catholic university (15,000 enrollment), 80 per cent of the students are undergraduates.

35See Charles Rice's review of this situation at the University of Notre Dame in that school's *Observer*, April 16-17, 1991.

36See George Bull, S.J., *Why a Catholic College?* America Press, 1960.

37An April 30-May 1, 1987, Conference on Catholic Higher Education at De Paul University provided a platform for those who see hierarchy, especially Rome, as a threat to their enterprise. For a summary of these proceedings see *Newsletter of the Fellowship of Catholic Scholars*, September 1987.

38For the full story of that Congress, cf., George A. Kelly, *Should the Catholic University Survive?* (St. John's University Press, 1973). *The New Code of Canon Law*, published in 1983, in Canons 807-814 asserts that the Church has the right to supervise any university which bears its name, that faculty members who lack pedagogical suitability, integrity of doctrine, or probity of life are to be removed, and that those who teach theology receive a mandate from competent ecclesial authority.

39See also his reaffirmation of this position in *Ex corde Ecclesiae* 27.

40Avery Dulles, op. cit., pp. 15-18.

41His address, given April 20, 1991, and entitled "The Future of Catholic Institutional Ministries in the 21st Century," was published in *Origins*, May 23, 1991.

42*Summa Theologica* III, q. 90, a. 1 and a. 4.

43*Summa Theologica* III, q. 94, a. 1.

44*Quadragesimo Anno*, no. 88.

45*Origins*, October 4, 1990.

46Pope John Paul II's *Address to Catholic College Representatives*, New Orleans, September 12, 1987. (See John Paul II in America, St. Paul Books, 1987, pp. 100 and 106.)