

Truth or Consequences

Gerard V. Bradley

The most regrettable feature of the debate over *Ex Corde Ecclesiae*, Pope John Paul II's constitution on Catholic universities, is how seldom the discussants actually address each other. I am not speaking of the fact that the argument is seldom face to face. It rarely is. But that hardly matters, since the discussants (and this I regret) rarely talk about the same thing.

The Vatican, some bishops, and others looking to faithfully implement ECE are standing by what they see as the few *essential* features of any Catholic college or university: (1) the preponderance of Catholic faculty (on the assumption that no school will be more Catholic than its teachers); (2) the integrity of Catholic theology where it is taught (the Canon 812 issue); and (3) faculty exemplification of the integration of the moral, spiritual, and intellectual virtues (the Canon 810 or "probity of life" question, without which the "preponderance" requirement becomes almost meaningless).

Critics of such implementation schemes seldom, if ever, *explicitly* deny that these are essential features of a Catholic university. In fact, critics praise ECE itself. In fact, they often argue that (what they derisively call) "juridical" implementation will impede progress towards full realization of the vision of ECE. The argument is that colleges will choose the secular path if they are obliged to opt for, or against, strenuous Catholicity. Better to let them ease into it, over the long haul, the argument concludes, than to scare them off the effort now. Does not this argument, however, implicitly concede that these colleges are not *now* Catholic?

The most common criticisms say nothing about what is essential to the Catholicity of a college or university. These "criticisms" are instead predictions of what some people will say or do if ECE is implemented. The most salient of these predictions have to do with what people who are not Catholic (or whose Catholicity is irrelevant to their predicted actions) will say or do. Many of these forecasters are academics at secular institutions. Most, or at least the most important, are people exercising public authority. The criticism is, in short, that it is

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O Timothee, depositum custodi, devitans profanas vocum novitates et oppositiones falsi nominis scientiae, quam quidam profitentes circa fidem aberraverunt. Gratia vobiscum. 1 ad Timotheum 6

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practically impossible to “juridically” implement ECE because of adverse civil law consequences.

Claims that juridical implementation will trigger adverse legal consequences are false or greatly exaggerated. Many writers, myself included, have shown that elsewhere. My point here is not to go over the arguments made elsewhere, but this: arguments premised upon civil law consequences, like all arguments relying crucially upon consequences, *cannot* show that a college respecting these alleged constraints is nevertheless Catholic, *unless* it is shown, by other arguments, that the constraints do not touch *essential* features of Catholicity. This is a simple matter of logic. *If* it is true, as some contend, that there are (say) three essential features of a Catholic university, then an institution which embodied none (or only one or two) of the essential features might still be a pretty good place. It might be said to be in the Catholic tradition. But it would not be a Catholic university.

Consider this illustration. Let us say that at one time in England only Anglicans were legally per-

mitted to operate colleges. Now, Anglicans look pretty much like Catholics; they hold probably two thirds or more of what Catholics hold. Does that make Anglicans Catholic? An Anglican college would do most of the things a Catholic college would do. Does that make the Anglican college Catholic?

The point is, the most that arguments from consequences can show is that it is practically impossible to be a Catholic university in a particular time and place. Many such places in our world readily come to mind. Is America among them?

Surely not. Most of the commentary arguing that it *is* practically impossible, especially the legal commentary, is not only wrong but irresponsible, so much so that it is difficult to believe it is offered in good faith. That is one reason to suspect that many critics of “juridical” implementation deny that the three features identified above are essential features of a Catholic university. But we will not know that for sure until the camouflage of concern about adverse consequences is cleared away. Then everyone will have to lay their cards on the table. ♦

LETTERS

To the Editors:

The President’s Page of the Fall 1998 *Quarterly* gave due praise to the most recent draft of “*Ex corde Ecclesiae*: An Application to the United States of America.” Indeed, Cardinal Bevilacqua’s ad hoc subcommittee, and the *Ex corde Ecclesiae* Implementation Committee as a whole, is to be congratulated on drafting a fine compromise document which manages to offer both good theological principles and sound juridic norms. Thus, I agree with the President that “their work is inspiring and courageous.”

The President also made note of three areas where the document could be strengthened. These, I do agree, would be improvements to “An Application.” Without wishing to underrate the great strides that the Implementation Committee has made in its various drafts and particularly the significant improvement it has made in this draft, I would like to join the President in suggesting two areas of “An Application”

which could suffer well a close consideration.

The first occurs in Section II of Part I: This section is a development of what it calls “the distinct, and yet complimentary, teaching roles of Bishops and Catholic Universities.” The paragraph that commences with this statement is, in fact, an encapsulated theology of the *munus docendi*, which I think has been the crux of the matter in this debate for the last ten years. This paragraph’s treatment of the *munus docendi* is essential since it reflects the American understanding of this central duty in the life of the Church, and addresses the disputed question of who holds which rights and duties in its regard. Furthermore, the presumptions stated here form the basis of the dispositive section of the document, having direct canonical implications. With regard to higher education, I think that the *munus docendi* can best be described as the duty of the diocesan bishop to provide for the higher Catholic education

and formation of those entrusted to his pastoral care. This duty corresponds to the right of the Christifidelis to receive a Catholic education and to have the truths of the faith explained to them (CIC '83, can. 217). The Catholic college or university is one of the best, though not unique, ways by which the bishop fulfills his sacred duty and by which the right of the faithful is met. In the history and tradition of the Church, only the Magisterium, and parents to their own children, are awarded any right or obligation to teach the truths of the faith. All other persons, even the mendicant preachers of the high medieval period, teach in virtue of some mission, faculty, permission, or title granted by the Magisterium. This is because all other teachers, to a greater or lesser degree, participate in the *munus docendi* that belongs by exclusive right to and as a personal duty of the Magisterium.

"An Application" seems almost unaware of this theology and tradition in the paragraph to hand. It blithely affirms "the right and obligation of Catholic universities to investigate, analyze, and *communicate* truths freely in communion with the magisterium" (emphasis added). The paragraph then discusses the relationship of the diocesan bishop and the theologian as part of this same context and uses it as the ground for the mandate of Canon 812. While some may think it sad to move this question to the level of rights and duties, it is indeed at that level that the law functions and human society lives, for better or worse. The problem with this paragraph of "An Application" is that it awards a right to teach the truths of the faith to persons who are not members of the Magisterium and then seeks to explain why the mandate is still needed, altering the true identity of the mandate along the way. For, if an individual has a right to teach, then the requirement of a mandate is truly the undue intervention of an outside agent upon an autonomous subject. In fact, these individuals do not have any inherent right to teach, nor does their education grant them an extrinsic right to teach. Rather, it is the received permission, as contained in the mandate, which gives them the ability to teach.

It would be best, then, if this paragraph of the document were redrafted to reflect a more accurate understanding of the *munus docendi* and the relationship of various persons within the Church to it. Perhaps the paragraph could affirm the "privilege and obligation of Catholic universities to investigate, analyze, and *communicate* truths in communion with the Magisterium."

Still, the paragraph might better begin with the teaching role of the universal Church and move from there to the unique way in which this teaching role is joined to the Magisterium of the Church. From there, it could briefly discuss how individuals are brought to participate in this teaching role by various means and for differing purposes, e.g.: the canonical mission granted to the members of Pontifical Faculties, the mandate granted to faculty of college or university theology departments, the liturgical commissioning of catechists, the prior episcopal approval of elementary and secondary school religion teachers.

Likewise, the first paragraph of Section V of Part I (beginning with "Collaborating to integrate faith") contains this relatively innocuous statement: "...institutions offer courses in Catholic theology that reflect current scholarship and are in accord with the authentic teaching of the Church." I agree wholeheartedly with what the sentence says. However, the order in which these two characteristics of Catholic theology courses are presented seems reversed. The presentation of the authentic teaching of the Church should be the principal goal and, therefore, of primary concern to the bishops, the university, and the students. In all rights, then, it ought to appear first in the order. Current scholarship and its pedagogical value are only useful when informed by the Faith and when considered from within the secure ground which the authentic teaching of the Church provides. Indeed, it is the authentic teaching of the Church which is the prerequisite for and key to theological inquiry and not vice versa. Therefore, the order of presentation should be reversed to reflect the hierarchy of values.

I join with the President of our Fellowship in hoping for Vatican approval of this document and its full implementation in the United States of America in the near future. In this way the Catholicity of our Catholic colleges and universities, themselves hard-won, jealously guarded, and richly maintained all at the great sacrifice of the Church and her faithful since the foundation of Georgetown College in 1778, will be preserved and enhanced, and they will enjoy a future even brighter than their luminescent past.

In Christ,

*Very Rev. Kevin Michael Quirk, JCD
Judicial Vicar
Diocese of Wheeling-Charleston*

Fr. Scanlan to retire, become Chancellor of Franciscan University

Fr. Edmund Carroll, TOR, chairman of the Board of Trustees of Franciscan University of Steubenville, announced Feb. 22, 1999, that Fr. Michael Scanlan, TOR, will retire as President of Franciscan University effective June 30, 1999. Fr. Scanlan communicated this decision to the Board at their annual meeting, and the Board voted to create the position of chancellor,

and elected to install Scanlan as the University's first chancellor, effective July 1, 1999.

As chancellor, Fr. Scanlan's duties will include fundraising for the university and working with outreach ministries, including Franciscan University's summer conferences and FIRE, a Catholic alliance for Faith, Intercession, Repentance, and Evangelism. He will continue to host the nationally broadcasted program "Franciscan University Presents," shown on EWTN.

Fr. Scanlan was honored in 1993 by the Fellowship of Catholic Scholars when he received the Founder's Award. ☩

ARTICLES

The Alternate World

by Fr. James V. Schall, S.J.

The root cause of sin, of falling away from God and from goodness and toward evil, is man's prideful self-centeredness. He attempts — although unsuccessfully — to ignore his Creator and his Ruler and to set up himself, his own will, as the hub of the universe. Refusing to acknowledge his lacks and limitations as a creature, he tries to upset the whole order of the universe by his perverse imitations of God.

— Herbert Deane, *The Political and Social Ideas of St. Augustine*, 1963.¹

I.

A friend of mine was recently explaining to high school students what Catholics in particular might expect in the future from our secularist society. "You need not worry," she confidently told them, "that you will be stoned like St. Stephen or beheaded like St. Thomas More. But you can expect to be ridiculed and probably denied jobs or social acceptance if you actually practice your faith." After the talk, a young girl came up to my friend. She disagreed

with this analysis. Already on her campus, the student told her, she has been "spat upon just for being what she is."

We do know of the astonishingly large numbers of martyrs in our time. We also know of the relative indifference the supposedly distant persecution of Christians has aroused throughout the world, even among Christians themselves. The main thing to remember is that "religious fanatics" are now seen to be the main cause preventing the remaining elements of the complete secularization of man from being legally put into place. There is a real hatred of man as he is pictured in natural law and in the Gospels. Marx thought that religion was dangerous to man because it deflected his attention to the transcendent away from this-worldly occupations. Today, religion and philosophy are dangerous simply because of what they are and hold.

Orthodox Catholics are naive to think that they are not already included in the category of "religious fanaticism," along with Muslim, Orthodox Jewish, and other forms of religious awareness that something is radically wrong with the modern state and its supporting culture. "Inculturation," that oft-heard word, from now on will demand the souls of Christians to embrace the dogmatic secular culture. The one culture into which we dare not "inculturate" ourselves into is the culture

that finds nothing in human nature or society except what man put there by his own will and choice. Within the Church, moreover, already large numbers have accepted the essential doctrines of secularism and work to transform doctrine and practice into something malleable, able to conform to the principles of the secular order. Such Christians have reinterpreted Christianity to conform to modernity's tenets. These latter will not, so they think, be persecuted.

The problem of the modern world has long been how to silence Socrates without the nasty business of killing him, or how to tame the teachings of Christ without putting Him on the Cross. Both Socrates and Christ, when taken seriously, however, ask us to examine our lives, to be converted. That is, neither could be what he was without asking us to analyze the way we live, without implying that some relation exists between how we think and how we live, that there are wrong and right ways of living. What Paul told the Galatians is today very "anti-multicultural," to coin a phrase, very revolutionary, if not shocking. These are his words: "Now the works of the flesh are plain: immorality, impurity, licentiousness, idolatry, sorcery, enmity, strife, jealousy, anger, selfishness, dissension, party spirit, envy, drunkenness, carousing and the like. I warn you ... that those who do such things shall not inherit the kingdom of God" (Gal 5:19-20). We do not want to hear such things even spoken among us.

Many of the things on Paul's list have become "rights" and are featured activities in the media and other high places. Practitioners may not inherit the "kingdom of God" (though we dare not suggest that anyone, no matter what he does or holds, is not "saved"), but they do find honorable places in the land. Few, if any, items of Paul's enumeration are considered threats to any public order. They have no status outside wholly private opinion, if then. To do one or its opposite is equally acceptable to the public good. Civil society can be indifferent to them, except perhaps when they cause public messiness, which by definition is not the result of anything "wrong" in the

action itself. It is merely an unfortunate crossing of equally legitimate desires and ways of life.

We believe in tolerance for all but the intolerant, that is to say, for those who suggest some things are wrong, objectively wrong. Intolerance has come to be defined as objecting in any way to any "value" that someone may freely embrace. This position presents no small problem because Christians are told, from their own resources, to "go forth and teach all nations," while at least some people still listen to Socrates long enough to suspect that, if he is right, something is very wrong with us. The theory of neutrality invariably embraces a contradiction, something in principle unthinkable. Aristotle says our whole moral and political lives ought to consist in praising and blaming what ought to be praised and blamed. The law, in the pursuit of its neutrality, cannot be neutral. It must take sides even while maintaining that there are no sides that make any difference. To make what is wrong to be "neutral" is already to take the first step in the long process of declaring what is wrong to be in fact right. Without a valid theory of natural law, it is exceedingly difficult to imagine how something we have a legal "right" to is not morally right.

For a while, we believed that we could solve our problems with the distinction between public and private, even though Paul intimated that the public problems come from the private ones. Religion, philosophy, and morals would thus be "private" things. Hobbes, indeed, removed religious and philosophic discussions from the state by threat of force because they caused strife and did not have anything to do, he thought, with the external order. Public peace would simply be defined and enforced as what the state wanted. Provided we could accept the idea that ideas and beliefs made no difference, this solution was the epitome of simplicity. Civil force cured religious and philosophic fanaticism. It also denied us the possibility of distinguishing between good and bad states except on the principle of a peace due to imposed order that denied any importance to higher things.

The modern public order thus conceived itself to be neutral or minimalist, allowing the important things to be handled on voluntary bases. The “temporal common good” would not need or depend on rightness of soul or proper definition of virtue and vice. The distinctions of virtue and vice, like the definitions of happiness, would be totally private. We would have a “value-free” public life because we have a value-free private life. No objective or natural order existed according to which some distinction of right and wrong could be ascertained apart from our subjective preferences, even (though) these differed from person to person. The state would be benevolent, something designed to aid us to achieve our “values” and “rights,” no matter what they were. The only restriction would be of the intolerant who wanted to suggest that not all values or rights were harmless. If someone has a “right” to be a practicing homosexual of whatever sort, then the sickness or death that this activity might cause in the public order becomes the obligation of the state to remove, not that of the individual to avoid the causes. The neutral state acquires the “duty” to make the “right” possible and safe. The state allows the “right” to bear whatever content it wants, including marriage and children, however they come to be. Objecting to this on moral or scientific grounds is “fanaticism” and therefore intolerant. The only order is the enforced order.

II.

The logic of our situation is fascinating. We came to think that the principle of contradiction does not hold, that we can permit directly opposite positions equal rights, so to speak. Christians in particular have been slow to pick up on the moment when they are themselves under siege and from what quarter. We want to think that contending “values” or, in their corporate expression, ideologies, arise from nowhere. However, they invariably have an origin in the heart of man, in his own relation to himself and to God. If we do not accept God’s order, we will form our own. We live

in a society that has formed its new order. This is the intelligibility of our social situation. By denying first principles of being, of any source of order outside our own free making of principles themselves, we claim a liberty that is in fact divine, or better, since the divine Being is not itself a chaos.

All sin, no matter how small, is a re-enacting of the account of the Fall, of the sin of Adam and Eve. Genesis is a jewel of insight into one’s own soul. That is, all sin is an attempt to put into existence our own definition of good and evil. When this same effort appears on the public stage, its outlines are the same, though much more dangerous in extent. We forget that to affirm that what is wrong is, in fact, “right” is a choice open to us. It puts us into the uncomfortable position of having to defend ourselves, not only against ourselves, but against the order of things. When we affirm anything to be true or false, we *ipso facto* leave ourselves open to questioning. Our claim to reason in our acts can itself be tested by reason.

In this sense, our warfare is against principalities and powers. The intelligence guiding our culture and our souls to accept doctrines and practices directly opposite to the natural and supernatural order in every instance reveals a hatred of God, but a hatred manifested in the goods of man, particularly in the most innocent. It is no historical accident that the life of man in its coming to be and in its ceasing to be is the locus of the rejection of the divine among us. Rather on the part of individuals, philosophers, politicians, and all of us, it is a choice between good and evil, with consequences attacking the core of what we are. It involves the truth of human life which we did not make, but only receive. We hold this truth to be self-evident.

The first step in this process was always to seek out the exceptional case, the most poignant or difficult problem. Killing or divorce was wrong in principle, except in this one case. Finding the truth in such difficult cases, St. Thomas says, is not always easy or available to everyone, but in all actions open to us, there is a truth, if we sort it out. The older prudence itself examined the ex-

ceptional case to see if indeed, in this instance, it was murder or divorce. But the new case, basing itself on sympathy or compassion and not wanting to see where the principle led, was that one exception could be found where a genuine murder, adultery, or whatever was all right. At this point we passed over from good to evil. We affirmed that at least in one case, evil was good.

In the second step, we were asked to tolerate the sinner, even if we did not approve of sin. This tolerance was not just for the exceptional case, but for all cases like it or similar to it. This tolerance seemed well enough until there were a sufficient number of tolerated exceptions. At this point, the language of tolerance changed to the language of rights. We were not only to "tolerate" what was admittedly wrong, but we were to acknowledge a right to do what was tolerated. Thus abortion became a right; euthanasia and suicide will soon be, if they are not already, "rights." But if we have a "right" to certain things, guaranteed by the law, the exercise of that right involved the deprivation of right or liberty of others. Even worse, if my "values" are different and imply that the "values" of another are wrong or dangerous or sinful, then I am being at least "judgmental." That is, I am claiming that my "values" have some priority, some claim to truth against someone else's "values." On the other hand, the "right" to abortion, say, necessarily involves the killing of an incipient human life. This incipient life either has no "rights" or its rights yield to mine. Thus rights are not equal, so that he who controls the definition of rights controls whose rights are and are not observed and enforced. We are back to power.

It turns out that if my list of things wrong includes your list of rights, then I am a threat not only to you, but to the polity that establishes that no preference can be given to one or the other value. The polity has to square the circle; that is, it has to deny the principle of contradiction, the principle of being in order to continue to believe in its own theory. In this context, my "values," which are only my options, without any grounding other than my will, and hence can make no

claim on another, are "intolerant" by their very definition. The one sin of intolerance involves the claim to regulate my ideas or thoughts that hold that certain activities or positions are wrong or dangerous. Ultimately, we really cannot allow the public criticism of ideas, once considered against the natural law, that now appear as civil rights. The search for the maximum freedom and the minimum coercion ends up with a need to control certain ideas. If all citizens have the "right" to their definition of happiness or value, then they have a right to their good name.

The claim that certain actions are wrong is implicitly a threat to the state which is designed to prevent strife and which is neutral to all values except to that of intolerance, which begins in the mind. In this sense, the theory is already in place that makes Christians enemies of the state. We simply await its enforcement, either by converting or coercing Christians to live according to secular norms or by marginalizing or eliminating those who insist on calling wrong what the state guarantees as "right."

III.

St. Augustine was a kind of genius about the workings of the sinful heart. He understood that we would not easily admit that what we wanted to do, if it was wrong, was in fact wrong. Indeed, we would seek to justify it as right. The reflections of Augustine on pride are the most profound explanation we have about the workings of our hearts in our efforts to avoid acknowledging that our true good is given to us in our being and in the response of God to our sins. In this sense, all small sins are big sins and all public sins are rooted in small sins. The notion that private sins can be separated from public disorders is hopelessly naive. All social or political sins are rooted in private sins. And what happens to a republic or democracy composed of a multiplicity of disordered citizens, defined in the classical moral sense? They attempt to construct a public order to reflect their own private souls. And this can happen without changing a single name of

public order—constitution, law, right, court, congress, senate, presidency.

Our regime is more and more a regime that institutionalizes and fosters disorders of soul that were classically defined as sins or moral faults. Moreover, it is a regime that does not want to hear that its public or private order can be questioned. Thus, it cannot stand aside peacefully and tolerate those who recall that virtue and vice, right and wrong, are not simply what is defined by the law as permissible. The identification of classical Christianity with “fanaticism” is the next to the last step in eliminating the freedom of Christians and all followers of a Socrates to be what they are.

Augustine stands for the fact that there never will be a polity in this world that is not dis-

ordered. The temptation of Christians in the modern world, as Nietzsche intimates, is to be too much like it. A loss of faith has, in a sense, resulted in a non-recognition of faith. Are these observations pertinent? Are our very thoughts, the will and freedom to live according to them, what are the real cause of what prevents a more perfect worldly kingdom from completing its path into full control? So it is perceived. Christians should not be surprised at this, their Kingdom is not in this world. But Christians are surprised.

NOTES

¹ Herbert A. Deane, *The Political and Social Ideas of St. Augustine* (New York: Columbia University Press, 1963), 17.

Entropy and A Paradigm of Universe Dynamics: A Cosmologic Theory of Everything

Deborah C. Arango

1. Introduction

Many scientists have attempted to formulate a so-called “unified field theory”, which in essence might account for simultaneous but diverse physical phenomena in the same manner which Nature itself treats them.

As illustration of this, let me remind you initially of the energy-matter duality, suggested by Einstein in 1905 — in an effort to formulate such a unified theory — by the mathematical relation $E=mc^2$, (in which c represents the speed of that perplexing element, *light*).

Here, I will suggest a unified theory, pertaining to the origins, propagation, and destiny of the Universe. I will embark from the vantage of the following particle theory, advanced by P.A.M. Dirac in 1928. Dirac’s proposition resulted in the eventual discovery of certain particles, and the evolution of elementary particle physics. Notably,

his relativistic wave equation, (which I have reduced to the familiar form $i\hbar\frac{\partial}{\partial t}e = H \cdot \vec{e}$ (where \hbar is Plank’s constant divided by 2Θ) involves the relativistic Hamiltonian, H. This quantity is essential to our formulation of entropy, what I call the “intrinsic factor.” Dirac observed that only half the possible solutions, \vec{e} , had been accounted for: those solutions belonged to the sole particles with which physicists were familiar and had observed experimentally. A set of equally valid solutions which had been neglected prompted Dirac’s discovery of a new particle — the positive electron, or “positron.”

Shortly after his prediction of this new theoretical particle, which is known to be the “anti”-particle of the electron, Dirac proposed the entire schematics of the exact particle-antiparticle relationship. Perhaps, he suggested, all space consists of — and, we might suppose, is dense with — particles of every kind which possess negative energies. This postulated *negative energy space* is known as the “Dirac Sea.” The particles of this sea can be lifted out of their negative states, and

become observable to us as the familiar electron, proton, etc. The “holes” which remain would then constitute the antiparticles – or mirror images — of each liberated particle.

Now let us consider a *vacuum*. If light is shone incident, radiation eventually fills the vacuum, and at some point, with the collision of photons, two particles appear; an electron and a positron. The energy imparted to the electron by the photons in essence, permits it to escape its negative energy state in the Dirac Sea, allowing both elements of the particle-antiparticle pair to appear.

As this process continues, we eventually obtain all observable matter.

It can, at this point, be proposed that space is itself a consequence of matter. More exactly, we can consider the entire topological manifold of the time-space continuum to be a result of the existence of a single particle pair! And that most essential particle couple owes its very existence to the presence of light in the prevenient void.

The implicit radiation has supplied sufficient energy, not only for the particle-pair production, but also to propel the superimposed mirror twins apart, rather than result in matter-anti-matter annihilation. The essential separation of the two primitive particles constitutes the dimension called space. It becomes the fact by which distinct objects do not all occur at the same point, made possible by the “Pauli Exclusion” principle (that distinct elementary particles cannot possess identical quantum numbers). Relative motion between these objects itself alters space. Gravitational forces, both the weak and strong kinds, influence this spacial dimension.

2. A Theory of the Origins of the Universe

Now, being predisposed to these phenomena, we can address the broader events involved.

Let us conceive of a Void, precursor of any matter, even a solitary, single particle.

This Void, by conjecture, would therefore also predicate all the material Universe, both in time and space. Let us now recognize a great Light being imposed upon this pre-Universe. What pursues, clearly, is outlined by the physics we have set forth. The very same process is engaged which eventually unfolds the whole of the Cosmos.

Our particle theory, so generalized, implicates the precise circumstances and events immediately preceding the *Big Bang*. Here it is significant to note that all current, prevailing theories pertaining to the formation of the Universe, without exception, speak to the event “time zero”— that is, allowing explicitly for the prior existence of substance, the presence of matter, whether concentrated at a single point in space (in the theories recognizing the Big Bang), or otherwise. *None* of these postulations presume to describe what was before that instant, nor can they. But our preceding discussion turns back the clock to moments directly preceding the existence of matter, though it requires of the human scientist considerable intellectual abandon — a certain “leap of faith” — regarding the role of light in the awesome birth of the Universe.

Let us pursue the argument further, exclusively by means of the objective tools at our disposal. We see how the matter of the Universe came to be concentrated at a mass-point singularity. Deriving from the energy-matter duality described by Einstein, we observe that infinite energy was instantaneously concentrated at a dimensionless point. We reason therefore that such a violent event as the Big Bang *must* occur; and essentially, the Universe took shape because of that event. Moreover, we observe, too, the phenomenon of the generation of time and space was defined by the coincidence of matter. Further we might recognize that precisely the same mathematical principals of the Peano-type space-filling curve (commonly described in two-space) explain the physical dynamics of the migration of the newly created particles through space, in every direction and at every speed, so as to “fill” the prevenient manifold — the Void — until it is

dense with matter, and the space-time continuum extends to the most extreme boundaries of that substance. To this present day those *particles propagate through the universe* — via continual transmutation from substance to energy to new form — in approaching their limit point.

All discernible data relayed even now from quasar and pulsars long since deceased — from esoteric analyses of this data provided by the most sophisticated telemetry and Doppler devices—have indeed testified that the Universe is *expanding*.

3. Time-Space Conjecture

According to the viable theories of *relativity*, we acknowledge that the speed of a particle is inversely proportional to the elapse of time, [which is to say, as particles travel through space at speeds approaching that of light (and so described as “tachyons”), length contracts but time dilates. (From this arises the “twin paradox”; speculation even persists that superspeeds ever permit reversal of time!)]. This “time-dialation/length-contraction”, a known relativistic effect, as commonly understood, for example, in the Lorenz Transformations, is the same sort of “preservation” of the integrity of the material universe. *Time* can then be understood as that mechanism by which events — involving matter — do not all happen simultaneously. In this fashion, matter and interactions between matter maintains integrity, and allows for perpetuation of the Universe dynamics. (In any other event occurrences would be vacuous).

This may be stated as a “time-space coupling,” as fundamental as the energy-matter duality: that there exists an essential *inverse* proportionality between space and time. This may again constitute the mechanism for the preservation of matter, in that the faster matter is moving apart, the less critical that events be spaced out in time, hence rate of displacement is reciprocal to rate of time elapse.

4. The Intrinsic Factor

Hence, we are left with light—energy being translated into matter continuously, as described by the wave-particle duality — propagating through the yet unclaimed void. But let us propose the introduction of an “intrinsic factor”, *entropy*, which is that dissipative force by which energy is lost in any corporeal (hence, implicitly imperfect) system. Constrained by the presence of this factor, the matter of the cosmos travels no longer with its initial speed, and with diminishing “weak” gravitational action, the cosmos *must slow* in its precipitous hurtle through the void.

As some infinite balloon being inflated, the full capacity of this *two-dimensional manifold*, this space-time continuum, is being quickly reached. The manifold reaches its elastic capacity. This loss of kinetic energy, this slowing expansion of the matter of the universe, implies — relativistically — that the transpiration of time would comparably accelerate. This is even now being revealed from current studies of the rate at which the heavenly bodies are in fact spreading apart, for that rate has even recently been noticeably slowing, noticeable only in that ironically the reverse will be observed, which indicates the enormity of the *transpired-event phenomenon*.

5. The “Transpired-Event” Phenomenon

Ianticipate the future astronomical data will initially mislead. If not incorrectly interpreted they ought to indicate the Universe is slowing in its expansion. However it is likely that measurements be mistaken, since they are subject to the phenomenon which occurs due to transpired events. This effect accounts for why distant constellations may actually appear to be receding more rapidly: acceleration of recent time makes transmissions of objects, light-years away, appear *older* than they are! Because we receive radiation emitted in a past event, subsequently, in

a present time-reference which is experiencing acceleration, time elapses more rapidly, causing past time-reference events to seem older. This, coupled with time-dialation /length-contraction, dramatizes the enormity of the *time-rate differential*.

Should this be validated — that time is speeding up — then we may justify concluding the Universe is indeed slowing in its expansion!

In short, as the universe slows in its expansion, so too would time (that is, for those observers within the vehicle of the material universe) appear to elapse more rapidly.

Correctly understanding the empirical evidence will ultimately bear this out. And if so, we may indeed be compelled to suspect the cosmos is no longer expanding. Losing its kinetic energy via the dissipative forces of entropy, simultaneously losing its momentum and therefore its speed, it will attain a farthest point a point at which, instantaneously, the Universe is at rest.

Given such a momentary *static state*, immediately, the enormous *gravitational attraction*, exercised by the infinitely-many bodies constituting the countless galaxies, will cause this manifold to contract. The pure potential of the Universe at rest (the static state), is now transformed into kinetic energy. With mounting and unfathomed momemtum, the whole of the Universe now drawn inexorably back to that auspicious mass-point singularity in space from whence it originated — returning to a state of infinitely-dense concentration, but with a velocity now unknown, (for it need not contract with the same speed with which it expanded). Now matter, reversing its direction, is being isolated, with a terrific force, at once again a mass-point singularity..., now a Universal “black hole”. And being so concentrated must now “implode,” perhaps on this occasion, spewing forth a renewed Universe, on the *interior* of the original manifold (in essence, turning the “balloon” inside-out)!

6. Conclusions

This paper has attempted to describe not only the preventient Void, [laid out by the Dirac's negative energy sea], but the specific introduction of light in the Creation of the world [as postulated by the theory of the Big Bang], and the subsequent propagation of matter [via Einstein's law governing energy-matter duality, and Peano's space-filling curve]. More vexing then is not the origins of matter itself, but rather the source and moment of introduction of the *intrinsic factor*, entropy, which eventually dominated the dynamics. If indeed time is indeed elapsing more rapidly, we can conclude the expansion of the Universe is slowing, and hence that static state must be reached due to the forces of entropy. I propose this equilibrium will occur soon, [due to facts concerning the relativistic relation between length contraction and time dilation]! Now, reversing its course to a re-concentration of matter [due to the enormous gravitational attraction of bodies, which counters the equilibrium of the static state], the Universe reaches a state of condensation at a mass-point singularity (as at first). The dynamics of that concentration of matter and, concomitantly, of energy will result in precisely the same kind of cataclysmic devastation as warned in Revelation! Moreover, upon collapsing into this imminent “Universal black hole,” an implosion must result, as before spewing forth a *renewed* Universe! And this is the re-Created Universe of which is prophesized upon the Parousia! The Final Judgment and Perfected World.

One ponders, yet, upon these dynamics set forth in this treatise, and with consternation objects: “A Black Hole?! Annihilation is imminent for all matter of the Universe!” But recall, as the physical forces condense the whole of the universe — time, space, matter — to the a mass-point singularity that constitutes the Universal Black Hole, (and this is even now acknowledged) only that matter with sufficient energy can manage to escape obliteration — literal “annihilation” by opposing dynamics emerging on the obverse side of the manifold as “new stars.” These seminal stars will

possess that energy, in the form of love, sufficient to escape annihilation. Whereas that matter whose spiritual energy has been dissipated by *sin*, which is that entropy which entered the world at time of the Fall, and lack adequate energy to pass safely through the Black Hole, will be nullified. And we will declare: "In the End, the Good will be clarified, while the Evil will be sublimated."

7. Remarks

Let me suggest that the implicit lesson of the preceding theory might be that no reality can be described let alone understood unless all facets of the matter under consideration are examined with equal ardor. In particular, we might well be admonished that no more can the questions addressed by theology be ignored in deference to those posed by science than can the various pertinent facts themselves be neglected. Levels and modes of the very process of inquiry are themselves as essential and imperative to the goal of knowledge as the diverse facets of the subject under study. Yet we offend on both accounts.

Firstly, in our enthusiastic attempt to comprehend — or even to merely describe — individual events, we strip them to their most simple states, neglecting all elements and forces except those few discrete ones which we can manage in isolated study from all contingent or entailing considerations. The complexity and diversity of things that *ought* to be considered present too great a level of difficulty and uncertainty for us to even apprehend at once, let alone comprehend to the least degree. That is, we isolate those events, and particular dimensions, which it occurs to us to inspect, in hopes that analyzing them might prove productive. But this procedure must prove ineffectual and fruitless — for the reasoning is fallacious, and can only progress to a frustration over the questions of the Universe.

It is this human inclination — characteristic of all scientific endeavor — which prohibits a lucid understanding of those events under scrutiny. Nature, on the contrary, is not partial to any singular aspect of any isolated event, and in fact cannot distinguish those aspects, as it cannot discriminate time

and space themselves.

Secondly, the trends of science, in the fey optimism of a technological era, have been towards self-aggrandizement, and the neglect of those concomitant, complementary issues — particularly those of philosophy. It is therefore doomed to ignorance of the true nature of the universe it explores.

The seemingly disparate dimensions of the very process of inquiry itself, prove equally fruitless to discriminate, nor will they be productive if reckoned independently. Truly, intellectual scrutiny actuates at discernible levels, seeming to engage diverse facets of a subject being studied. This scrutiny includes empirical inquiry, as addressed by science; linguistic, i.e., the formulation of universal forms, the aegis of mathematics; and transcendental, those reckonings of theology and philosophy. These perspectives, or motives of inquiry, address themselves to ultimately the same outstanding question. Only *in toto* do they constitute our complete and complementary faculty. That we may inspect the human existence in the context of the vast and complex cosmos, these resources provide us with authentic vision. None, independently — given our limitations — even poses a complete formulation of the question...being devoid of essential perspectives...let alone produce a realistic answer to that question. Truth must be pursued with all our faculties, through the employ of every intellectual resource.

Hence it behooves us to reconsider the foregoing thesis on the origins of the universe in light of a philosophical perspective. We may discover it is viable and productive to pose simultaneous questions, and there need be no discrepancy — indeed it may be logic, more than faith, which binds the two fields.

The scientist is demanded to regard the scientific examination of the origins and dynamics of the Universe, as laid out in the foregoing thesis, in not merely the idiom of mathematics nor physics, but in a theological light as well. And I suggest that these conjectures be considered from such an enlightened and brazen perspective. As a fruitful starting point, I recommend the reader refer to Genesis through Revelation.

On Pope John Paul II's *Fides et Ratio*

Dr. Gregory Kerr

Not only is this encyclical philosophically enjoyable, but I think it is very important for people to read. I have a sense that this encyclical addresses what has been a longstanding puzzle for some philosophers, especially one famous atheist, Bertrand Russell. In his famous essay, "Why I am not a Christian," Russell wonders:

You know, of course, that the Catholic Church has laid it down as a dogma that the existence of God can be proved by the unaided reason. That is a somewhat curious dogma, but it is one of their dogmas.¹

No doubt there will be philosophers and others taking a guarded view of the present encyclical and wondering why if God and faith are so reasonable, why does the Church have to insist that we take that as part of the faith of the Church. If what the Pope says is true, why can't he simply argue his view instead of proclaiming that philosophy can attain to transcendent truths and that philosophers must avoid certain errors? If Catholic faith is truly reasonable, why not just argue for it? Why make it a pastoral statement? Why must the Pope be dogmatic about this? I think that there are at least three reasons why he should:

The first reason the Pope should be dogmatic about reason is this. While dogma is something other than the product of logical reason alone, some form of it, nevertheless, is present in every mind on the planet. There is no thought without some dogma. You cannot live without dogma. As someone once said, "A man's best friend is his dogma!" Even the most stringent empiricist and skeptics have their dogmas. For example, one can think of Quine's famous essay, "The Two Dogmas of Empiricism." But while dogmas are always present, not all dogmas are created equal. Some may be better than others. Some may be more conducive to the workings of human reason than others; and some dogmas may be problematic, so problematic in fact that they even undermine reason's ability to function at all.

The Pope cites several problematical philosophical positions, all of which I believe can be shown to hinder the work of reason. There seem to be, if I have read the encyclical well enough, two major themes in these varieties of philosophical error: relativism and scientism. Taking the first view, relativism, in whatever form it appears, we find that it denies all access to ultimate truths and values. However, if this view of relativism were true, what would be the point of accepting it? By its own account, it cannot be any "better" than any other theory. Furthermore, there is no point in trying to discover better theories. It does, as Allan Bloom has pointed out, shut down the human mind.

The second is scientism. Not to be confused with the ordinary practice of science, scientism claims that everything can be known by the empirical sciences. This view is as problematic as the one above. As philosopher Huston Smith points out, if scientific materialism were true, then our world view would be based upon the scientific method. If this is so, then it would be based upon the controlled experiment, and if this is so, then it would be based upon those realities that we humans can control; and if this were the case, then our world-view will look at only those aspects of reality that are less in value and meaning than we are. You cannot control human beings. You cannot control ethical behavior. In short, we wallpaper the universe with a design we have made out of those aspects of reality that are less in value than we are. We have pictured ourselves in a reality-context that can make no sense of the aspirations and values of the scientific inquirer who explores it. We have suffocated the human spirit. John Paul II is right, only metaphysics can help in this regard.

The second reason the Pope should be dogmatic about reason is that while the Christian Faith may be reasonable, there has never been a guarantee that believers will be. Because of sin, because of disordered use of our freedom, because of temptations, not to mention the hard work that reason demands, especially in the metaphysical realm, we might choose the culturally more ac-

ceptable, and easier route by avoiding the internal conflict and hard work that metaphysical reasoning brings. It is always easier to say, “I really don’t know about the truth, about values, about being consistent, about who really is a person,” than to wrestle with trying to value the good, understand the true, and appreciate the beautiful; and all of the philosophical truths that the revealed reality of Christ demands. Hence, we need encouragement. We need exhortation as soldiers in a battlefield fighting a spiritual war (Ephesians 6). Before we can philosophize, it helps to have some encouragement that there is something to be found! We need to know that the effort is worth it.

The third reason why the Pope should be dogmatic about reason is because some philosophies are positively harmful to human beings. Many people, being perhaps unaware of it, have philosophical maps, paradigms, conceptual frameworks, that steer the human being towards destruction, and in addition, only short circuit reason’s attempt to evaluate itself and the world. I appreciate what the Pope says about those who would deny access to metaphysical truth. He says that

[R]eason, in its one-sided concern to investigate human subjectivity, seems to have forgotten that men and women are always called to direct their steps towards a truth which transcends them. Sundered from that truth, individuals are at the mercy of caprice, and their state as persons ends up being judged by pragmatic criteria based essentially upon experimental data, in the mistaken belief that technology must dominate all.²

Concerning “scientism,” he says that scientism

consigns all that has to do with the question of the meaning of life to the realm of the irrational or imaginary. No less disappointing is the way in which it approaches the other great problems of philosophy which, if they are not ignored, are subjected to analyses based on superficial analogies, lacking all rational foundation. This leads to the impoverishment of human thought, which no longer addresses the ultimate problems which the human being, as the animal rationale, has pondered constantly from the beginning of time. And since it leaves no space for the critique offered by ethical judgement, the scientific men-

tality has succeeded in leading many to think that if something is technically possible it is therefore morally admissible.³

The stakes are high. I recently received an e-mail that reported that John Cardinal O’Connor sounded an alarm over New York State’s new proposed guidelines for medical experiments on the mentally ill and disabled. He said that they raised the specter of Nazi horrors. O’Connor’s warning came after *The New York Post* revealed that the State Health Department is planning to allow patients who are incapable of consent to be used in risky human experiments. Under the plan, vulnerable patients could be put in slight-risk experiments — even those that offer no direct medical or psychological benefit to the patient — by a court, guardian, family member or a close friend. And there remains this question: “Who’s next in line for medical experiments?”

Now, I am not primarily worried that we will not do philosophy and fall into error. I am worried because in not examining our philosophy of life we will become imprisoned in and through the perspectives we now have — often too readily and reactively influenced by the distortions of truth mentioned above. I am worried that we won’t think for ourselves but will simply assimilate the agendas of others, from the media and especially from the “data processing” world of computers. Without philosophy we will lack even the resources to attempt to deal with error.

We are a race that desperately needs to search for the good, the true, and the beautiful. In this encyclical the Pope is clear about this. We are a race that cannot do it alone. We need faith and God’s “grace to perfect our natures.” We need faith and to be saved by Jesus, the one who calls himself the way, the truth, and the life.

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NOTES

¹ Bertrand Russell, *Why I Am Not a Christian and Other Essays on Religion and Related Subjects* (New York: Touchstone, 1957) 5.

² *Fides et Ratio*, introduction, section 5.

³ *Ibid.*, Chapter 7, section 88.

Gateway to a Uniquely-Georgetown Education: A Fresh Introduction to *Ex Corde Ecclesiae*

Peter Ryan, S.J.

Those of you who have read *Ex Corde Ecclesiae* have held in your hand a document of immeasurable significance for the Catholic university, a ringing defense of the appropriateness of associating the idea of a university with Catholicism. In *Ex Corde* Pope John Paul II explains that “a Catholic university is completely dedicated to the research of all aspects of truth in their essential connection with the supreme Truth, who is God” and exhorts Catholic universities to let Catholicism permeate their institutions at every level. However, various arguments against a Catholic university’s vigorously living out its specifically Catholic identity are not uncommon. I will consider some of these arguments and offer responses.

The Intolerance of Diversity and Avoiding the Campus Ministries’ Sandbox

The objection is sometimes raised that sensitivity to issues of diversity should supercede any emphasis on a university’s Catholic character. Some employ this multicultural argument to oppose any significant Catholic symbolism. For example, those who resisted the successful movement to have crucifixes put in the classrooms at Georgetown University argued that the presence of crucifixes would offend the sensibilities of members of the academic community who do not profess the Catholic faith. A Georgetown undergraduate spoke on behalf of the campaign for crucifixes, identifying herself as a non-Catholic not even sure of the existence of God. She exposed the flaw in the multicultural argument against Catholic sym-

bolism, saying that she realized on enrolling at Georgetown that she would be attending a Catholic university and expected its Catholic commitment to be made evident, not least in the various symbols that reflect it. She added that to assume that non-Catholic members of the Georgetown community would be provoked by such symbolism at a university that calls itself Catholic is offensive, for such an assumption inevitably implies that they are intolerant.

The multicultural argument falters for another reason: the position that tolerance and diversity are violated by an emphasis on a university’s Catholic character is self-defeating. An authentic concern for diversity is not limited to life within institutions but extends to diversity among them. A crucial aspect of multiculturalism is, or should be, respect for the rich diversity of faith traditions reflected in various religiously affiliated centers of higher learning. The very existence of such institutions helps offset the tendency toward a dreary sameness among universities. Far from enhancing pluralism in American higher education, mitigating the Catholic character of Catholic universities significantly reduces authentic diversity. This point in no way denies that all members of the academic community are to be valued. Moreover, as *Ex Corde* itself puts it, “When the academic community includes members of other churches, ecclesial communities or religions, their initiatives for reflection and prayer in accordance with their own beliefs are to be respected.” Clearly, such respect is perfectly compatible with the Catholic commitment that enables the Catholic university to make its own unique contribution.

Another problem sometimes arises even among those who agree that Catholic symbolism is an important aspect of a Catholic university, for they can fail to realize that symbols alone are insufficient. Indeed, even further manifestations of

Catholicism, such as activism on behalf of social justice and a robust campus ministry program, do not establish a university's Catholic identity. Important though they are, these elements are extrinsic to the essential activities of a university: teaching and learning. If the Catholic faith does not permeate a university at that level — in its classrooms, laboratories, offices, studios, and theaters—then it cannot rightly be called Catholic, no matter how evident Catholicism may be at other levels.

Father Theodore Hesburgh seems to recognize that a university's Catholicity cannot be a merely extrinsic feature, for he insists that philosophy and, especially, theology are central to the Catholic university and must be in dialogue with and serve to integrate the other disciplines. He declares that a “great Catholic university must begin by being a great university that is also Catholic.” This approach makes sense in principle since a properly grounded philosophy could serve as a university’s integrating principle, as it does in Plato’s *Republic*. That principle could then be elevated and ennobled by harmonizing it with the more profoundly integrating principle of theology.

Putting First Things First

Unfortunately, Father Hesburgh accepts the modern cultural understanding of a university and argues that it can be Catholic only if it is first a university in that modern cultural sense. The problems with this view become evident when one examines the actual character of American academic culture. For one thing, as William Marsden observes, American universities “had distinctly anti-Catholic origins.” Set up to be nonsectarian and scientific, they operate on the assumption that freedom of scientific inquiry excludes theological commitment in principle, and *a fortiori*, requires freedom from the “sectarian prejudice” that was thought especially to characterize the Catholic Church with its structure of authority.

Assumptions that cannot be corroborated

and that are incompatible with Christianity in general and Catholicism in particular continue to characterize the secular academy today. It assumes that revelation is impossible and, therefore, treats religion as a mere matter of opinion based on purely subjective values. It assumes that the model of empirical scientific research is appropriate for all knowledge about reality and, therefore, treats knowledge as ever-revisable, thus precluding in principle the possibility that he has need of a salvation beyond the scope of scientific investigation. Finally, it tends to assume a deterministic view of history, thus excluding the freedom presupposed not only by any coherent religion but by the reflection of common sense on human experience.

In a Fall 1997 lecture delivered at Georgetown University on “The Catholic Mission Today in Higher Education,” Archbishop Francis E. George observed that the secular academy’s “primary value, since the Age of Enlightenment, is Cartesian doubt masquerading as critical intelligence. Its founding myth is that of the solitary and courageous intellectual taking on obscurantist and authoritarian systems of all sorts.” Such an ethos fundamentally precludes any sort of principle of integration for the secular university.

The problem is further exacerbated by the current division into departments that marks the contemporary university. As Archbishop George notes, while there are good reasons for that organizational structure, it tends to preclude a university’s having an “integrated vision,” because different departments often have competing interests. “Conversation about what reason itself might require an educated person to know is rare. Rarer still, outside a Catholic university, is talk about what reason open to enlightenment by faith might suggest about education.”

In sum, Hesburgh’s claim that “the university must first and foremost be a university” in the modern secular sense before it can be a Catholic university is untenable because of the lamentable condition of American academic culture. Although grace builds on nature, the modern secular university lacks any integrating vision at all and is,

therefore, incapable of serving as the foundation for the Catholic university. As Archbishop George puts it, “our society lives with an impoverished, instrumentalist sense of reason; we can know more than our culture tells us we can.” Faith helps in the quest for knowledge by bringing into relief the native power of reason to which our culture is increasingly blind. At the same time, faith itself is “a vision, a way of seeing things.” The principle of integration of a Catholic university is reason illuminated by Catholic faith.

“Nothing without the Bishop”

A final objection to the idea of a Catholic university articulated in *Ex Corde Ecclesiae* bears precisely on that last statement. What concretely is required for a university’s academic enterprise to be illuminated by Catholic faith? Archbishop George explains that faith’s “warrants and rules of evidence” refer to the community left by Christ, “a community with an embryonic governing and teaching and sanctifying structure which Vatican II describes as a hierarchical communion.” If a university worships the Catholic God, he argues, it cannot separate itself from that community, and therefore must recognize the significance of the office of bishop. Indeed, *Ex Corde* insists that the Catholic university have a juridical relationship with the Catholic Church. But is such a relationship really necessary?

That there should be no juridical link — or that it should have no practical import — has generally been presupposed by administrators of Catholic institutions of higher education ever since various presidents and other high officials of influential Catholic universities gathered together in 1967 to produce the Land O’Lakes Statement. According to that document, “to perform its teaching and research functions effectively, the Catholic university must have a true autonomy and academic freedom in the face of authority of whatever kind, lay or clerical, external to the academic community itself.” This claim has recently

taken the form of an objection to the stipulation of Canon 812 cited in *Ex Corde Ecclesiae* that Catholics who would teach theology must have a mandate to do so from the local bishop.

Is the juridical relationship between a Catholic university and the Church really a threat to academic freedom? Secularists of various stripes, from atheist to merely nominal Catholic, often assume that following arguments wherever they lead in a free and disinterested search for truth is incompatible with having a faith commitment to specific positions on key questions of truth. They tend, therefore, to conclude that a juridical bond with the Church endangers the free search for truth that should be the hallmark of any university. Their view amounts to an endorsement of George Bernard Shaw’s claim that a Catholic university is a contradiction in terms. However, as the intelligent believer realizes, there can be no incompatibility between revealed truths and natural truths since the God who reveals himself to us in Christ is the Creator who endowed us with intellect. He does not contradict himself. As Alice von Hildebrand points out, “conflicts between faith and reason are not real but only apparent conflicts— even though how they may be reconciled may baffle us at first.”

The Confusion over Academic Freedom

That observation is not much help to the secularist mind, which, again, tends to reject *a priori* the very possibility of revelation and views the idea of a faith commitment as arbitrary and irrational. As James Heft observes, in its 1915 statement on academic freedom the AAUP assumed that institutions committed to revealed truth cannot be “true colleges and universities in the American sense of the term since true academic freedom was not judged to be possible in them.” However, one cannot vindicate the claim that a Catholic institution’s faith commitment and its corresponding juridical link to

the Church violates the freedom needed to pursue truth without first proving that at least some Catholic teaching that calls for the assent of faith contradicts reason. Providing such a proof is precisely what the believer insists is impossible, and the Church willingly defends that position according to the canons of public discourse.

Despite indications that “those who in the past century consciously attempted to define academic freedom were, for the most part, hostile to traditional religion,” the AAUP did eventually come to consider many Catholic institutions as true colleges and universities. However, this occurred not because the association changed its attitude about traditional religion, but because it became convinced that these institutions had come to accept the secular concept of academic freedom. The quotation cited above from the Land O’Lakes statement indicates that the AAUP’s perception was by no means unfounded.

There is, however, no need for Catholic colleges and universities to withdraw their endorsement of the AAUP’s actual statement on academic freedom. When the background assumptions about the irrationality of institutional religious commitment are disregarded, that statement is consonant with *Ex Corde Ecclesiae*’s own affirmation of academic freedom as the guarantee given to those involved in teaching and research that, within their specific specialized branch of knowledge and according to the methods proper to that specific area, they may search for the truth wherever analysis and evidence lead them and may teach and publish the results of this search, keeping in mind the cited criteria, that is, safeguarding the rights of the individual and of society within the confines of the truth and the common good.

For at least two reasons, it is important to pay special attention to the statement that academic freedom is the freedom to pursue a specific discipline according to its own proper method. First, such freedom poses no threat to the faith because, again, faith and reason are perfectly harmonious. Problems arise only when scholars in various disciplines move beyond the area of their

specific competence to make unfounded philosophical or theological claims. Assertions of that sort violate the autonomy of the discipline in question by allowing it to pose as philosophy or theology. Such unscholarly claims are not protected by academic freedom, and they do not constitute valid arguments for severing a Catholic university’s juridical tie to the Church.

The second reason that one must insist academic freedom pertains to teaching and research in a particular field according to its own methods has to do specifically with the discipline of theology. Since the essential date of Catholic theology is revelation as interpreted by the Magisterium, “it is intrinsic to the principles and methods of their research and teaching in their academic discipline that theologians respect the authority of bishops, and assent to Catholic doctrine according to the degree of authority with which it is taught” (*Ex Corde Ecclesiae*, no. 29). It is difficult to see why a bishop’s insisting on such an attitude in Catholic theologians should be considered a violation of their academic freedom rather than a way of ensuring that they meet the intrinsic requirements of coherent Catholic theology.

Archbishop John Carroll’s Vision Thing

Another argument for preserving an institution’s juridical connection with the Church is based on the very idea of academic freedom; it applies not only to individuals but to institutions. The founders of Catholic universities clearly wanted their institutions to embody their Catholic commitment and never imagined that Catholics would come to consider a university’s official connection with the Church as a threat to the university’s mission as a center of open inquiry. Rather, Catholic founders recognize, as Alice von Hildebrand puts it, that “faith fecundates, enlarges, deepens, and purifies reason.” The freedom to establish and promote academic institutions that reflect one’s faith com-

mitment plainly deserves protection. Thus, not only does the importance of safeguarding academic freedom not supply a rationale for dissolving a Catholic university's juridical tie to the Church, it argues in favor of preserving that tie.

Of course, if a university's administration no longer desires the Church affiliation established by its founders, it can seek to relinquish the juridical connection and dissociate from the Church. After all, a university cannot be forced to call itself Catholic against its own will. A problem arises only when a university wishes to be recognized as Catholic despite its having no official connection with the Church.

Consider, for example, Catherine Mowry LaCugna's statement that "it would be tragic if the Catholic university were forced to relinquish the nomenclature *Catholic* in order to be free from ecclesiastical interference, free to be itself, and thereby to pursue truth in a truly Catholic way." Here the issue of brand control arises. Who is to determine what counts as being "truly Catholic"? Who controls the name Catholic? To claim that name while denying that Catholic episcopal authorities should be able to determine what it means and concretely requires of a university is, to say the least, anomalous. Proponents of that view essentially argue that the university itself, rather than the Church, is the arbiter of the meaning of the term Catholic as it applies to the university.

It is one thing to make that claim and quite another to expect the Church to change her own understanding of what it means to be Catholic. When the practice and ethos of a university indicate that its notion of Catholicity is at odds with that of the Church and even begins to conflict with the Church's pastoral mission, it should come as no surprise when the local bishop recognizes this reality and responds by declaring that the Church cannot consider that university to be Catholic.

Unfortunately, there is sometimes a troubling dissonance between, on the one hand, what many Catholic universities claim to be and are

even publicly recognized by the bishop as being, and, on the other, the university's actual character. That dissonance is a source of confusion to Catholics and to the general public and tends to raise questions about how the university can be affiliated with the Church when its activities are at times incompatible with her teaching. Under such circumstances, the university's juridical connection with the Church has the effect of suggesting that the Church herself approves of those activities. That state of affairs understandably causes people to wonder how the Church can oppose those same activities in other arenas. The problem becomes particularly acute when bishops are indiscriminate in granting mandates, for the mandate indicates that a theologian is teaching in the name of the Church.

The university that truly wants to be Catholic, however, has no reason not to *desire* a juridical bond with the Church. Such a university will recognize that its Catholic character inevitably links it to the institutional Church and that the desire to remain Catholic is incoherent without a corresponding desire for the institutional nexus. That bond will not strike administrators as an external imposition, for it will reflect their own faith commitment. Instead of fearing "ecclesiastical interference," they will welcome opportunities to manifest their university's Catholic character. Administrators of such a university will realize that its fidelity to the full range of Church teaching is not only compatible with its mission, but that "by its Catholic character a university is made more capable of conducting an impartial search for truth" (*Ex Corde Ecclesiae*, no. 7). Such a university will prove to be a dynamic center of learning in which reason is illuminated by faith.

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The Wrong Lamentations over *Ex Corde Ecclesiae*

Msgr. George A. Kelly

Catholic college officials are grieving over John Paul II's *Ex Corde Ecclesiae*, but for the wrong reason. They do not weep over the scandals and aberrations in Catholic teaching and discipline that have occurred on their campuses for three decades. Nor are they contrite for the "pick and choose" Catholicity that they and their faculties have incarnated everywhere in the American Church. No, they bemoan instead John Paul II's insistence that the Catholic colleges live by the laws of the Church. Their lamentation¹ has a biblical ring to it, but it lacks Israel's grief over the community's sins against God and over the "crimes of her priests" (Lam 4:13). Instead, Fr. Monan and Fr. Malloy cry over the alleged misbehavior of John Paul II doing his duty.

Frs. Monan and Malloy lament the loss of "treasures on earth" (Mt 6:19) that would befall Boston College and the University of Notre Dame once they accept the Church's definition of a Catholic college. They predict "havoc," if presidents of Catholic colleges are required to profess the Catholic faith or take an oath of fidelity to the Church, or if a majority of a college board or faculty are to be "faithful Catholics," or if Catholic theology need be taught by a professor licensed for that subject by a bishop (Catholic theology is legitimated only by its faith connection with the Church's teaching office), and if faculty are inhibited from doubting, denying, or teaching against the Catholic faith and way of life. Frs. Monan and Malloy never mention the "havoc" that comes to the Church from presidents, boards, and faculties who refuse to profess their faith or take an oath of fidelity. Or from those who cannot qualify as a "Catholic" theologian in the strict sense but want

to teach Catholic theology. From those who profess their inability as scholars to decide whether Christ rose from the dead or is present in the Eucharist. From those whose primary concern is their jobs, not the good of the faith or of souls. (One study shows that 75% of Notre Dame's theology department, and 65% of Boston College's have non-Catholic degrees.)

Every Catholic campus enjoys the presence of sound Catholic teachers and saintly models of the Christian life. But their institutions, at least if they are active members of the Association of Catholic Colleges and Universities, are at best only nominally Catholic. Going back to the 1967 Land O'Lakes declaration of independence of Catholic colleges from the oversight of the Pope and bishops, the "university"/"college" signed by a Cross (as all of them were) was redefined to be an institution given over to the search for measurable truth, which only academics can determine. Many things are wrong with such a definition, of course, not the least of which is the fact that practically all the 1,200 American four-year colleges are engaged merely in teaching the young what society already knows, or what it thinks it knows. The discovery of the unknown is the world of would-be Einsteins, and these are few on the average campus anywhere, secular or Catholic. (Catholic universities are still not rated as research institutions, even today by the *Gourman Report*). The secularist theory of learning assumes that all knowledge is man-made, earthbound, and discoverable solely by empirical methods. Excluded from its purview is what Christians call "God's revealed Word," except insofar as the phrase reflects human musings on this subject. The objective content of the "faith" is not a gift from a God, they say, but merely human expressions of the arcane about which humans can only speculate subjectively. Furthermore, Catholic theology cannot bespeak "divine" truth. It can only represent a sociological compilation of human meditations on the ineffable, and in every case this is conditioned by the particular experiences of a given people in time. As far as the secularist academe is concerned, religion — any religion — is the codified sentiments of a circumscribed people about what the conjure

up as “God,” whom they cannot prove to exist.

How can a Catholic college — that school whose founder brought it to life as a witness to God’s sovereignty over his creatures, to Christ, the Lord of the Universe, and to the Catholic Church as his chosen voice till the end of time — in its education of the young, align itself with such an earthbound philosophy of human nature and destiny? By what title does a Catholic college president identify so closely with a system that is basically agnostic to the Word of God? And by so doing, squander its American Catholic patrimony, a crowning educational achievement in the history of Christendom? In the post World War II period, 250 schools of higher education sat atop the largest system of Catholic education in the history of Christendom. Five million young Catholics daily sitting at the feet of fully believing teachers and graduating as the best practicing Catholics in the democratic world!

A sad day for Catholic education was reached, therefore, when in 1991 Avery Dulles, S.J., was constrained to summarize for a Fordham University audience the secularization process that has overtaken both American and Catholic education: 1. A “slippery path that led from denominational to generic Christianity, then to vaguely defined religious values, and finally to total secularization;” 2. “The drift is by now inevitable in practically all Catholic universities.”

The Beginning of Revolution

Catholic higher education did not abandon its hard-earned heritage by happenstance. Its presidents worked to achieve secularization in studied stages.

First, by deprecating the Church’s accomplishments in higher education. Back in the 1950’s, the American Church was already unique. The churchgoing, validly married graduates of Catholic schools and colleges were overrunning the country’s industrial, labor, and governmental bureaucracies from which their grandfathers were excluded. Enough at least to scare Protestants and other Americans united for separation of State and Church. Almost out of nowhere, disgruntled

voices on Catholic campuses, from Washington, D.C. to Woodstock to Cambridge, began to complain with unexpected bitterness that the Church lacked recognized intellectuals, that her academics were second-rate scholars, that her schools were inferior too. How did these critics know this? Because the Ford and Rockefeller Foundations, the East Coast university elites, the American Association of University Professors, and the Nobel Prize Committees ignored Catholics when they dispensed their blessings and benefits. Catholic elites reminded each other with surprising frequency why seculars thought so little of Catholic schools: they operated as simple teaching institutions ungiven to research, they hired underpaid faculties who lacked degrees from “the best” universities, and they were too small to enjoy social influence. Their greatest shortcoming, allegedly, was their intimate tie to a Church which believed it had a corner on God’s revealed Word.

Second, Catholic elites misread Vatican II to justify their adoption of the secular university as a model for the Catholic college. Seemingly oblivious to the miracle that American Catholic higher education represented, and to the fact that by this time secular university critics were the last entrenched center of animosity to the very notion of a revealed Redeemer, the divines of Land O’Lakes demanded in 1967 that Catholics conduct their institutions without reference to Pope or bishops on matters of policy, hiring and firing, even on the matter of choosing professors committed to Catholic faith and morals. They preferred professors to be as freethinking as their secular American peers, unimpeded by the rationality identified with Christian schools. Almost overnight these devotees of the American model imposed on the handiwork of saints the ideology and structures of an intellectual world that did not know Christ, and that looked upon the very idea of a Catholic university as an oxymoron. The Land O’Lakes leadership (particularly a Georgetown president) reassured Rome in 1969 that “the consciences of individual Catholics” would protect Catholicity, even if the institutions no longer could.

Overnight, Catholic colleges moved in secular directions. They became civil institutions,

pure and simple, with the new discovery that the State, not the Church, chartered them. Their presidents, mostly religious, no longer cared to be Superiors of their Congregations' houses, lest their ecclesial responsibilities taint their autonomous academic role. Boards of Trustees henceforth were to be dominantly lay, symbolizing the institution's distance from Church influence. Faculties were to be diversified not only by the secularity of their degrees, but by religion. Professors there, like their secular counterparts, were now free to question, dispute, or doubt all human propositions, even the definitive teaching of Christ or the Pope. American cultural or civic mores and law became governing norms of Catholic college behavior.

Third, the inevitable result of the desired secularization was the downfall of Catholicity on and off the Catholic campus. Fathers Malloy and Monan tell their *America* audience that the “respect” and “influence” their faculties have recently gained in secular quarters will suffer should they accept John Paul II’s law (an unproven allegation); but the same academics are silent about the state of faith on their campuses, regarding which pollsters have a great deal to say.

Going Secular

The enforced superimposition of the secular university model onto the free but faith-filled college within the ecclesial quadrangle has resulted in dismantling the framework of Catholic faith with its overarching notions of creation, redemption, salvation, the Church as the Body of Christ and the Pope as its Vicar. Witnessing or reflecting the Church’s faith has remained the preoccupation of so-called “conservative” faculty, but not of the collegiate community itself. Disbelief in the Catholic faith as taught became widespread after 1967, but that is unmentioned by Frs. Monan and Malloy, who are more offended at the Pope’s demand that they return their collegiate body to the Church’s fold or be denied ecclesial stewardship of young Catholics.

Are priests, nuns, and Catholic lay profes-

sors no longer responsible for faith in Christ among the young, or in the only Christ-Church students know when they arrive on campus? How about the moral virtue of the young? Their eternal salvation? Are these presidents less intent today on graduating “faithful Catholic” students than on producing prosperous alumni? Or, is there no such thing anymore as a “faithful Catholic”? In 1987, John Paul II reminded the American bishops that bending the Word of God to satisfy the demands of American culture has done little to uplift this country’s secularist mores. Are the likes of Boston College and Notre Dame responsible for this failure? And, from a Gospel point of view, since the situation is evil, who, pray tell, does Christ expect to correct it?

The Exit Strategy

In spite of papal insistence, American bishops will have no easy time reclaiming the Catholic campus for service to God, as effectively as it presently serves the country. The presidents, at least some of them, are talking secession. And a handful of bishops are afraid this will occur. Still, in a secular world where “free choice” and not “obedience of faith” is the sacred value, both bishops and academics must face the inevitable. “Will you also go away?” was one of Christ’s most poignant questions (Jn 6:67). Today the alienation between bishops and academe is deep and bitter. In some cases it is based on lack of faith in what Henri de Lubac called “the Church as she exists here and now,” in “the hierarchical Church.” Certain presuppositions, however, must be assumed in any reconciliation.

1. *Bishops are legislators for the Church, governors of the Church, and suppliants only before God.* They must incarnate that role. Since the common good of the Church body takes precedence over private interests, filial obedience to Church law is the expectation, not a pious wish that it occur. Archbishop Charles Chaput, speaking at a recent bishops’ assembly about college presidents, rightfully asked: “Why do we worry about them, when they should be worried about us?”

2. Enact the proper law and narrow the problem. In the normal course of events, being truly Catholic and charitable does no injury to ecumenical or civic relations, except among bishop-bashers or those who are embarrassed by being truly Catholic. The threats of secular punishment for a college's religious fidelity to the Church are overdrawn; the charges of episcopal authoritarianism are scarecrow tactics invoked to intimidate the public. Moreover, there is no reason why Catholic presidents cannot forego unwelcome benefits the way Jewish, Protestant, African-American and specialized colleges do to protect their identity. If the American system is legitimately plural, truly Catholic colleges should insist on their rightful place, and create a secular fuss if it is denied.

3. Denationalize the problem. Local ordinaries alone have jurisdiction over the faith and morals of Catholic colleges within their dioceses. The fact that the Association of Catholic Colleges and Universities was allowed to become a collective bargaining agent with the National Conference of Catholic Bishops for 230 colleges weakened the authority of the individual bishops. As far as appearances go, the ACCU arrogated to itself veto power over Catholic law, independent of what the Pope considered important for the Church.

4. Reform will take reasonable time, and bishops must be prepared to deny the name "Catholic" to colleges whose presidents are contumaciously recalcitrant, especially those who think they no longer need the Church to survive. Every bishop should have a Vicar for Education who serves him the way a Commissioner of Education serves the governor of a state. The Vicar interferes no more than the bishop or governor with the management of the college, even as he oversees how the institution serves the purpose of the Church or state which has given it life.

The Extent of the Crisis

The situation is as bad as it can get for a Church with such extraordinary historical accomplishments. Rome fought Land O'Lakes from the beginning,

throughout a half dozen dialogues (1969-1972) on four different continents. The Vatican recognized almost immediately the virulent hostility of those presidents (practically all priests, mostly Jesuits), even though the American ecclesial leadership, with few exceptions, seemingly did not attribute the blatant ill will to their episcopal oversight. The National Catholic Educational Association, of which the presidents were then a leadership group, was highly respected by bishops, and dialogue was expected to bridge its differences with Rome. When in 1973 Rome requested that American universities and colleges voluntarily commit themselves in writing to Catholicity, and set out in statutes how they would protect their Catholic identity, everyone ignored the request. Seventeen years later (1990) came *Ex Corde Ecclesiae*, followed by nine more years of non-compliance. Thirty years after secularization became embodied on campuses, the day of judgment has arrived. John Paul II now wants those colleges obedient to Church law, and American bishops look as if they will follow his lead.

How are the college presidents reacting? In a bellicose manner, if the secular media accurately report what the priests are saying. *America*'s editor Thomas J. Reese, S.J., describes Roman antagonists as "a lot of academic bulls" who will make them lose "credibility" and "respectability" if they submit. The head of Jesuit universities, Charles Currie, S.J., calls *Ex Corde Ecclesiae* simply a "Catholic ideal." Other complaints include the following: our colleges will not attract competent faculty; professors will not obey the strictures of Catholic law; theologians will not request a license; the atmosphere will be embarrassing, if not stifling, to non-Catholics; how does one know what a "faithful Catholic" is, and who decides that; we will be hauled into court over free speech and discrimination in hiring; schools will be barred from getting federal grants and students from getting federal loans; colleges will be forced to give up their Catholic identity to keep faith with the American culture; and so forth. By and large these are specious rationalizations of those who have pushed Catholicity into the background of their

institutional thinking.

Apart from general silence about why *Ex Corde Ecclesiae* was enacted at long last, and silence, too, about the faith this law is intended to protect, the critics of John Paul II hardly speak at all about the “reverence and obedience” they regularly show to the laws, policies, and political correctness of the country’s secular higher education establishment. Contrariwise, they consider the marks of putative Catholicity, especially “the obedience of faith” (Rom 1:5), to be burdensome and unnecessary.

What are we considering here? Approximately 230 colleges, only a dozen of which have an enrollment in the 10-15,000 range (half the size of many community colleges), 50 of which have 5,000 students, and 150 of which are under 2,500. The smaller colleges educate 500,000 of our total enrollment of 600,000, who are 18-22 year olds by and large present there to learn to be successful Americans, but once upon a time to be good Catholics, too. None of these institutions, not even Notre Dame and Boston College, are by secular ratings considered in the Harvard-Rockefeller university class. Modest-sized Catholic colleges they may be, and perhaps the best that the Church can offer, but like parochial schools, they are respected for what they often do better than their public counterparts. Should they strive to be Harvards at the expense of the Church’s faith? And in so doing, leave the country without a clear Catholic witness? Shall they be no longer at work “for the greater glory of God”? And if Notre Dame or Boston College could acquire — without strings — all the endowments Harvard has, why could they not live by the Decalogue as well as the civil code? Or, why should they be allowed to ravage the name “Catholic” if they would not? “If you are not with me you are against me, and he who does not gather with me scatters” (Mt 12:30) was the ultimate challenge Christ proposed to demons and to Pharisees. It is also a fitting question for the Church leaders of our time.

The Day of Judgment

Cardinal Newman had it right: If Church authority is not “directly and actively involved in its conduct, the university becomes the Church’s rival.” In truth, when it comes to the Word of God, the Church’s teaching office has no rival. Nor can it tolerate one unduly. Let the presidents choose whether they are with Christ or against him. Let the bishops rally around the Pope, as the Apostles, including Paul, did around Peter. Let the Vicar of Christ prevail.

The more I think of Frs. Monan and Malloy, the more bizarre their position appears. They remind me of two sons who enquired of the local pastor whether their dying father could be buried in consecrated ground. For thirty years all around, including the sons, knew that the old boy had violated the laws of the Church boastfully, has spoken against her definitive teaching, had led family members to discount serious sinful behavior and, when challenged on many occasions, had refused to profess the Church’s faith, while continuing to call himself Catholic.

Given the patriarch’s notoriety, the two sons were distressed to hear from the pastor that the old boy would have to promise to receive the Sacraments and to reform his life before he was worthy of entombment in consecrated ground. On the day of reckoning nominal Catholicity will not do. Christ made that somewhat clear!

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¹J. Donald Monan S.J. (Boston College) and Edward Malloy, C.S.C. (Notre Dame) in the Jesuit magazine *America*, January 30, 1999.

The “Impasse” Over Catholic Universities Is Not Caused by *Ex Corde Ecclesiae*

By Kenneth D. Whitehead

The following response to the America article by Frs. Malloy and Monan, “Ex Corde Ecclesiae Creates an Impasse” was offered to America, where it was not accepted for publication.

In their article “*Ex Corde Ecclesiae* Creates an Impasse” in the January 30 issue of *America*, Fathers J. Donald Monan, S.J., chancellor of Boston College, and Edward A. Malloy, C.S.C., president of the University of Notre Dame, argue that the higher education norms for the universal Church, as set forth in Pope John Paul II’s 1990 apostolic constitution *Ex Corde Ecclesiae*, are inapplicable in the United States. This basic case has now been made so many times by American Catholic academics and educators that, from sheer repetition, it is too often thought to be the received wisdom in the matter. However, the stakes are too high for this case to go unexamined and undebated.

Whatever the overall merits of the specific case for the continued “independence” from the Church of Catholic colleges and universities made by these two distinguished educators, they were very unwise in trying to rely, as they in fact do, on the Commentary they cite from *The Code of Canon Law: A Text and Commentary*, edited by James Coriden, Thomas Green, and Donald Heintschel (Paulist Press, 1985).

This Commentary, even though it was prepared under the auspices of the Canon Law Society of America, is actually a very inferior and misleading product where the “university canons” (Canons 807-814) in the Code of Canon Law are concerned; it is rather surprising that this part of it was ever included in the text of the Code, as a matter of fact.

For example, the portion of it which these

authors cite relating to Canon 812 — which requires that theologians have a “mandate from the competent ecclesiastical authority”— has been refuted in detail by the present writer in a three-part article published last year by the *National Catholic Register* (February 22, March 1, and March 8, 1998).

Anyone interested in the resolution of the “impasse” in Catholic higher education supposedly “created” by Pope John Paul II’s *Ex Corde Ecclesiae* thus needs to look much more seriously at exactly what the objections against implementing Canon 812 are supposed to be, in the opinion of what these two authors describe as “the distinguished panel of canonists” who authored the Commentary as a “scholarly advisory” for the U.S. bishops. These objections are not nearly as substantial as Fathers Monan and Malloy imply. Quite the contrary.

It is therefore worth repeating here some of the points I made in the *Register* series last year. The Commentary cited in the Monan-Malloy article lists eight objections to the implementation of Canon 812 in the United States. Each of these objections raised is quoted in italics below directly from the text of the Commentary, and is then followed by a — necessarily very brief — response indicating how the objection can be answered or met. *Res ipsa loquitur.*

This mode of ecclesial control would have a chilling and stifling effect on theological investigation.

The very formulation of this objection seems to assume that theological investigators are necessarily independent of Church authority, and hence any attempt to “control” them would be “chilling” and “stifling.” But “oversight” is not equivalent to “control”; it can be affirming as readily as it might be limiting, as when a theologian’s insights are officially adopted by the magisterium of the Church.

More importantly, though, theology is not just another academic subject; its very subject matter is inseparably linked to the official teachings of the Church and to the decisions of the Church's magisterium. Catholic theologians have never been independent of Church authority, notwithstanding today's claims to the contrary dating back roughly to the great confrontation over Pope Paul VI's encyclical *Humanae Vitae* in 1968.

As Pope John Paul II himself has pointed out: "Theology can never be reduced to the 'private' reflections of a theologian or group of theologians. The Church is the theologian's vital environment, and in order to remain faithful to its identity, theology cannot fail to participate deeply in the fabric of the Church's life, doctrine, holiness, and prayer." (*L'Osservatore Romano* (English edition), November 29, 1995).

The objection that episcopal oversight does necessarily amount to some oppressive form of "control" might perhaps be somewhat understandable if it were in fact typical today for gimlet-eyed, carping, implacable American bishops to be looking over the shoulders of nervous and harried Catholic theologians. However, the very idea of this is laughable for anyone even superficially aware of what is being taught and published as "Catholic theology" today— with scarcely any discernable reaction from the ranks of the episcopacy at all.

It represents an unwelcome intrusion into the normal academic procedures by an outside authority, i.e., a violation of the legitimate autonomy of educational institutions.

Ex Corde Ecclesiae, quoting Pope John Paul II's 1989 address to the leaders of Catholic higher education in New Orleans, says that bishops "should be seen not as external agents but as participants in the life of a Catholic university" (I, A, 28). Thus, even to raise this objection would seem to entail then and there a rejection in principle of the Church's fundamental document concerning universities, promulgated only after extensive consul-

tations with higher education leaders, including especially American ones. To go on considering the Catholic bishops as "external" to Catholic universities is to insist, along with the famous 1967 Land O'Lakes statement by which a number of leading Catholic universities attempted to declare their independence from the Church, that modern universities possess an absolute "institutional autonomy" and "academic freedom."

However, the truth is that, although institutional autonomy, like academic freedom, is assuredly an important element of higher education—*Ex Corde Ecclesiae* upholds both, by the way (cf. II, 2, § 5)— it is nevertheless not absolute, as even totally secular universities in the United States recognize. American universities regularly accede to and comply with various requirements and regulations imposed upon them from the "outside": by alumni, donors, federal, state, and local governments, accrediting agencies, professional societies and associations in such fields as engineering, law, medicine, nursing, and the sciences. Many of them even regularly accede to the demands of today's phalanxes of agitators for political correctness! To regard chiefly or only the oversight of the Catholic Church over the teaching of Catholic theology as an "intrusion" or "violation" coming from "outside" is to postulate a form of institutional autonomy that exists nowhere on the higher education scene in the United States. The typical secular American university, whether state-supported or private, certainly does not have that kind of autonomy.

This sort of control may well cause conflicts with teacher's unions or governmental regulations.

To raise this objection concedes that the previous objection is invalid: American universities do comply with "regulations" imposed from "outside," i.e., they comply with the requirements of teachers' unions and governmental regulations among other impositions from outside entities.

However, any possible or even imaginable conflict with any teacher's union can be precluded

if the institution simply declares up front its integral Catholic affiliation (i.e., in its Mission Statement and the other statutes by which the institution governs itself); and then includes in its faculty contracts all the requirements that follow from this religious affiliation, e.g., a requirement that theology professors must agree to adhere publicly to the magisterium of the Catholic Church and to any necessary oversight by the bishop.

Some faculty members might not like this, of course, but then they are in no way forced to sign a contract with a Catholic institution. The American Association of University Professors would probably not like it, either; nevertheless the institution is protected in taking this position by the First Amendment as well as by regular American contract law. No religiously affiliated institution is currently hindered from writing the kinds of faculty contracts it decides to write; as things stand today, the law will uphold them, as the court judgment in the case of Father Charles E. Curran versus the Catholic University of America amply demonstrated.

Furthermore, it is not clear that there are, or could be, any “government regulations” whatsoever prohibiting the Catholic Church from exercising proper oversight over the teaching of Catholic theology. Once again, there is still the First Amendment: why instead of imagining that some automatic penalty or disability inheres in being a real Catholic university, don’t the universities, or the bishops, simply invoke the First Amendment?

This new form of Church involvement might jeopardize financial assistance from the government.

Except for a few small and specifically legislated grant programs, religiously affiliated higher education institutions are most distinctly not currently barred from receiving government aid because of their religious affiliation. Over ninety-three percent of all government aid to higher education, in fact, is student financial assistance, which is considered to flow directly to students attending all types

of schools, and thus the issue of a school’s religious affiliation or lack of it does not even arise.

Everyone knows, for example, that thousands and thousands of students have attended Boston College, Fordham, Georgetown, and Notre Dame, etc., on the successive G.I. Bills of Rights since World War II. No questions about religious affiliation were ever even asked of these students. The same situation obtains today with both federal and state student financial assistance; it can be used in any type of accredited postsecondary school, regardless of religious affiliation or lack of it. In its 1986 *Witters* case, the U.S. Supreme Court specifically upheld this form of aid for a student studying to be a Christian minister.

Current laws and court decisions forbidding government aid to primary and secondary “sectarian” schools generally do not apply to higher education. The “loss of government aid” argument for Catholic colleges and universities has never been true. Beyond abiding by the civil rights laws of the United States, virtually the only substantive requirement for a university to qualify for almost all government aid is successful accreditation by a recognized accrediting agency— and it is well known that all the major accrediting agencies regularly accredit qualified religiously affiliated colleges with no “religious test” whatsoever.

If they wished, Catholic colleges and universities could even form their own accrediting agencies to provide the requisite accreditation, as some rabbinical and evangelical colleges already do.

All of these points, and more, on the subject of government funding of religiously affiliated higher educational institutions, were carefully spelled out and explained in the present writer’s book *Catholic Colleges and Federal Funding* (San Francisco: Ignatius Press, 1988). At the time that I wrote and published this book, I was a U.S. Assistant Secretary of Education for Postsecondary Education and thus I was *in charge* of federal aid to higher education throughout the country. I can thus testify firsthand that the U.S. Government has never had any regulations in place prohibiting religiously affiliated universities from receiving any

generally available aid because of their religious affiliation. I wrote the book then because of the misleading statements on this subject being put out by some Catholic higher education leaders — which unfortunately continue to be put out from time to time today (the book patently failed to achieve its purpose!)

The canon contains no provision for the customary procedures in case of removal of professors.

This objection can quickly and easily be disposed of simply by the establishment of such procedures by the National Conference of Catholic Bishops (NCCB). The canon itself does not need to contain any such procedural measures. Both the 1996 and the 1998 NCCB draft “Application” documents for *Ex Corde Ecclesiae* refer to a conflict resolution procedure issued by the NCCB in 1989, for example, which presumably could still be used, although the Holy See was somewhat critical of this document when it was issued as tending to put theologians on the same level as bishops. However that may be, the conditions under which a professor might possibly be removed could easily be spelled out in advance in the professor’s contract, and probably should be as a matter of normal practice anyway.

It may cause a major administrative burden for some bishops.

This objection seems to assume that some bishops would be incessantly engaged in removing theologians from university faculties! What this assumption implies about the present state of some Catholic theological faculties might better be left unstated! There would be no undue administrative burden for any bishop, however, if the NCCB simply followed *Ex Corde Ecclesiae* and made the university itself primarily responsible for maintaining the integrity of its own Catholic character by means of its own statutes and established practices and procedures. The role of the bishops in higher education, precisely, ought to be one of

oversight only. Universities should monitor themselves. *Ex Corde Ecclesiae* plainly states in this connection: “The responsibility for maintaining and strengthening the Catholic identity of the university rests primarily with the university itself” (II, 4 § 1), and this presumably includes the theology department.

What this means is that the university itself would have to see to it that only Catholic theologians loyal to the magisterium of the Church and prepared to sign a contract including a statement to this effect were ever hired in the first place— or kept on if they failed to abide by their contracts. (But this does *not* mean, of course, that all universities implementing *Ex Corde Ecclesiae* would have to proceed immediately to try to fire all the theological dissenters with tenure they currently have on their faculties; all it means is that, in order to implement *Ex Corde Ecclesiae*, they would simply have to include a provision for public loyalty to the Church’s magisterium in the contracts of all *future* professors hired.)

Among the other benefits that would accrue with the implementation of this principle would be the elimination of the hated “outside interference” of the bishop! This is the way Catholic universities used to operate, as a matter of fact: they could be depended upon to uphold and insure their own Catholic character. And it is what the handful of today’s new or restored “orthodox” Catholic colleges still do; they insist on their own authentic Catholic identity, and the bishop does not have to interfere in any way.

No doubt one of the principal reasons why Canon 812 was added to the 1983 Code of Canon Law, however, is that this self-disciplinary type of situation no longer obtains on many Catholic campuses today, in our era of widespread public dissent. Today bishops may have to step in and exercise appropriate oversight if the Catholic character of certain institutions is ever going to be maintained, restored, or perpetuated.

The purpose which the law seeks is presently being accomplished within the academic institutions by the judg-

ment of peers and by conscientious administrators.

This is exactly what is not happening on the majority of Catholic campuses. How many cases have there been in the United States, over the last thirty years, where a dissenting theologian has been either publicly corrected or removed from a college or university faculty, either because of another theologian's peer-review criticisms, or by the administrative action of the institution itself? To ask this question is to answer it.

The contrary situation is surely much closer to the actual case. Academic peer review essentially went out when dissent came in, as a matter of fact; whatever disagreements one theologian might have with another's theology became subordinated to the perceived need to defend that theologian's "right to dissent." Even non-dissenters typically defend this as a right of those who do dissent; or, more often, they simply remain silent. Who wants to bear the onus of being perceived as opposed to "academic freedom"?

Hardly anyone thus dares any longer to state what is too often the case today, namely, that some "Catholic" theologians are quite patently no longer "Catholic" in the sense formerly conveyed by that particular word, that is, their understanding of what "Catholic theology" is no longer always squares with what the Church continues officially to affirm that it is.

A Karl Rahner once dared to say this aloud about a Hans Kund, but hardly anybody else has ever said anything quite like it in public since. Father Charles E. Curran was actually accompanied to Rome for his personal interview with Cardinal Ratzinger by the then dean of Catholic University's School of Religion, who wanted to lend his moral support and that of the institution to the embattled theologian being "persecuted" by Rome. Father Curran, it will be recalled, also regularly got resolutions passed by huge majorities in his favor by theological societies, faculty senates, and the like during the long, tiresome process that his disciplining required (because his dignity was in fact respected by the Church and due process

was observed at every turn, and then some!)

As a matter of indisputable fact, then, the purpose which Canon 812 seeks to achieve is *not* being accomplished by peer review or by conscientious university administrators today.

The canon is superfluous because adequate provision is already made in Canon 810.

This is a wholly legalistic objection. In the first place, Canon 810 would have to be implemented for this objection to make sense. But Canon 810 has no more been implemented in this country than Canon 812 has, and those who oppose the implementation of the latter probably would oppose even more strongly the implementation of the former. It is just that Canon 810 has not been in the forefront of the Church-university discussions the way Canon 812 has; it has been left to one side.

However, Canon 810 deals with the appointment of university teachers generally (not just teachers of the theological disciplines); and it requires, in addition to professional competence in one's field, not only "integrity of doctrine" but "probity of life" as well; and it further provides that university faculty members lacking in these qualities should be "removed from the positions in accord with the procedure set forth in the statutes" (it assumes "due process," in other words). This canon further says that bishops and conferences of bishops have "the duty and right of being vigilant" over all these things on Catholic campuses.

In other words, Canon 810 provides for episcopal oversight, not just over the teaching of theology, but *over every important aspect of the institution related to its authentic Catholic character*. No wonder the Land O'Lakes Catholic colleges and universities back into the 1980's wanted the U.S. bishops to get an indult from the implementation in the United States of the canons regarding universities in the new Code of Canon Law! If Canon 812 is considered intolerable, Canon 810 can only be considered even more intolerable.

However, the Holy See specifically rejected this American request for an indult and thereby affirmed the Church's firm understanding

that the “university canons” in the Code of Canon Law *do* apply on these shores. The subsequent issuance of *Ex Corde Ecclesiae* by Pope John Paul II, like the patient efforts of the U.S. bishops to implement it in the years since then surely confirm the Church’s true intentions in this matter, whatever it takes.

Such are the eight numbered objections raised against the implementation in the United States of Canon 812 of the 1983 Code of Canon Law which are found in the current standard Commentary on the Code produced by the Canon Law Society of America. It should be evident from this discussion that these objections provide a rather weak basis for the claim that *Ex Corde Ecclesiae* in general and Canon 812 in particular should not be implemented on the campuses of Catholic colleges and universities in the

United States.

Fathers Monan and Malloy surely need to seek some other basis to justify their continued opposition to accepting in the United States the norms of the universal Church for universities. It is not *Ex Corde Ecclesiae* which has created today’s Catholic university “impasse,” but rather the attitudes of those U.S. Catholic educators who appear determined to persist in their opposition to Rome and the U.S. bishops even when the reasons they cite for doing so are without foundation and can be shown to be invalid.

Kenneth D. Whitehead is a former U.S. Assistant Secretary of Education for Postsecondary Education and the author, among other books, of Catholic Colleges and Federal Funding (Ignatius Press, 1988).

IN MEMORIAM

Fr. Henry V. Sattler Dies

With sadness we note the passing of one of our founding members, Fr. Henry V. Sattler, C.S.S.R. A tribute to him will appear in our next issue.

Fr. Francis E. King, S.J., 1931-1999

Word reached us recently of the death of Fr. Francis E. King, S.J. Those fortunate members of the FCS who attended the annual banquets will remember his hilarious imitations of prominent figures of Church and State. He was a born stand-up comedian; always funny but never uncharitable.

Who could ever forget his imaginary rendition of Pope John Paul II greeting the people of the fanciful Republic of Nmjibba? Then there was the fictive dialogue between the Pope and the former Archbishop of San Francisco on the results of the Quinn Commission.

Fr. King began teaching theology at the University of San Francisco in 1964 and for reasons of health retired in 1997. He sometimes faced opposition in teaching the Catholic faith, and as such gave witness to the fact that the priest is ordained to be united with Christ crucified. This was a common theme in his conversation with students.

In addition to classroom teaching, Fr. King was sought as an RCIA teacher by a number of parishes in San Francisco. He was an exception-

ally gifted homilist, both because of the content and delivery of his well-crafted sermons. He contributed regularly to the *Homiletic and Pastoral Review*.

Fr. King was born in San Francisco on November 19, 1931, entered the Jesuits in 1949, and was ordained in 1962. He had an earned doctorate from the Gregorian University in Rome. After a long battle with cancer, he died in San Francisco on April 30, 1999.

One of his classmates assured us that he must already be in heaven because, arriving there he would call out in St. Peter’s distinctive voice, “Open the gates, Angel-Face.” Most assuredly, he will be a welcome guest at the celestial banquet for he will make it even more enjoyable.

MEMBERSHIP MATTERS

*Rev. THOMAS F. DAILEY, OSFS
Executive Secretary*

In April the Board of Officers and Directors met at The Catholic University of America. Highlights from this meeting include:

The formal **acceptance of thirty-two new members** to our Fellowship (17 associate and 15 regular members)! Most of these memberships were encouraged by individuals already enjoying our Fellowship. *Personal contact like this continues to be our best recruitment tool!* If you know of anyone whom you would like to recommend for membership, please send their name and address to me and I will forward the proper materials.

The **Internet site** for the Fellowship (<http://www4.allencol.edu/~philtheo/FCS>) has added a new feature called "news & information." Also to be found there are details concerning our upcoming annual conventions in Chicago (1999) and Atlanta (2000).

During the summer of 1999 an **election of four new Board members** will take place. Nominations are currently underway. If you'd like to nominate someone (even yourself!) for this worthwhile work, please contact me as soon as possible. *All members are strongly encouraged to participate in this voting process!*

Many members of the Fellowship continue to take an active role in the scholarly community. Recent activities include the following:

Among several works on international economics, **Prof. Gavin Boyd** has edited *Structural Change and Cooperation in the Global Economy* (Edward Elgar Publishing). In progress is another edited work entitled *Globalizing America*.

Fr. Paul deLadurantaye has published two articles on "Contraception and Christian Personalism" (*Homiletic & Pastoral Review*) and "From *Humanae Vitae* to *Donum Vitae*" (*Linacre Quarterly*).

Fr. Joseph M. de Torre, at the University of Asia and the Pacific, has published the *1998 Catalog of Books on Social Philosophy*.

Prof. Robert George, professor of politics at Princeton University, delivered a lecture entitled "Academics, Advocacy, and Ethics." The lecture was sponsored by the Program in Ethics and the Professions at Harvard University.

Dr. John Hammes, retired professor of psychology at the University of Georgia, has written a *One Month Scriptural Rosary*, published by Our Sunday Visitor.

Mr. Walter Hooper is editing *The Collected Letters of C.S. Lewis*, volume I of which will probably be published in the Fall of 1999.

Prof. Ralph McInerny has written an introduction to the life of Thomas Aquinas and the reception of his ideas for *Thomas Aquinas, Selected Writings* from Penguin Classics.

Dr. Leon Podles, a senior editor of *Touchstone: the Journal of Mere Christianity*, has written a groundbreaking work on history, theology, and sociology entitled *The Church Impotent: The Feminization of Christianity*.

Fr. Louis Rogge is in the process of translating a biography of Bl. Titus Brandsma.

Dr. Mary Shivanandan celebrates the publication of her new book entitled *Crossing the Threshold of Love: A New Vision of Marriage in the Light of John Paul II's Anthropology*.

In *Toward the Renewal of Civilization* (Eerdmans), several FCS members are contributing authors, including: **Elizabeth Fox-Genovese, Robert George**, and **Ralph McInerny**.

New Hope Publications has produced a work by **Mr. Kenneth Whitehead**, entitled *Political Orphan? The Pro-Life Cause after 25 Years of Roe v. Wade*.

Finally, congratulations to our members in the **Canadian Chapter**, on the publication of the inaugural issue of their *Journal* (January 1999), edited by John E.G. Stone, F.C.A.M.

If you have not already done so, please be sure to pay your annual dues, since up-to-date membership is required in order for you to receive a copy of the Proceedings from the annual convention and a copy of the new Membership Directory.

by James Hitchcock

Bishop Matthew Clark of Rochester (N.Y.) has excommunicated Father James Callan, former pastor of Corpus Christi parish, which Callan had made a center of dissent within the diocese. Callan was apparently disciplined for, among other things, presiding at "same sex marriages" and allowing a woman on the parish staff to simulate concelebrating the Eucharist while wearing a clerical stole. Father Enrique Cardena, an associate of Callan, was also excommunicated. Following his removal as pastor of Corpus Christi, Callan continued to celebrate the Eucharist in defiance of Bishop Clark, which led to his excommunication.

Callan and the majority of parishioners of Corpus Christi have formed the New Faith community, which meets regularly for the Eucharist and denies that it is in schism. One observer of the scene told the press that the conflict was less over principle than over timing and strategy - Callan was implementing practices which the diocese merely had under consideration. Corpus Christi itself remains an avant-garde congregation, where a nun preached the homily on Easter.

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The city of San Francisco has demanded that the archdiocese of San Francisco provide the city with the names of its homosexual employees, so the city can determine whether the archdiocese employs homosexuals in proportion to their percentage among those being served by archdiocesan charitable agencies. Unless such data is pro-

vided, the city has threatened to cut off public funds from such agencies. Archbishop William Levada has refused to provide such information, but individual archdiocesan employees are reported to have contacted the city directly to affirm their homosexuality. The Archdiocese of Philadelphia has denounced a plan by that city to extend employee benefits to partners of the same sex.

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The Catholic League for Religious and Civil Rights has called on Catholics to boycott the city of San Francisco after the city gave a permit to the Sisters of Perpetual Indulgence, a homosexual group, to conduct a public mockery of the Catholic faith on Easter. A spokesman for the Sisters told the media that, during the absence of Archbishop Levada from the city, the group met with representatives of the archdiocese "for tea" and had a "positive dialogue."

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Cardinal Francis George of Chicago has characterized as "parasitical" the liberal Catholicism which began at the time of the Second Vatican Council. It is, he charged, locked in conflict with a "rigid" Church which does not exist any longer. Cardinal George also judged that the phenomenon of dissent is not confined to "peripheral" issues such as morality but extends to the central doctrines of the Church. He also dismissed certain kinds of conservative Catholicism as "extreme sectarianism" and "an obsession with particular practices."

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Cardinal George has officially reminded archdiocesan priests of the

Church's rules concerning the sacrament of Penance. Some churches in the Chicago archdiocese, including Holy Name Cathedral, hold penance services in which general absolution is granted, and a staff member of the archdiocesan Youth Ministry, Katherine DeVries, has told the media that she "hears confessions" during penance services in the diocese of Joliet.

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Father John Cusick, head of the Chicago Young Adult Ministry, claims that young Catholics "are teaching the Church a lesson.... they can live without us....Can we live without them?" Cusick alleges that Jesus did not involve himself very deeply in "religious environments" or "religious stories" and thinks that the music of the Beatles and Elvis Presley has a "spiritual significance" for young adults not found in hymns.

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A survey by the National Opinion Research Center finds that only 29 percent of American Catholics describe themselves as "strong" in their faith, as compared with 46 percent in the 1970's. Weekly Mass attendance has declined by a similar proportion, and roughly half of all Catholics reject the Church's teachings on sexual morality.

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Sister Sandra Schneiders, a professor at the Jesuit School of Theology in Berkeley (Ca.), writing in *Review for Religious*, describes a process whereby many women religious have effectively abandoned the Christian faith and thinks that "Jesus may have been consigned to history along with the many prophetic figures whose memory remains motivating although they

themselves are no longer alive.” She describes the sacraments as “quarries of symbolic elements” and concludes that “it can no longer be taken for granted that members [of the same religious community] share the same faith.”

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The Leadership Conference of Women Religious represents the majority of American religious communities of women, most of which have changed drastically over a 35-year period. The Council of Major Superiors of Women represents more traditional communities. A recent survey shows that in the latter group 47 percent of the members are under the age of 50, as compared with only eight percent of the liberal organization. The conservative group has 29 percent of its members under the age of 40, as compared with less than one percent of the liberal organization.

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Feminist theologian Mary Daly has accused Jesuit Boston College of forcing her retirement by refusing to allow her to exclude males from her courses, a practice she has engaged in for many years. College officials point out that her policy is a violation of civil-rights laws.

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An article in *La Civiltà Cattolica*, a Jesuit publication in Rome, suggested that women might be ordained to the diaconate. Although publication of the article was said to have been approved by the Vatican Secretariat of State, the Congregation for Divine Worship publicly denied the premises of the article.

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Andrew Young, American ambassador to the United Nations during the Carter administration and now

an official of the National Council of Churches, reported after a visit to China that there is no religious persecution there. He accused those protesting such persecution of fomenting “a new myth of the Yellow Peril.”

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Benedictine Father Paul Marx, head of Human Life International, was banned from speaking in a parish in the Diocese of San Bernardino (Ca.) because he did not qualify under a diocesan test for “diversity.” Last year the diocese allowed pro-abortion Jesuit Father Robert Drinan to speak at the annual Red Mass for Catholic lawyers.

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Dominican Sister Mary Ellen Gallagher, an official of the St. Paul-Minneapolis archdiocesan schools, has insisted that the schools cease all “social and behavioral codes, curriculums, and school activities...based on traditional, heterosexual roles.”

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Father Jim Hayes of the diocese of Albany (N.Y.) celebrated St. Patrick’s Day Mass in a tavern in Loudonville, telling the press that it was the appropriate “Celtic mode of celebration.” A secular newspaper reported that some of those attending drank beer throughout the rite.

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Cardinal Adam Maida of Detroit barred the anti-war organization Pax Christi from meeting in a Catholic church because the scheduled speakers included Father Robert Nugent and Sister Jeannine Gramick, long associated with the pro-homosexual group New Ways Ministry. Auxiliary Bishop Thomas D. Gumbleton, who spoke at the

meeting, criticized his Ordinary’s action and called on the Church to change its teachings on the subject. Cardinal Maida was chairman of a committee which in 1994 submitted to the Holy See a finding that New Ways Ministry was not in conformity with Catholic teaching.

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Gloria Albrecht, a Presbyterian minister and chair of the department of religious studies at Detroit Mercy University, a Catholic institution, has strongly criticized the Church’s stand on abortion and has called on other religious groups to support the practice. Retired Bishop Kenneth Povish of Lansing expressed public dismay at Albrecht’s stand, and Cardinal Maida has expressed concern to Detroit Mercy officials.

Another Detroit Mercy professor, Sister Jane Schaberg, placed on display at the school a group of dolls, decorated by students in their classes, demonstrating how women have been “oppressed” by the Church. The display included traditional nuns’ habits and dolls in male clerical garb, to show that male authority has “robbed women of their identity.” Schaberg is the author of a book claiming that Jesus’ father was a Roman soldier and that Mary was raped.

• • •

Archbishop Rembert Weakland of Milwaukee has warned that implementation of *Ex Corde Ecclesiae*, the Holy See’s document concerning Catholic higher education, would be “a great loss to the Church.” He has also promised that as bishop he will not “interfere” in the affairs of Catholic theological faculties.

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The Catholic Institute for Advanced Studies has been formed by representatives of American Catholic institutions of higher learning which oppose the Vatican document *Ex Corde Ecclesiae*, which seeks to define the religious identity of such institutions. Organizers expect to raise a fifty-million-dollar endowment for the institute.

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The archdiocese of Denver has announced the establishment of St. John Vianney Seminary, the first major seminary founded in the

United States since the Second Vatican Council. The archdiocese currently has 68 seminarians.

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The Jesuit provincials of South Asia have strongly criticized the Holy See's Congregation for the Doctrine of the Faith because of its strictures on the work of Jesuit theologians Jacques Dupuis and the late Anthony DeMello. The superiors charged that the C.D.F has done "a strong disservice to the Church."

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The C.D.F. has also been strongly criticized by retired Cardinal Franz Koenig of Vienna, who accused the body under Cardinal Joseph Ratzinger of "undermining the spirit of the Second Vatican Council."

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Thomas Monaghan, founder of the Domino pizza chain, has announced the endowment of Ave Maria Law School in Ann Arbor, Michigan. Bernard Dobranski, currently dean of the law school at Catholic University of America, will be dean of the new school.

FEATURED REVIEW

Choosing the Right College: The Whole Truth about America's 100 Top Schools. Edited by Gregory Wolfe, with an introduction by William J. Bennett. Grand Rapids: William B. Eerdmans, 1998. 672 pages, \$25.00.

Reviewed by Robert C. Rice, Ph.D.

This hefty college guide, researched and written by the staff of the Intercollegiate Studies Institute (ISI), is a valuable aid to discernment for prospective college students and their parents—revealing “the good, the bad, and the ugly in American higher education.” It provides analyses of one hundred of the better institutions of higher learning in the United States, from Amherst College to Yale University, including discussions of the academic life, political atmosphere, and student life, as well as, according to William J. Bennett in his introduction, “the extent to which the liberal arts tradition is respected and cultivated” in each.

The editor-in-chief of this collective effort, Gregory Wolfe, writes that *Choosing the Right College* “is based on the conviction that the liberal arts continue to provide the broadest and most humane form of education—an education that can literally deepen and transform the lives of our young people” and quotes approvingly Bill Bennett’s observation that “The essence of education is... to impart ideals as well as knowledge,

to cultivate in students the ability to distinguish the true and the good from their counterfeits, and the wisdom to prefer the former to the latter.” From this vantage point readers can expect to have their real concerns about these institutions addressed and, in most cases, will not be disappointed.

A tenth of the 100 top schools examined in these pages are at least nominally Catholic; they are: Boston College, Catholic University of America, University of Dallas, Franciscan University of Steubenville, Georgetown University, College of the Holy Cross, University of Notre Dame, Thomas Aquinas College, Thomas More College of Liberal Arts (New Hampshire), and Villanova University. The ISI guide will be particularly useful to the parents and grandparents of prospective students who are alumni of the more venerable of these schools and who will want to know how things stand now. The situations at Catholic U, Georgetown, and Notre Dame, for example, are not what they were forty years ago, and the guide provides a candid and at times penetrating overview of the academic, social, and political atmosphere the student will find there.

The reader will be readily informed about the extent to which a college or university has succumbed to political correctness or ideological multiculturalism; which departments are most politicized, devoted to deconstructionism, or race-gender-sexuality studies; or where, for example, “sensitivity training” is required

for freshmen in which “students are told the goodness of diversity, homosexuality, and safe sex.” Colleges, on the other hand, which have resisted the latest ideological trends and developed or maintained strong liberal arts curricula are for the most part highly praised, though there is some unevenness in treatment which seems to stem from the personal enthusiasms or crotchets of individual researchers.

In his prefatory remarks Greg Wolfe writes, “The focus of this guide ... is on where you will be able to find the liberal arts tradition at our nation’s elite institutions of higher education....[In the section] ‘Academic Life,’ the schools’ fundamental requirements are examined with an eye to how well they match up against the liberal arts ideal.” If there is a weakness in this guide, it is the failure of the editors to provide a specific standard liberal arts curriculum against which curricular offerings can be rated. (For example, Lynne Cheney, when chairman of the National Endowment for the Humanities, published such a model in her *50 Hours: A Core Curriculum for College Students*.) That “liberal arts ideal,” however, remains an unstated idea in the minds of the staff writers, so that the analyses of the various academic programs are sometimes rather vague and their valuation often subjective and more suggestive than absolute. Given the magnitude of the project, however, perhaps one cannot expect a more

precise and consistent system of judging by so many contributors of such a vast array of curricular models.

Again, when so much has been done well, perhaps it is impertinent to question the fidelity with which its stated principles for selecting “America’s 100 top schools” was carried out. Greg Wolfe, in “How to Use this Guide,” states that there were “two basic criteria...1) academic excellence, as evidenced by competitive admissions standards, and 2) comprehensiveness, which involved an effort to include many different types of institutions from all parts of the country....[including] small, innovative institutions that offer opportunities not generally found elsewhere.” Listed among the smaller, more innovative schools are Thomas Aquinas College (Santa Paula, CA) and Thomas More College of Liberal Arts (New Hampshire). By the stated principles of selection, one would expect to see certain other colleges founded in the past twenty-five years for the purpose of restoring integrity to liberal arts education. But perhaps that will be left for another, slimmer and more selective college guide: *The Right College to Choose*.

Dr. Robert C. Rice, a long-time member of the Fellowship of Catholic Scholars, is Vice President for Academic Affairs at Christendom College, Front Royal, Virginia 22630.

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Sexual Orientation & Human Rights in American Religious Discourse, edited by Saul M. Olvan and Martha C. Nussbaum. Oxford University Press. 260 pages. \$29.95.

Reviewed by Gerard V. Bradley

The editors of this volume write that “sexual orientation has become a contested issue of great prominence, THE issue of the nineties according to some.” To “some” it surely is; most of us place it in the top trio of domestic issues, along with abortion and school choice. Like the latter two issues, sexual orientation (read: homosexuality) is an issue of great concern to religious believers. For that reason the editors fear that “reasoned debate”—particularly when it comes to the question of legal recognition of same-sex relationships as marriages—is imperiled. The editors’ stated aim is not to resolve this or any other public policy question, but to demonstrate the possibility of “reasoned debate” by religiously committed scholars.

There is therefore some man-bites-dog appeal to the book. We are apparently supposed to expect that the mix of religion and public policy is about as stable as nitroglycerin. Indeed, Martha Nussbaum reports in the Introduction that she was “surprised” to “discover” that she could engage in “reasoned debate” with a religious thinker who took a less permissive view than she in the Colorado Amendment Two “gay

rights” legislation. (That law banned protected-class status or special treatment of people on the basis of “sexual orientation”.) It is hard to take Nussbaum’s “surprise” at face value. In that case she encountered several formidable scholars, Princeton’s Robert George and Oxford’s John Finnis among them, whose “reasoned debate” with her was stymied by Nussbaum’s systematic and apparently deliberate misrepresentation of the relevant texts, and by her dogmatic insistence that their manifestly philosophical arguments were, in reality, mere sectarian theological apologies.

Nussbaum (and Olyan) nevertheless write that “[o]n a profoundly divisive issue, these essays offer a basis for dialogue.” They put together “panels” of contributors from four “American religious communities,” and added two essays from constitutional lawyers. Each “panel” is comprised of a “conservative” or “traditional” paper, a “liberal” or “progressive” contribution, and a “response” evaluating the strengths and weaknesses of the first two. The “communities” are Judaism, Roman Catholicism, mainline Protestantism, and the African-American churches. The editors chose not to include contributions from the “fundamentalist” (their term) churches and from Muslims, because there has been “little or no open debate” within those communities. They do not mention the Latter Day Saints, but they are absent, presumably for the same reasons.

The essays are neither shrill

nor overtly polemical. Their quality is, as is usually the case with collections, uneven. The best of the religious contributions is that of the great Jewish scholar David Novak. Novak explains that, in the Jewish tradition, pleasure, including sexual pleasure, is not itself an appropriate end or reason for action. The value of pleasure is entirely dependent upon the goodness of the activity it accompanies. The pleasure experienced in a worthwhile activity like marital intercourse—with “worthwhile” determined without regard to pleasure—is good; the pleasure involved in an immoral activity like sodomy is evil. Novak’s point is generally valid, and illustrates a philosophical strength of the Jewish tradition, albeit one shared with Catholic and some forms of Protestant “natural law” thinking. One would not glean that, however, from the volume’s disappointing treatment of Roman Catholic teaching. James Hanigan’s “traditional” essay is defensive; his understanding of the Catholic tradition of reflection upon sexuality, public morality, and the role of the state in caring for the common good seems, to me at least, to be shallow and often mistaken. And Charles Curran’s counterpoint is confused and question begging.

Margaret Farley’s response is the most unfortunate of the three. She asks explicitly how one in the Catholic tradition can know what’s true about morality. She does not even mention the leading possibility, obvious to Catholic

and non-Catholic alike, that the Pope might teach, as he often has done, with the authority of Peter, who taught with the authority of Christ. Farley's notion of "natural law" is also foreign to the tradition. She says that "experience" and what "makes sense" to people form the basis of sound moral judgment; that, she supposes, is what the "natural law perspective" is. On this uncritical, culture- and time-bound foundation, one could not make a "natural law" criticism of, say, slavery in a society in which it was generally accepted. Worse, it would be difficult to say, by Farley's "natural law" lights, that slavery was, then and there, morally wrong.

It is hardly clear what qualifies these civil exchanges as "reasoned debate." Hanigan repeatedly says that he sees no ground or reason or cause to think other than the way he does. Novak's carefully argued (and so "reasoned") position is quite uncompromising, as is the "conservative" African-American position of Cheryl Sanders. Each of their essays plays for high stakes: due to the Holocaust and to the decimation of the black family, respectively, the heterosexual (and thus the reproductive) norm of sexual morality and marriage is to be retained. Here, too, we come to the heart of the matter (as we did with Novak's treatment of pleasure): procreation is, somehow, tied to sex and marriage such that homosexuality is, at best, second rate. Many of the essayists suggest or say this. But the question is whether second rate is good enough; are sodomy and "gay"

marriage acceptable (but imperfect), or are they just plain wrong? On this exact question, the volume is basically unhelpful. The case for the intrinsic immorality of sodomitical relations, powerfully made by Finnis, George, Hadley Arkes and others, is simply absent.

It seems to me that the book is meant to demonstrate not so much "reasoned debate" as the fact of disagreement among reasonable people within America's religious communities. If the godly can not agree among themselves, how possibly could our pluralistic polity?

And so the book concludes with thoughtful essays by legal scholars Andrew Koppelman and Michael McConnell. Each essay has elements of a thought experiment, and so does not necessarily represent the author's point of view. The writers try to imagine how America could agree to disagree about sex and marriage, how we might go forward while bracketing our reasonable disagreements. Each wonders how we can, in other words, achieve the liberal ideal of "moral neutrality." By now, however, we should be able to see that liberal "neutrality" is an illusion. Our law and policy cannot, in the end, be neutral on key moral questions pertaining to sex and marriage. The lesson of modern political theory (and practice) is that liberal "neutrality" is a disguise for liberal morality. A regime of law which provides for "marriages" between same-sex couples (or larger units) is anything but morally neutral: it is morally liberal.

What God Has Joined Together.

Robert H. Vasoli. Oxford University Press, 1998. 252 pages hardcover. \$25.00.

Reviewed by Fr. Leonard Kennedy, C.S.B.

The author of this book is a sociologist. After he had been married for fifteen years, he was notified that he was the respondent in the case for annulment of his marriage, which he was perfectly sure had been valid. In order to oppose the annulment he had to spend all his spare time reading about annulments and fighting to save the validity of his marriage. He has now become an expert in this matter and has decided to share with others what he has learned. He examines every aspect of annulments in the United States.

Annulments booming

The United States has 6% of the world's Catholics but grants 78% of the world's annulments. In 1968 the Church there granted fewer than 600 annulments; from 1984 to 1994 it granted just under 59,000 annually. But more than 90% of the cases which were appealed to the highest matrimonial court, the Roman Rota, were overturned.

The author gives several reasons for the incredible growth in American annulments:

1. There is advertising in church bulletins, Catholic newspapers, and even the secular press, that annulments are available, sometimes with a suggested guarantee

that they will be granted. "Some invitations practically promise an annulment to all who apply. The promotional efforts...may evoke responses from... spouses who dream of greener marital pastures but would not seriously consider separation and divorce were annulment not presented as a convenient and acceptable alternative."

One brochure said: "Usually once a request for annulment is accepted, a favorable decision is given. However, a careful review is made before a request is accepted.... A 'favorable' decision is synonymous with annulment; evidently upholding the validity of marriage is 'unfavorable.'"

2. Most petitions are presented to judges without proper screening. "No fewer than 66 of the 165 diocesan and archdiocesan tribunals...decided to go to trial with every petition presented." 3. A high percentage of cases that are tried end in a declaration of nullity. From 1984 to 1994 it was 97% for First Instance trials. All cases however have to have a second trial. The percentage of decisions overturned in the United States is 4/10 of 1%. "What the picture reveals is that mandatory review, and appeals leading to retrials at Second Instance, have done very little to tarnish America's reputation as the annulment capital of the universe."

4. Many matrimonial judges are not well qualified for their work, lacking a doctorate or licentiate in canon law. Sometimes judges of the First Instance are also judges

(on other cases) of the Second Instance, which is not good practice. Three judges are recommended for trials, but most often there is only one (which is allowed with permission).

5. "In practice... many if not most tribunal experts seldom conduct a direct, face-to-face examination of either spouse." "Cases have come to my attention where the expert...arrived at a diagnosis of defective consent solely by means of a telephone conversation with a tribunal judge.... In most judicial systems, attempts to introduce into evidence expert diagnosis of that nature would be laughed out of court."

6. Sometimes the Defender of the Bond does not have a canon law degree and his opinion can be easily overruled by a highly trained judge.

7. Respondents are usually not fully informed of all their options.

8. Rather than considering the detrimental effect on respect for the sacrament of marriage which is caused by the scandal of almost automatic annulment, and the cynicism produced in some of the parties to an annulment and in Catholics generally, those handling the annulments concentrate on sympathy for their clients, or often just for the one initiating the annulment.

9. Theologians argue that in certain papal documents, such as *Gaudium et spes* and *Casti Connubii*, the Church has changed the definition of marriage. This argument is fallacious.

10. Many judges think that, if a

marriage is not an ideal one, it is not a valid marriage at all, and that therefore an annulment should be granted to any marriage that has broken up.

11. 68% of annulments today are granted because of "defective consent," which involves at least one of the parties not having sufficient knowledge or maturity to know what was involved in marriage. The ingenuity of judges in confidently asserting that such knowledge or maturity was lacking is amazing. Vasoli says that it is done by substituting "junk psychology" for sound psychology and psychiatry. He quotes the statement of one matrimonial judge: "There is no marriage which, given a little time for investigation, we cannot declare invalid."

Canon law

According to canon law, defective consent exists only when

- a person does not have the use of reason,
- there is a *grave* lack of discretionary judgment concerning the *essential* matrimonial rights and obligations,
- there is something of a psychological nature rendering a person incapable of assuming the *essential* obligations of marriage.

"Notwithstanding efforts by some canonists to add layers of complexity to the rights, duties, and properties of marriage," states Vasoli, "there really is not much that one must know and will to enter a valid marriage."

The Roman Rota

The popes and the Roman Rota

have tried to stop what they consider to be abuses of marriage tribunals in the United States and elsewhere, as, for example, in the Netherlands, but apparently without success. Even the fact that the Rota overturned over 90% of the appeals made to it from the United States has had no observable effect.

Recently the Pope has asked bishops for "strict observance of canonical directions" concerning annulment. He said that the bishops should make certain that "the Defender of the Bond is diligent in presenting and expounding all that can reasonably be argued against the nullity." "Their tribunals," he added, should not act "as an almost automatic confirmation of the judgment of the tribunal of First Instance," and it must be kept in mind that "both parties... have rights which must be scrupulously respected."

He also noted that "the tribunal is to make use of the services of an expert in psychology or psychiatry who shares a Christian anthropology in accordance with the Church's understanding of the human person." Most importantly, the Pope stated that "marriage enjoys the favour of the law" (Code of Canon Law, #1060) and that "the judge may not pass sentence in favour of the nullity ... if he has not first acquired the moral certainty of the existence of nullity; probability alone is not sufficient to decide a case."

Finally the Holy Father said: "Your responsibility as bishops... is to ensure that diocesan tribunals

exercise faithfully the ministry of truth and justice." (*Origins*, Oct. 29, 1998)

Other problems

Vasoli remarks that not much is done, when an annulment is granted, to be sure that the party who is said to have had defective consent is now able to consent properly to marriage with another person, which such a party usually does, or has done already. He also points out that, though literature on how to get or grant an annulment is copious, there is very little on how to defend the validity of a marriage, as he found out when he tried to defend his own.

He writes too: "One searches the canonical literature in vain for discussion of the impact annulment has on children.... What does the experience teach them about the sanctity and permanence of marriage? And what turmoil is visited upon them if the respondent-parent insists that the marriage was valid? Why did Daddy but not Mommy remarry?"

In the end, he writes, the scandal generated by a particular annulment which people who know the spouses can't possibly approve of "is infinitesimal compared to the scandal generated by the tribunal system. The system as a whole is scandalous."

Vasoli concludes that "the American Church suffers a runaway tribunal bent on making annulment as easy and painless as possible. The statistical evidence supporting this characterization is

overpowering.... The blunt truth of the matter is that an entire generation of tribunalists has been indoctrinated in the rectitude of what they do.... The leading professors of canon law are precisely those largely responsible for making the system what it is.... References to annulment as 'Catholic divorce' are now part of everyday speech."

Vasoli's devastating critique of the present practice of granting annulments will not change the system easily. We already see a tribunalist trying to marginalize this book by transferring attention from its contents to the mind of its author. In a review of the book in the July/August 1998 *Crisis*, Father Joseph Hennessy, J.C.L., of the Boston Metropolitan Tribunal, gives lip service to many of Vasoli's criticisms but tries to draw the mind of the reader away from them by accusing Vasoli of having "smoldering wrath" because of his personal experience, of persisting in "questioning the subjective good faith of the judges," of accusing them of paying only "lip service" to the Magisterium, of being filled with "vitriol," and of impugning the character of the tribunalists. An unbiased reader would not agree with this appraisal, which sidesteps the issues. Of course Vasoli is dealing with a personal as well as a national scandal, but he deals with the actions, not the minds, of those causing it. And the Roman Rota **overturned** the granting of an annulment to his wife.

This review previously appeared in *Catholic Insight*, March 1999.

Masquerade of the Dream Walkers: Prophetic Theology from the Cartesians to Hegel, Peter A. Redpath, Amsterdam-Atlanta, Georgia: Rodopi, 1998.

Reviewed by Jude P. Dougherty

Not even the subtitle of this work hints at its richness. Redpath begins with Descartes, making it clear that it is not without reason that Descartes is called "the father of modern philosophy." Although Descartes is his starting point, Redpath quickly moves to an analysis of the work of Leibniz, Spinoza and Malbranche. He contrasts these Cartesians with the "more hard-headed empiricists," Hobbes, Newton, Locke and Hume. Berkeley's critique of Locke is examined in detail; so too is Rousseau's *Emile*, but the bulk of the volume is devoted to Kant and Hegel.

Redpath judges modernity from the standpoint of classical philosophy. Although given the breadth of his historical survey, in his analytic power he is reminiscent of Hegel at his most sweeping. This is obviously the work of a mature scholar, the reflections of a learned and serious philosopher who shows clearly that ideas have consequences, even when they are of the most removed and

metaphysically abstract. Some of his bold claims are likely to be challenged by his readers, but none is without insight. He is convinced that the transformation of Western culture in the twentieth century has its roots in Europe of the seventeenth and eighteenth centuries.

The integrative force of classical philosophy is gone. "Because contemporary universities have abandoned classical philosophical realism, they have abandoned the higher pursuit of truth." Classical philosophy, Redpath argues, trained the mind to reason abstractly about difficult and important matters.

Although Redpath does not systematically delineate his own position, this book is a sustained argument for a realistic metaphysics. His critiques of Kant and Hegel are particularly harsh. The implications of Kant's metaphysical skepticism and Hegel's romantic interpretation of history are seen to have devastating effects in the political order. Etienne Gilson once wrote of Descartes, "An excuse exists for being a Descartes, but there is no excuse for being a Cartesian." Redpath would say the same thing of Kant.

To open this book is to be captivated by Redpath's unconventional view of modernity. One puts it down with the conviction that one has encountered a profound thinker at work, even if one is not fully convinced of every argument advanced.

This review has also appeared in The Review of Metaphysics.

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Speaker: **David Blankenhorn**

Respondent: Philip Sutton

KEYNOTE SPEAKER: **Stratford Caldecott**,

Director of the Center for Faith and Culture at

Plater College, Oxford University.

Saturday

3 HOMOSEXUALITY AND THE LAW:

Speaker: **Robert George**

Respondent: Gerry Bradley

5 ECONOMICS AND THE FAMILY

Speaker: **Ambassador Alberto Piedra**

Respondent: Guillermo Montes

4 WOMEN'S ROLES AND FAMILY POLICY:

Speaker: **Jean Bethke Elshain**

Respondent: Patricia Donohue-White

6 CONTRACEPTION AND

THE CULTURE OF DEATH:

Speaker: **William E. May**

Respondent: Monica Migliorino Miller

Cardinal George will offer a few remarks at the banquet.

Speaker Biographies

Dr. Alice Jourdain von Hildebrand, B.A. Manhattanville College, M.A., Ph.D. in Philosophy, Fordham University. Professor Emeritus, Hunter College of CUNY. Numerous books and articles: *An Introduction to a Philosophy of Religion; By Love Refined*; "Von Hildebrand and Marcel: A Comparison", "Edith Stein: Philosopher and Saint." Widow of Renowned Philosopher Dr. Dietrich von Hildebrand.

Rev. Paul F. deLadurantaye, is Diocesan Secretary for Religious Education and the Sacred Liturgy, the Diocese of Arlington. With a doctorate in sacred theology from the John Paul II Institute for Studies on Marriage and Family he also teaches at Notre Dame Graduate Institute in Arlington, Va.

David Blankenhorn is founder and president of the Institute for American Values, a private, nonpartisan organization devoted to research, publication, and public education on issues of family well being and civil society. In 1994 Blankenhorn helped found the National Fatherhood Initiative. He has co-edited four books among them, *Promises to Keep: Decline and Renewal of Marriage in America* (1996); and *The Fatherhood Movement* (forthcoming 1999).

Philip M. Sutton is a graduate of the University of Notre Dame (BA) and of Purdue University (Ph.D.) A licensed psychologist, he is currently a counselor-social worker in Catholic elementary schools as well as the supervising psychologist for a Christian counseling center. He was the inaugural director of the Masters in Counseling Program at the Franciscan University of Steubenville, and is the author of a book, *Fathers, Become Who You Are: Social Science and Magisterial Teaching on What Causes Fatherlessness and How to Strengthen the Fatherhood of All Men*.

Robert George is McCormick Professor of Jurisprudence at Princeton University. He graduated from Harvard Law School and Harvard Divinity School (M. Div.) and received his doctorate from Oxford University.

Gerry Bradley is professor of law at the University of Notre Dame and President of the Fellowship of Catholic Scholars. He graduated *summa cum laude* from Cornell Law School and formerly was Assistant District Attorney in New York City. He is co-editor of the *American Journal of Jurisprudence*.

Jean Bethke Elshtain is Laura Spelman Rockefeller Professor of Social and Political Ethics, University of Chicago. Author of many books and articles including Dr. Elshtain is chairman of the Council on Civil Society, a joint project of the Institute for American Values and the University of Chicago Divinity School. In 1998 the Council issued a Report on the current state of civil society with "recommendations for renewal, focusing especially upon moral truth as the indispensable foundation upon which democracy rests."

Patricia Donohue-White, Assistant Professor of Theology, Franciscan University of Steubenville. B.A. Magdalen College, MA, ABD in Philosophy, International Academy of Philosophy, S.T.L. John Paul II Institute in Rome. Thesis Title: *Who is Woman that You Should Be Mindful of Her? Confronting Feminism and Christian Personalism.*

Ambassador Alberto Piedra is a professor of economics, the Catholic University of America and former chairman of the department. From 1984 -1987 Dr. Piedra was US Ambassador to Guatemala. He earned three doctorates, of Law, Political Economy and Economics at the Univer-

sity of Havana, Cuba, University of Madrid, Spain and Georgetown University respectively. He has published widely on economic and ethical issues.

Guillermo Montes has a Ph.D. in economics, specializing in the economics of education, labor and industrial organization. His current interests are Educational Policy (Early Childhood Programs) Program and Community Evaluation and the History of Economic Thought, especially Peshian economics. He holds several posts at the University of Rochester, NY: and has a particular interest in economics and the family as it relates to childcare.

William E. May is Michael J. McGivney Professor of Moral Theology at the John Paul II Institute for Studies on Marriage & Family, Washington, DC. He is the author of many books, including *An Introduction to Moral Theology*, *Catholic Sexual Ethics*, and *Marriage: the Rock on Which the Family is Built*.

Monica Migliorino Miller, Ph.D. is the author of *Sexuality and Authority in the Catholic Church*, University of Scranton Press and *The Authority of Women in the Catholic Church*, Crisis Books. She teaches theology at Marquette University and is also an activist in the pro-life movement.

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