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# IVORY TOWER OR HOLY MOUNTAIN? FAITH AND ACADEMIC FREEDOM

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**Nicholas Wolterstorff**

Is it wrong for a college or university to attach religious qualifications to the academic freedom of its faculty? Before I answer that question, let me explain what I take academic freedom to be. Perhaps it's easiest to see what it is by considering what constitutes an infringement on it. Infringing on a professor's academic freedom consists of impairing, or threatening to impair, her academic position or standing in some way or the other: firing her or threatening to fire her, refusing to promote her or threatening to refuse to promote her, preventing her from serving on important committees or threatening to prevent her from so serving, rejecting her candidacy for some post or threatening to reject it, and so forth.

But of course many such impairments or threats do not constitute infringements on academic freedom. What has to be added is something about the grounds for the actual or threatened impairment. Infringement of academic freedom typically happens when the actual or threatened impairment occurs on account of the person's position on some issue, or on account of her publicizing her position. This issue may or may not be within the person's academic field; it's all too usual for the threat to be issued on account of the person's position on some religious or political issue.

The fact that the academy has to make judgements of competence requires that we say more than just that, however. For an infringement of academic freedom to occur, the impairment of a person's academic standing has to be based on some other aspect of the positions he holds rather than their scholarly competence or incompetence. It has to be based on what I shall call the ideological content of his position. If the university refuses to promote some young professor because of the scholarly incompetence of the positions he holds, although it would be impairing his academic standing on account of certain of his positions, such impairment would not constitute infringement on the person's academic freedom.

The distinction between disapproving of the ideological content of what a person says and judging it incompetent is, of course, fraught with difficulty in application. Not that the distinction can never be confidently drawn; certainly it can be. Nonetheless, those who talk as if the several academic guilds--the guild of historians, the guild of philosophers, and so on--have arrived at ideologically

neutral criteria of competence, and if it's easy to distinguish the employment of these from ideological discrimination, seem to me to be living in a fantasyland.

Let me now join together the two components of what it is to infringe on a person's academic freedom to which I have called attention: to infringe on a person's academic freedom is to impair or threaten to impair that person's position or standing in the academy on account of the ideological content of the position she holds or publicizes on some issue.

## **QUALIFIED FREEDOM**

In practice, the right to academic freedom is no more absolute than the civil liberty of free speech. The formulation concerning free speech in the U.S. Bill of Rights is absolute, but if one looks at a law that emerges from judicial decisions having to do with free speech, it's clear that the free speech is a qualified liberty. Judges address the facts of the cases before them, and the law emerges from their decisions.

The same sort of thing is true for academic freedom; it is no more absolute than is the civil liberty of free speech. The guideline for the practice of the academy is not the stark formulation I offered above, but that formulation as duly qualified.

When a court declares that it is acceptable for the government to impose some restriction on a person's speech, is the court saying it's acceptable for the government to infringe on free speech? That falls strange on the ear; the connotation on *infringe* suggests that infringing on someone's right is a bad thing to do. Better to say that the court's decisions function to qualify a freedom. I shall speak of academic freedom in the same way. Although it's never a good thing to infringe on academic freedom, every educational institution does and should attach qualifications to that freedom. The issue will always be which qualifications are appropriate.

## **EIGHT CONSIDERATIONS**

In considering academic freedom in religiously based institutions, I can think of eight considerations that seem

necessary or useful to bear in mind. Some of these considerations relate to the social setting in which we deal with the issue of academic freedom; others are matters of semiphilosophical background.

### *Modern Society*

In the first place, questions of academic freedom arise for us within the context of a modernized society that recognizes distinct spheres of social and cultural life. Some of my readers will understand that I am alluding to Max Weber's theory of modernization; because I cannot assume that all are familiar with the theory, let me say just a word about it.

Weber saw the essence of modernization in the emergence of differentiated spheres of activity--specifically, the social spheres of the economy, state, and household, and the cultural spheres of academic learning (*Wissenschaft*), art, law, and ethics. Weber claimed that the dynamic of rationalization, after disenchanting the world and confining the ethic of brotherliness to the realm of the private, brought these spheres to the light of day by differentiating them from each other and securing the relative independence of action within them from outside influence.

Whether or not Weber was right to claim that rationalization accounts for the differentiation of spheres is not relevant to the subject matters at hand. What is relevant, however, is the basic claim that modernized societies--of which ours is certainly one--are characterized by such differentiation. For it is only in such societies that the issue of academic freedom, in anything like the form it takes for us, can arise.

Weber's assertion that, spurred on by rationalization, life within the differentiated spheres follows its own inherent laws unless distorted by outside influence is something I will return to later.

### *Religious Pluralism and Democracy*

Second, the issue of academic freedom arises for us not only within a modernized society, but also within a religiously pluralistic one within a liberal democratic polity. The liberal democratic form of polity emerged in the West as a solution to the problem of social order posed when the citizens of a single state embraced a diversity of incompatible comprehensive perspectives on God and the good--some of these perspectives being religious, some

not. A liberal polity accords to its citizens such civil liberties as freedom of conscience, freedom to exercise one's religion, freedom of speech, and freedom of assembly. And it refrains from indoctrinating its citizens into any comprehensive religious or philosophical perspective; it treats impartially all the comprehensive perspectives to be found in the society.

### *Civil Society*

Third, the issue of academic freedom arises for us within a society that exhibits extraordinary scope and vitality in its civil dimension. Totalitarian regimes, so as to curb all disruptive impulses, push civil society to the margins by massively expanding the scope of the state: business, banking, manufacturing, and farming all become state-owned; educators become state functionaries, as do clergy in extreme cases; and so forth. American civil society is subject to a good deal of government regulation--giving ground for much grumbling by those on the political right. But it is extraordinary how many of our institutions and organizations do not in any way belong to the government, and extraordinary how few of us are government employees. Equally striking is the vitality of our civil society--a ferment of new initiatives and new organizations of every imaginable sort.

### *Education*

Fourth, the issue of academic freedom arises for us within the context of an educational system that, as a whole, is radically decentralized, full of voluntary organizations and activity, and highly competitive.

### *Religion*

Fifth, it's important to recognize that the religion of many people in American society is what can best be called "holistic." No doubt for some people, religion is no more than a sector of their lives--perhaps a very important sector, but a sector nevertheless, having little to do with the rest of their lives: little to do with their politics, their economic activity, their recreation, or their moral code. But there are many other people for whom religion is anything but a sector; it decisively shapes their political and economic activity, how they rear their families, what they believe about the origins of life, about medicine, about the dynamics of the self, about the nature of justice and the benefits of freedom, and so forth.

## *The Academy*

Sixth, over the past twenty-five years or so there has been an upheaval in the regnant understanding of the academic enterprise. Perhaps the deepest component of the self-understanding that dominated the academy before the upheaval was the conviction that well-formed learning is a generically human enterprise. To put the point pictorially: before entering the halls of learning, we were to render inoperative all our particularities--of gender, race, nationality, religion, social class, age, and so on--to allow only what belonged to our generic humanity to be operative within those halls.

A second component in the once-dominant self-understanding of the academy was a distinctive hierarchy among the academic disciplines. At the top were the physical science and mathematics; these were the paradigmatic disciplines. At the bottom were the humanities. The social science occupied an unsteady position somewhere in between. Theology? If one thought of theology at all, the place one assigned it depended on whether one judged it to be rationally grounded or not. If it was, it belonged somewhere among the humanities. If it wasn't, it was off the ladder at the bottom.

Behind this hierarchy was a certain understanding of what constitutes the "logic" or methodology of well formed *Wissenschaft*. The thought was that mathematics and the natural sciences sat at the top of the hierarchy because they already exhibited the methodology of well-formed *Wissenschaft*. But that methodology was not unique in principle to them, it was the logic that any academic discipline would exhibit once it attained the status of a well-formed *Wissenschaft*. As to what the logic of a well-formed *Wissenschaft* was, on that there was somewhat less consensus than on the other matters I have mentioned. Nonetheless, the dominant view was that the method of well-formed *Wissenschaft* was foundationalist--more specifically, classically foundationalist.

Although this once-dominant self-understanding of the modern Western academy has not disappeared, it has certainly been shaken, so much so that it is no longer the dominant understanding. I look on what happened as a "first revolution" and a "second revolution." First to go to was the conviction that the logic of well-formed *Wissenschaft* is classical foundationalism. The emergence of metaepistemology, among philosophers, played a significant role in this development; when philosophers

moved to the metalevel, they quickly recognized that classical foundationalism is but one of many options for structuring well-formed *Wissenschaft*, and not the most plausible.

More decisive, however, was a quite different development. Around thirty years ago, a group of scholars trained as natural scientists, philosophers, and historians, began to study the episodes from the history of modern Western natural science to compare the dominant self-understanding of natural science with actual practice. Thomas Kuhn became the most famous of these scholars. What they bumped up against over and over were reputable, even admirable, episodes that simply did not fit the self-understanding of natural science as a classically foundationalist enterprise. One outcome of these discoveries was the breakup of the old hierarchy of the disciplines, which had been based on judgements about the degree to which a discipline exhibited the logic of well-formed *Wissenschaft*. Now there was no longer consensus whether there was even such a thing as *the* logic, let alone on what it might be.

That was the first revolution. The second revolution involved the repudiation of the conviction that well-formed academic learning is a product of our generic humanity. Historically, the academy in the modern West has been populated mostly by white European bourgeois males. Slowly, as a result of various liberation movements in society, its makeup has evolved, so that now significant numbers of the once-disenfranchised enjoy positions within the academy. Some twenty-five years ago, their numbers reached a critical mass, and they were emboldened to say what they had long felt if not thought, or thought if not said, namely, that it is sheer pretense to present the learning of the academy as generically human in character.

The learning of the academy is unavoidably particularist; it is best to acknowledge that, shed one's illusions, and act accordingly. The pluralization of the academy is not a matter of happenstance but of essence. Of course, there are degrees: literature, history, and philosophy are further from being generically human than are mathematics and natural science.

## *Ideas*

A seventh thing to keep in mind when considering the question of academic freedom is that ideas matter to people. Different ideas matter to different people, but for everyone there are some ideas that matter. We all invest

ourselves in the world, and part of our investment is in the fate of certain ideas. Their fate, or their apparent fate, stirs up emotions in us. We get angry, discouraged, or disturbed when the ideas we treasure seem threatened; we feel jubilant when they appear to flourish.

All of this is obvious: people care about ideas. I mention it only because I find it endemic among academics to act as if it is not true. More precisely, academics want members of the public to feel jubilation over their thoughts, but they don't want members of the public to feel anger over them. Academics want to be allowed to say and write whatever they wish with only positive consequences. Of academics alone should courage never be required.

My response is: let's grow up! Stop being adolescent. People do care about ideas. We had better expect that people will sometimes get angry with what we say.

### *Personhood*

Eight, and last, it is profoundly important for society to allow its scholars the duly qualified freedom to work out their thoughts as they see fit. How enormously impoverished, in multiple ways, humanity would be if no such freedom existed. How impoverished are those societies in which such freedom is absent.

A reason of quite a different sort seems to me even more important. The abridgement of academic freedom constitutes a profound violation of the person, and in this world of ours, nothing is of greater worth than persons; correspondingly, no greater evil exists than the violations of persons. The violation of a person is the desecration of one of the images of God. The loss of that person's contribution may mean that the flourishing of humanity is somewhat diminished; much worse is the fact that an icon of the Holy One has been desecrated.

### **DIVERSITY OF LEARNING**

Religiously affiliated colleges and universities all belong to the private sector of American society--to what I earlier called "civil society"--and they are multitudinous. The total number of students enrolled in such institutions is considerably less than the combined enrollment in state institutions and private secular institutions; nonetheless, there are hundreds of religiously based (and affiliated) institutions of higher education in this country. Their existence in such numbers is a prime manifestation of the extraordinary vitality of American civil society. In no

other country in the world is there anything like it.

This striking vitality and variety in the private educational sector, together with the fact that we live in a liberal democratic society (in which the state must refrain from inducting its citizens into any comprehensive perspective on God and the good), means that there is nothing an academic is free to teach in the public educational sector that she is not free to teach somewhere in the private educational sector. But the converse is not true: there are many things an academic in this country is free to teach somewhere in the private educational sector that she is not free to teach in the public sector.

There is, in this respect, a great deal more academic freedom in the private sector of the American educational system than there is in the public sector. In discussions on academic freedom, this point is seldom made; yet it is indisputably true. In the private sector, one can explore and espouse religiously grounded lines of thought that one would not be able to explore or espouse in the public sector. The memory is fresh in my mind of a recent case at my own university, which, though not public, nonetheless sees itself as secular. A candidate for a post in religious studies was rejected because, some said, her lecture was too "confessional."

It would be a tragedy of massive proportions if the extraordinary scope of academic freedom in the private sector of American education were in any way infringed on--if it were abridged or restricted. People like the candidate I just mentioned would be left without a teaching post unless they "shaped up." Some writers tend to think through the contours of duly qualified academic freedom for state institutions and for secular private colleges, and they argue, or just assume, that those same contours ought to hold for all educational institutions. But imposing these contours would not only violate the personhood of many who teach in these private institutions, who believe with all their heart that they are called to live out their religious convictions in the academy instead of confining them to the familial and the ecclesiastical sectors; it would also impoverish our society by seriously diminishing the rich diversity of learning that the American educational system now produces.

But if it is indisputably true that the private sector of American education, including religiously based institutions, offers freedom to a much wider variety of academic than does the public sector, why is it so commonly thought that religiously based institutions

uniquely threaten academic freedom?

The answer to that question is pretty clear. I do think that it is important to compare, as I just did, the entire private sector of American higher education with the entire public sector on the matter of academic freedom. But one has to supplement that comparison of total sectors with talk about particular institutions; it is, after all, not sectors but institutions that hire professors, instruct students, and are governed by administrators.

### **BOUNDARIES TO FREEDOM**

At most religiously based colleges and universities, a professor's standing in the institution depends in some way or other on the ideological content of what he or she says or publicizes on certain issues. And to a good many writers on the subject, that fact, all by itself, constitutes an unacceptable infringement of academic freedom. It will appear that way especially if one focuses on just one aspect of what goes on at state universities, neglecting the rest--that is, if one focuses on the lack of official religious requirements for faculty at state institutions but fails to note that those some state universities have severe restrictions on what a professor may and may not teach with respect to religion.

Earlier I made the point that just as legally qualified free speech governs our lives as citizens, rather than the unqualified affirmation of free speech that the U.S. Bill of Rights speaks of, so also it is duly qualified academic freedom that we have to deal with in our educational institutions. So the question is not whether it is acceptable for religiously based colleges and universities to attach qualifications to academic freedom. All educational institutions attach qualifications to academic freedom; none allows professors to teach whatever they wish. The question is whether attaching *religious* qualifications to academic freedom is inherently appropriate and, if it is not inherently appropriate, whether the form of such qualifications sometimes take makes them inappropriate.

Ever since the founding of Harvard College, groups of people with shared religious convictions have joined together to found colleges that reflect their religion: a faculty gets assembled, students are enrolled, and a supporting constituency is developed. The religion in question is almost always to some extent holistic; those who confine their religion to the distinct sectors of the familial and the ecclesiastical are much less inclined to found colleges than those who do not so confine their

religion. Colleges in the private sector also get formed for other than religious reasons: St. John's College, for example, was formed out of a secular vision of education as grounded in the Great Books. But far and away the most common foundations have been religious foundations.

Almost invariably, when such a college gets founded, religious qualifications are attached to the academic freedom of the faculty. I see no reason for supposing that such qualifications are inherently wrong. I daresay we all agree that it is perfectly fine, in the context of American society, for a group of people to get together to form a Great Books college--even though such a college will not welcome those who think that an educational program based on the Great Books is a pack of nonsense. So why would it be wrong for a group of people to get together to form a college on one or another form of religion--even though such a college will not welcome those who think that species of religion is a pack of nonsense? Might the thought be the Weberian idea that *Wissenschaft* must now follow its own internal dynamics, so that any influence from the side of religion is now intellectually irresponsible? This point might have had some plausibility before that upheaval in our understanding of learning occurred, but after the upheaval, it seems to me to have no plausibility whatsoever.

I have argued for as double negative: it is *not* inherently inappropriate for a college or university to attach religious qualifications to the academic freedom of its faculty. Just as important, if not more so, so is this positive point: it would be a violation of the very idea of a liberal democratic society if a movement arose to prevent or restrict the formation of religiously based colleges and universities. To prevent or restrict their formation would violate freedom of religion, freedom of speech, and freedom of assembly. It is characteristic of totalitarian regimes to try and prevent private initiatives in education.

But though religious qualifications on academic freedom are not inherently unacceptable in the American system, what must at once be added is that when we get down to the details--as we must--we find that religiously based colleges and universities do often illicitly infringe on academic freedom. No doubt about it. Whether they more often infringe on academic freedom than do state or secular private institutions, I do not know.

Those who have taught at secular institutions would have to have their heads in the sand not to be aware of the extent to which ideological considerations, as distinct from

considerations of competence, enter in hiring, promoting, and firing. But be that as it may: duly qualified academic freedom is often egregiously infringed on in religiously based institutions. The infringements occur when the religious qualifications are applied unjustly: for example, when they are never fully stated, or not stated clearly at the time of appointment; when their application is arbitrary or irregular; or when there is no recourse available to the victim.

Over the years, I have acquired a broad acquaintance with the religiously based colleges and universities of America. I have learned that the history of these institutions is littered with stories of unjust, often grossly unjust, infringements on academic freedom. The stories constitute a shameful blotch on the reputation of these colleges and universities and put into question the sincerity of those who profess high religious ideals for them. I defend the right of these colleges and universities to attach religious

qualifications to academic freedom within their institutions. But I must, and will, add that all too often, they violate the personhood of their faculty members in the way they apply the qualifications. Often, the person violated is a brother or sister in the faith of those who perpetuate the violation.

My own view, then, is that the best service the AAUP can continue to render to this teeming multitude of American institutions of higher education is to compose and recommend model codes of procedure for resolving issues of academic freedom. Almost always, it is in the procedure, not in the qualifications as such, that the injustice lies. Where there is no rule of law but only the command of persons, where secrecy and arbitrariness reign, where one never knows when and why the ax will fall, there justice weeps.

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## **UNEASY PARTNERS? RELIGION AND ACADEMICS**

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**Storm Bailey**

As a group, religiously affiliated colleges are much like those with no religious connections. Some have a lot of money, but most get by on less. Some have wide name recognition; others enjoy a regional reputation or none at all. Some have sensitive and competent administrators who are on good terms with faculty, and some fall short of that blessed state. Some maintain high standards of academic excellence, but others achieve more modest (if not to say mediocre) levels of academic quality. Religiously affiliated institutions resemble their secular counterparts in these and other ways because they are subject to the same forces and circumstances that affect all of higher education. At the same time, however, the religious identity of these colleges has the potential to set them apart by making a distinct contribution to their character and quality. In the area of community life, for example institutional aspirations and policies are often explicitly linked to religious commitment or identity.

My own college is one of twenty-eight institutions affiliated with the Evangelical Lutheran Church in America. These colleges see lives of service, the integration of values and practice, and the ideals of

character and community as essential to their identity. Insofar as people on campus--in or outside the religious tradition--value such goals, pursuing them and achieving them will be perceived as adding to the college's quality.

It is not so surprising when the religious identity of a college or university is taken to contribute to its community life, but observers of higher education seem less likely to view religious commitment as integral to *academic* goals. Many people see religion and academics as uneasy partners, if not completely at odds. This inclination shows itself when we think or speak of schools as being pretty good academically *in spite* of their church or religious affiliation. It is only fair to note that we have a good deal of evidence--historical and contemporary--to justify such reactions. But the question is whether such a state of affairs must be. Are there ways in which the religious commitments of colleges and universities can and do serve their academic aspirations?

The answer to this question is yes on several grounds. Take, for example, the conception of service already