

**SOULS IN THE BALANCE:
THE “HERESY AFFAIR” AT THE UNIVERSITY OF DAYTON, 1960-67**

Dissertation

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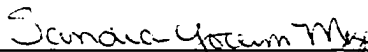
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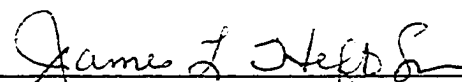
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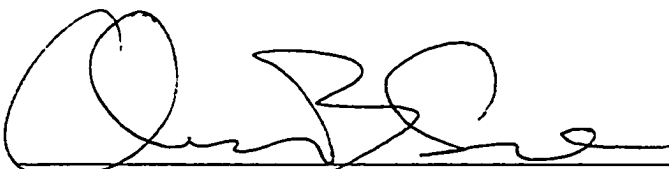
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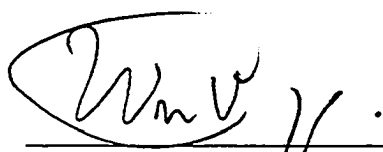
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ABSTRACT

SOULS IN THE BALANCE: THE “HERESY AFFAIR” AT THE UNIVERSITY OF DAYTON, 1960-67

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This dissertation examines the “Heresy Affair” at the University of Dayton, a series of events predominantly in the philosophy department that occurred when tensions between the Thomists and proponents of new philosophies reached crisis stage in fall 1966. The “Affair” culminated in a letter written by an assistant professor at Dayton to the Cincinnati archbishop, Karl J. Alter. In the letter, the professor cited a number of instances where “erroneous teachings” were “endorsed” or “openly advocated” by four faculty members. Concerned about the pastoral impact on the University of Dayton community, the professor asked the archbishop to conduct an investigation. This study uses theological and historical analysis to explore the theological, philosophical, and educational assumptions that underlie and are expressed in the positions espoused in the “Heresy Affair.” As a case study, this dissertation shows how one particular American Catholic university struggled to achieve academic legitimacy. In telling the story of the “Heresy Affair” at the University of Dayton, the dissertation illuminates the tensions within the Catholic Church and between American and Catholic as applied to higher education.

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CHAPTER I

INTRODUCTION

Notre Dame historian John T. McGreevy recently said that an area of potential research for historians of U.S. Catholicism is

what we might call the Catholic 1960s. The subject is charged, since many historians lived through it and all historians live in its wake. Yet it is also crucial. As commentators such as Paul Berman have noted, Vatican II is not only a central religious and intellectual event of the 1960s—perhaps *the* central religious and intellectual event—but also one with reverberations that stretch from Eugene McCarthy in St. Paul to Karol Wojtyla in Krakow and Gustavo Gutierrez in Lima.¹ In the United States these changes intersected with the Civil Rights movement, the new conservatism, the sexual revolution and the women’s movement. [Leslie] Tentler referred to all this in 1993 as the collapse of Tridentine Catholicism, a useful rubric. But such abstractions must be animated by case studies: biographies of leading figures and studies of ideas at the council and beyond, combined with scrutiny of the individual dioceses, convents, parishes, schools, streets, bars, playgrounds, and families through which the Catholic 1960s took life.²

This dissertation is such a case study, scrutinizing the relationship of the University of Dayton and the Archdiocese of Cincinnati as the relationship took life in the “Heresy Affair” of the 1960s. The subject is indeed charged, and yet its study is crucial not only to

¹ Paul Berman, *A Tale of Two Utopias: The Political Journey of the Generation of 1968* (New York: W. W. Norton, 1996), 11.

² John T. McGreevy, “Productivity and Promise: American Catholic History Since 1993,” *U. S. Catholic Historian* 21 (Spring 2003): 125.

the 1960s but also to understanding the relationship of American Catholic higher education and the Church in the 21st century.

Statement of Purpose

In spring 1997, while taking my first graduate Religious Studies course, I stumbled upon a lengthy footnote in the class text³ that referred to a University of Dayton (UD) faculty committee calling for the secularization of the institution. The footnote piqued my curiosity. I wanted to know what had happened to trigger such a response.

My research during that first course led me to the “Heresy Affair,” a series of events that reached crisis stage at the University of Dayton in academic year 1966-67. The creation of the faculty committee mentioned above was an institutional response to the “Affair.” Although I learned some factual details about the “Affair,” I continued to wonder what actually happened in this series of events. I was amazed that— although I had been an administrator at UD for ten years—I had not heard about this “Affair.” Furthermore, I was struck by the contemporary relevance of the issues at the heart of the “Affair”—the nature and identity of an American Catholic university and the relationship of the Church to that university.

This dissertation is the third stage of a multi-part research project. In the first stage, my graduate course research focused on the “Affair” itself and related topics. These topics included the background and impact of *Humani Generis*, the teaching authority of the Church viewed through interpretations of *Lumen Gentium* 25, Canon 810

³ The text was Philip Gleason’s *Keeping the Faith: American Catholicism Past and Present* (Notre Dame, Ind.: University of Notre Dame Press, 1987). The footnote is number 39 on page 244.

§2 dealing with the bishops' right and duty of vigilance over Catholic universities, and the teachings of the Church regarding situation ethics. The second stage, a master's thesis completed in 1999, reconstructed the immediate context of the "Affair," thus providing a historical and cultural framework for the narrative of the prelude to the crisis that erupted in 1966. The thesis showed that the conflict developed over theological topics, issues, and understandings within the context and environment of an academic institution. The purpose of this third stage, the doctoral dissertation, is to examine the theological⁴ and academic⁵ dimensions of the conflict in order to understand the origins, progression, and resolution of the "Affair," and to use the "Heresy Affair" to shed light on contemporary issues. The topics of contemporary relevance include the nature and identity of American Catholic institutions of higher education, the public and private relationships between the Catholic Church and the American Catholic university as they play out in the interactions among faculty, administrators, the local Church community, and the wider Church community, that is, the archbishop and the Vatican; and the nature of academic freedom within the American Catholic university. Embedded within each of these topics are dimensions that touch upon both the theological and the academic. Indeed, theological topics were a flash point for conflict between the Church and the academy in the "Heresy

⁴ For the purposes of this dissertation, I make the *a priori* assumption that theology is a science that has a legitimate academic position within the university. It follows, therefore, that discussions about theological topics, issues, and understandings are both allowable and encouraged within an academic setting.

⁵ For the purposes of this dissertation, "academic" dimensions are those which derive from the academic context of the "Affair" including, but not limited to, issues pertaining to the participants as faculty members.

Affair” and continue to be a flash point as evidenced by the recent debate on implementation of the apostolic constitution *Ex Corde Ecclesiae*.

There are innumerable ways to examine the “Heresy Affair.” Using sociological frameworks, for example, one could focus on the “Heresy Affair” from the perspective of network analysis—a study of the relationships between the people and the organizations involved; that is, individual faculty and administrators, individual faculty and the particular archbishop, or the members of the university’s founding religious order and the archbishop. Or one could apply neo-institutionalist theory and examine the cultures of the organizations involved, an American Catholic university and the Church. Still another possibility is the application of institutional change theory; that is, a study of how organizations solve problems and institutionalize change, resulting in change spreading to other organizations. These sociological approaches are of limited value for this study. They shed light on particular aspects of this series of events, but they minimize its complexity and draw attention away from the theological dimension that I believe is at the heart of the “Heresy Affair.”

Another approach is more helpful for focusing on the theological dimension of the complex “Heresy Affair.” This approach breaks down the “Affair” into three interrelated components reflecting the various theological and academic debates in the worldwide Church and American Catholic academy of the twentieth century. The components are then examined individually, paying particular attention to theological and academic issues, and to the views of both parties in the “Affair” as compared to views held in the wider Church community.

The first of the components within the “Heresy Affair” is the debate between faculty members about topics within their academic discipline; that is, debates between faculty in their search for the truth. This component is present in the origins of the “Affair” as a debate between the Thomists and the proponents of modern philosophies. Essentially, this is an academic debate on theological and philosophical issues related to how the Church accommodates modernity. As such, it is a continuation of the debate within the Church of issues that arose in the Modernist crisis and continued through *Nouvelle Théologie*, *Humani Generis*, the Second Vatican Council, and on to the beginnings of the 21st century. In analyzing the conflict as an academic debate, the most useful approach is to take into account the philosophical perspectives of the faculty, the relationship of philosophy to theology, the role of philosophy in Catholic higher education, teaching methodologies, response to Church authority, assumptions about the laity, and the personal tensions in the relationships between faculty. In general, this component of the “Affair” occurred between faculty on the campus of the University of Dayton.

The second component within the “Affair” is the theological and philosophical debate on moral and ethical issues related to the social and cultural context of the sixties: contraception, abortion and, more broadly, situation ethics. This shift is much larger than a mere change in debate topics. Some faculty believed the ensuing debate over moral issues led to advocating immoral behaviors to students. If one assumes students behaved as advocated, the consequences to students could have been serious. For example, the Thomists were genuinely concerned that women students were being encouraged to get abortions and potentially could lose their faith and/or their immortal souls. As such, the

response of the Thomists to the conflict became a matter of conscience and eventually justified, in the mind of at least one of them, an appeal to the archbishop. In analyzing this second component, the most useful methodology is to consider approaches to ethical decision-making, responses to Church authority, assumptions about the laity, increasing personal tensions, and pastoral concerns. Notice that several of these issues carry over from the first component. For example, the proper response to Church authority remains at the forefront of the second component as do assumptions about the laity and increasing personal tensions. Although the first component includes a few students, this second component of the “Affair” widens to include more students in addition to faculty on the campus of the University of Dayton. At first, this component occurred on campus even as it expanded to a more public disagreement. However, as the conflict within this component escalated, its nature broadened to the wider Church community, at first privately but ultimately very publicly.

The third component is the debate over the mission and identity of a Catholic university; that is, the Church teaching vs. the Church learning. In the case of the Church teaching, the emphasis is on the Catholicity of the university, upholding the teachings of the Church and passing them on to a new generation of students. The Church learning, however, emphasizes the freedom to question and explore all issues, including Church teachings, so that the Church learns through its universities. In analyzing this third component within the controversy, the most useful issues to consider are the faculty’s views of a university and of a Catholic university, the contributions of the Church in the relationship with the Catholic university, and the contributions of the Catholic university in

the relationship with the Church. Several of these issues include themes that carry over from the previous components. For example, the issue of Church authority is embedded in the contributions of the Church and the Catholic university to their relationship; similarly, assumptions about the laity are presupposed in a given view of a Catholic university.

The escalation of the controversy originated with the private appeal to the wider Church community, the archbishop and the apostolic delegate. At first, the president of the university and the archbishop tried to resolve the conflict privately. Ultimately, however, local pastors and the media became involved and the nature of this component became public. The analysis of the escalation must address both ecclesiastical and academic cultures and include institutional, societal, environmental, and professional issues. In terms of theological and academic dimensions, the theological issues include the nature and role of magisterial authority and the relationship between the Church and the university. The academic dimension includes academic freedom, the nature and identity of American Catholic institutions of higher education, the relationship between an American Catholic university and the American academy, and the exercise of power and authority. Again, debate on these topics is a continuation of prior conversations within both the Church and the academy. Furthermore, these conversations do not end with the resolution of the “Heresy Affair.” They continue to the present and will be with us into the foreseeable future.

The issues discussed and the various views represented are not unique to the “Heresy Affair.” Both the issues and the views appear throughout the Church and in other Catholic institutions of higher education in the 1960s and beyond.

Statement of Thesis to Be Developed

This dissertation begins with a historical narrative of the “Heresy Affair” at the University of Dayton, followed by an analysis of the three components and the escalation of the controversy. The analysis of the first component seeks to answer questions such as: How did the “Affair” originate? What was the historical context of the “Affair” within the Church and within American Catholic higher education in the 1960s? Who were the opposing faculty members? What were their theologies, ecclesiologies, and philosophies? How did they perceive each other? What personal tensions existed within their faculty relationships? What was the relationship of philosophy to theology? What was the role of philosophy in Catholic higher education? What teaching methodologies were appropriate? How should faculty respond to Church authority? What assumptions about the laity were held by the two sides in this conflict? How does this conflict fit in with the ongoing debate within the Church over accommodation to modernity?

In the analysis of the second component, I seek to answer some of the same and also additional questions: How and why did the second component occur? How did the two sides approach ethical decision-making? How did they view Church authority? How did they view the role of education? Did they believe that teaching impacts student behavior? What are their views on the rights and responsibilities of faculty members in the classroom? Did the opposing parties demonize each other? Are pastoral concerns appropriate in the classroom?

The analysis of the third component of the “Heresy Affair” seeks to answer the following: What was the nature of American higher education at the time? What was the

nature of an American Catholic university? How did the opposing parties view the role of a Catholic university? What do the Church and the Catholic university contribute to their relationship with each other?

The analysis of the third component leads into an exploration of the particular relationship of the University of Dayton with the wider Church community. What were the public and private relationships between the Church and the University of Dayton at the time? What role did Church and University authorities play in the “Affair”? How were power and authority exercised in this component? What is the nature of academic freedom in the context of theology at an American Catholic university? What were the consequences of the “Affair” for the University of Dayton and for the local Church? Did the consequences extend beyond the University?

Although the answers to these questions are both interesting and important in the context of the “Heresy Affair,” the event itself can be used to illuminate issues of wider importance; for example, what does the “Heresy Affair” tell us about the nature and identity of an American Catholic university? What are the key elements of the relationship between the Catholic Church and an American Catholic university? How are power and authority exercised in the relationship between the Church and the university? What are the implications for the theological and academic dimensions of a Catholic university? The answers to these questions shed light on contemporary American Catholic higher education.

Significance of Proposed Research

The significance of this study falls into three broad categories: the exploration of an event known for its symbolic legacy, contribution to the historical record and contemporary relevance. First, as one of several controversies that occurred in American Catholic higher education in the mid- to late 1960s, the “Heresy Affair” is mentioned in many texts on Catholic higher education. The “Affair” is generally recognized as a sign of the times because the controversy illustrates the ideological splits and bitter contentiousness of the sixties. As one national editorial mentioned, it was “inevitable” that a controversy such as the “Heresy Affair” would happen on a Catholic campus.⁶ At the University of Dayton, feelings about the “Affair” are as strong now as they were in the sixties. Faculty members recall the president “declaring independence” and, as a result, the University becoming a “real” university. It is important, therefore, to explore the “Heresy Affair” because of its symbolic legacy. Furthermore, the story needs to be understood as the participants tell it. To use McGreevy’s words, this case study will animate the Catholic 1960s.

This research is also important to the University of Dayton and American Catholic higher education from a historical standpoint. Since a comprehensive narrative of the “Affair” has yet to be written, the writing of such a narrative will fill a gap in the historical record. The narrative will also correct factual and interpretive errors in previous texts that mention the “Affair.”

⁶ Thurston N. Davis, “Of Many Things,” *America* 115 (26 November 1966): 672.

In addition, the events known as the “Heresy Affair” are important because they are part of the ongoing conversation within the Church on its accommodation to modernity. Historically, the “Affair” occurred during and shortly after the Second Vatican Council, one of the most significant events of recent Catholic history. Past interpretations have generally recognized the “Affair” as a response to the changes that were occurring in the Catholic Church. This dissertation corrects those interpretations and claims that the “Affair” stems in part from the energy that was “in the air” prior to the Council.⁷ As the Council unfolded, change within the Church—and within Catholic intellectual thought—was fueled. This dissertation, therefore, contributes to the body of research on events surrounding the Second Vatican Council and to the changes that precipitated and followed it.

This study of the “Heresy Affair” is also important because of its focus on the relationship between the American Catholic university and the Catholic Church. Studies typically focus on institutional and/or intellectual elements. This study is significant because it also looks at the complex human relationships and possible motivations of the various parties and interest groups. Such an approach results in a more comprehensive study than one that focuses on only the institutional elements.

In addition to an increased understanding of the “Heresy Affair,” this study is significant because it touches on a number of topics that have both historical and contemporary relevance to American Catholic higher education, including the nature and

⁷ There are several reasons for the energy “in the air” including the changes that had occurred in the U.S. Catholic population in the fifties and sixties and the changing needs of higher education. These will be explored in later chapters.

identity of American Catholic higher education, the relationship between the Catholic Church and American Catholic institutions of higher education, and the nature of academic freedom within a theological context in a Catholic institution. This dissertation will contribute to the body of research on these topics and lead to an increased understanding of these issues.

Finally, this study is significant because of its practical applicability to contemporary American Catholic education. What insights from the “Heresy Affair” can be used to shed light on the implementation of *Ex Corde Ecclesiae*? What can academics in American Catholic universities learn about their relationship with the Church? What can bishops learn about academics? What can both academics and bishops learn by observing the way the story is told? How might the relationship and the perceptions of the relationship between contemporary American Catholic higher education and the Church be improved?

Summary of the Conceptual Approach Used in the Research

In this dissertation I define the “Heresy Affair” as a complicated series of events with two key dimensions: theological and academic, as described previously in this chapter. To analyze the “Affair,” I divide the overall conflict into three interrelated components and analyze each on its own terms. I argue that the relationship between the Catholic Church and American Catholic institutions of higher education is best understood by examining the many facets of the theological and academic dimensions. When analyzed in this fashion, the “Affair” may shed light on the current implementation of *Ex Corde Ecclesiae*.

Research Methods

The primary research methods for this dissertation are theological and historical analysis. The historical analysis is both oral and archival. Since the number of persons directly involved in the “Heresy Affair” is relatively small, all available persons are included in the study: persons from the two conflicting groups of faculty and University of Dayton administrators. Others involved include additional University of Dayton faculty members, members of the university committee that called for the secularization of the university, former students (particularly those who participated in the Philosophy Club meetings and those who covered the events for *Flyer News*), priests who were local clergy at the time, and the priests who served on the archbishop’s fact-finding commission. In-depth interviews were conducted in person, over the telephone, and through e-mail. The principals involved were given a voice to tell the story as they remembered it with the desired result being an in-depth understanding of the principals’ experiences and their interpretation of them.

A variety of other research approaches were employed. First, historical and theological analysis was conducted on primary written materials. These include but are not limited to University documents, correspondence, texts of speeches given by the principals, articles written by faculty and administrators, the summary report of the archbishop’s fact-finding commission, and the report of the President’s Ad Hoc Committee for the Study of Academic Freedom at the University of Dayton. The sources examined were found in the University of Dayton Archives, the Marianist Archives, and other contemporaneous collections, including parish bulletins.

Second, historical-theological analysis was conducted on primary and secondary sources that pertain specifically to the Church, the Second Vatican Council, and Catholic higher education. These sources are both contemporaneous to the “Heresy Affair” and later historical interpretations. Included in the secondary sources is the public discourse about the “Affair.”

The research was conducted in an inductive manner. Because of my prior research, I made some observations prior to beginning the dissertation and proposed that the methodology described above was appropriate for analyzing the “Heresy Affair.” I believe that this analysis of the “Heresy Affair” was successful and sheds light on the current relationship of the Church to the American Catholic university.

Conclusions

This case study of the “Heresy Affair” shows that an effervescent energy was “in the air” in at least one American Catholic university in the early 1960s. The administrators and some faculty prodded the University of Dayton forward while, at the same time, clashing on the theological and academic fronts with those who adhered more strongly to traditional Catholic teaching. The traditionalists ultimately stood their ground and risked their faculty positions when they believed souls were in the balance.

Prior to putting their faculty positions on the line, the traditionalists tried to stop those who were teaching doctrines contrary to the Church. Their many efforts within the university community were unsuccessful, resulting in escalation of the controversy to the wider Church community. In hindsight, this escalation may have been avoidable. Perhaps

a review of what went wrong in the “Heresy Affair” in the 1960s will shed light on issues in American Catholic higher education in the 21st century.

A close look at the involvement of the wider Church community in the “Heresy Affair” reveals a reluctance on the part of the archbishop to get involved. He does so when he is asked to intervene for the third time and after a botched attempt on the part of the university to solve the crisis. Even then, the archbishop tries to handle the situation in a low-key manner. An inquiry by the Vatican Congregation for the Doctrine of the Faith illustrates discretion on the part of the Church. To put it another way, this case is not the stereotypical portrait of a heavy-handed hierarchy. Perhaps we might learn from this example how the wider Church acts when confronted with challenges to official teachings.

This case study illuminates the tensions within the Catholic Church and between American and Catholic as applied to higher education. In the first case, both sides in this controversy believed they were Catholics in good standing within the Church and, indeed, both sides were able to identify within the Church other adherents to their beliefs. These facts give us a glimpse into what the Church is not; that is, monolithic and unchanging. In the latter case, the tensions between American and Catholic higher education challenge us to identify what it means to be a Catholic university and what contributions a Catholic university makes to American higher education. This case study shows one particular American Catholic university struggling to be accepted as a “real” university. More than thirty-five years later, Catholic universities are part of the mainstream culture. Perhaps it is time to consider whether these universities have neglected their own souls to get to this coveted position.

CHAPTER II

THE “HERESY AFFAIR” AT THE UNIVERSITY OF DAYTON*

Historical Context

In order to understand what occurred and why, it is helpful to quickly review the multiple worlds in which the University of Dayton found itself in the mid-1960s. As a Catholic university in the United States, the university was impacted by the worlds of Roman Catholicism, American culture, higher education in general and specifically, Catholic higher education. In the world of Roman Catholicism, the Catholic Church closed the Second Vatican Council in 1965 after four years of meetings. The changes that resulted were sweeping, so much so that Philip Gleason described the time as one of “seismic upheaval.”²

The 1960s were also a turbulent time in the United States. There was racial strife, an emphasis on individual freedoms, the women’s movement, the sexual revolution, and an escalation of the Vietnam War. Higher education in the United States was undergoing a period of tremendous growth. With the number of students rapidly increasing, the numbers of faculty and administrators increased, as did the size of the physical plant.

*This chapter appeared as “An ‘Inevitable’ Campus Controversy: The ‘Heresy Affair’ at the University of Dayton, 1960-1967” in *American Catholic Studies: Journal of the American Catholic Historical Society*, 113 (Spring-Summer 2002): 79-95.

²Philip Gleason, *Keeping the Faith: American Catholicism Past and Present* (Notre Dame, Ind.: University of Notre Dame Press, 1987), 84.

Catholic higher education, experiencing the same growth as secular institutions, also had problems uniquely its own. In 1955, John Tracy Ellis published a strong criticism of American Catholic intellectual life. By the mid-1960s, other factors such as financial limitations, the changing role of sponsoring religious orders,³ and the question of the meaning of Catholic identity became important.⁴

Within the context of American Catholic higher education, Thomistic philosophy also needs to be considered. Beginning in the mid-1920s and lasting until the mid-1960s, “philosophy . . . was the crucial element in integrating Catholic higher education,”⁵ and that philosophy was Thomism. Although by the mid-1950s dissatisfaction with Thomistic philosophy was growing, it continued to be a required subject for most undergraduates in Catholic colleges and universities. The University of Dayton was no exception—the philosophy requirement in the mid-1960s for all undergraduates was a minimum of twelve semester hours; those earning a Bachelor of Arts degree had a minor in philosophy which required students to take eighteen hours.

By the early 1960s, there was evidence of dissatisfaction with Thomistic philosophy at the University of Dayton. The first non-Thomist philosopher, John M. Chrisman, was hired in 1961, followed by Eulalio Baltazar in 1962. By spring 1963, the

³Reexamination of the role of religious occurred in “the context of questions of control, internal relationships between religious and lay personnel, and relationships between the Catholic colleges and universities and the hierarchy.” Charles E. Ford and Edgar L. Roy, Jr. *The Renewal of Catholic Higher Education* (Washington, DC: National Catholic Educational Association, 1968), 7.

⁴“The need for a precise and operative definition comes from the documents of the Second Vatican Council, the financial situation of most Catholic colleges and universities, misunderstandings among the American public and even among professional educators, internally from the students and faculty in the Catholic institutions, and finally from demands of intelligent long-range planning.” *Ibid.*, 24.

⁵Gleason, 142.

Thomists and the non-Thomists at Dayton were publicly “squaring off” against each other over philosophical issues. Tensions rapidly escalated in fall 1963 following Baltazar’s lecture to the Philosophy Club indicting Thomism for being “irreconcilably out of step with the times.”⁶

Shortly after Baltazar’s lecture, the topics of debate among faculty expanded to include moral issues such as contraception, abortion, and situation ethics. The level of intensity rose and the department became polarized to such an extent that new faculty members hired in 1964 and 1965 indicate they were immediately asked “which side are you on?”⁷ The character of the debate also deteriorated as evidenced by the minutes of the first departmental meeting in September 1966, when the chair, Dr. Richard Baker, is reported to have said:

[E]ach of us has, therefore, the perfect right to express his own views and convictions provided this is done in a responsible and professional manner. Snide remarks, cute comments, and sneering jests made at the expense of another member of the department are certainly unprofessional. . . . He stressed that we must resist the temptation of simply playing to a crowd of impressionable nineteen year old kids and suggested as final guidelines that we never attack the views of another derogatorily. He lamented the fact that some members of the department seem to have been guilty of such unprofessional conduct.⁸

As the controversy escalated, the Thomists took a number of steps to bring a halt to the teachings they believed were contrary to the magisterium. For example, one Thomist printed and distributed on campus academic rebuttals to presentations made by

⁶Steve Bickham, “Ideas in Our University: Is Thomism Enough for Us?,” *Flyer News*, 27 September 1963, 4.

⁷Conversations with Dennis Bonnette, Xavier Monasterio, and Lawrence Ulrich.

⁸Department of Philosophy Faculty Meeting Minutes (14 September 1966), 3, AUD ,Series 20QI(3), Box 1.

the modern philosophers. Some Thomists attended presentations by the modern philosophers and challenged them in the question-and-answer sessions. On at least one occasion, a Marianist Thomist went to the president on behalf of all the Thomists and requested that a controversial presentation be cancelled prior to the event. One Thomist challenged a modern philosopher to a public debate, a challenge which was declined. When these methods failed, the Thomists met with the provost and sought his advice. Upon his suggestion, they sought in summer 1966 the advice of prominent theologians John Courtney Murray, Joseph Gallen, René Laurentin, and Francis J. Connell. We do not know if Gallen and Laurentin replied. Murray responded that the controversial issues were presently topics of discussion in the Church and he was unable to comment without additional information. Connell's response appeared in his question-and-answer column in the November 1966 issue of *American Ecclesiastical Review*. By then, the issue of University of Dayton philosophy professors teaching contrary to the Church's position was making headlines in national newspapers and periodicals.

The "Heresy Affair"

The event that elevated the controversy from a departmental conflict with limited campus interest to one that garnered coverage in national newspapers was a letter written on 15 October 1966 by assistant professor of philosophy Dennis Bonnette to Karl J. Alter, Archbishop of Cincinnati. A carbon copy was sent to the apostolic delegate, Egidio Vagnozzi, the Vatican's representative in the United States. Bonnette began his letter by stating that he was writing so that the archbishop could fulfill his duties as required by

Canon 1381, §2.⁹ In Bonnette's opinion, a "crisis of faith"¹⁰ was developing at the University of Dayton, and so it became necessary to send a "second appeal"¹¹ for the archbishop's intervention.

Bonnette continued that a situation had been developing on the University of Dayton campus over the past few years, and it had now reached a "point of doing grave harm to the faith and morals of the entire university community." He asserted that John Chrisman and Eulalio Baltazar had given a lecture in spring 1966 during which they endorsed situation ethics. Chrisman also endorsed abortion in some cases.¹²

Bonnette noted that Marianist Fr. Francis Langhirt had written to the archbishop protesting that lecture. Reportedly, the archbishop forwarded Fr. Langhirt's letter to the university administration and asked for an explanation. Bonnette stated that "The Administration is understood to have replied that the faculty members in question [have] been under investigation for one year." Bonnette noted that no "official action" had been taken by the university.¹³

In Bonnette's letter, he informed the archbishop of similar incidents. At a public discussion during the summer, Chrisman "explicitly denied belief in Purgatory." During

⁹The right and duty to be vigilant over all schools in his territory is assured to the local ordinary by Can. 1381, §2. He is to see to it that nothing contrary to faith and morals is taught in the schools or that no activity in the schools is likewise a source of danger to the Catholic students there." James Jerome Conn, S.J., *Catholic Universities in the United States and Ecclesiastical Authority* (Roma: Editrice Pontificia Università Gregoriana, 1991), 34-35.

¹⁰Dennis Bonnette, letter to Archbishop Karl J. Alter, 15 October 1966, 1.

¹¹Bonnette's reference to a "second appeal" refers to a prior letter written to the archbishop by Fr. Francis Langhirt, S.M. in spring 1966 which is explained later in Bonnette's letter. Bonnette's 15 October 1966 letter to the archbishop was not Bonnette's own "second appeal" to the archbishop. Dennis Bonnette, e-mail to the author, 1 April 1999, 1.

¹²Bonnette, letter to Alter, 1.

¹³Ibid.

the previous week, philosopher Lawrence Ulrich and theologian Randolph Lumpp had given a talk on situation ethics. That talk was “subjective in tone” according to Bonnette and did not address the traditional teaching on natural law. A false impression was thus given to faculty and students.¹⁴

Bonnette noted that many of the “theories condemned in Cardinal Ottaviani’s famous letter”¹⁵ of 24 July 1966 were being advocated by a “substantial number of the theology and philosophy faculty” at the University of Dayton. He continued that the “influence of the erroneous teachings virtually permeates” the university, “even in some of its highest quarters.”¹⁶

Bonnette asked the archbishop to send a “competent representative” to Dayton “for the purpose of conducting a comprehensive investigation of the grave spiritual harm” that he claimed was occurring. The matter was urgent, Bonnette said, because of the “harm to souls” that occurred daily in the classroom, and because University of Dayton regulations required notification of non-renewal of faculty contracts by 15 December.

¹⁴Bonnette, I. Fr. Roesch noted in his “Statement Relative to the Controversy Touching Academic Freedom and the Church’s Magisterium” that an investigation was being conducted in fall 1966 “quietly and confidentially, which probably explains why the accuser was of the opinion that his concerns were being ignored by the University authorities.” Roesch, “Statement Relative to the Controversy Touching Academic Freedom and the Church’s Magisterium” 10 April 1967), 8.

¹⁵Alfredo Cardinal Ottaviani, head of the Sacred Congregation for the Doctrine of the Faith, “at the direction of the Holy Father” sent a letter dated 24 July 1966 to the “ordinaries of the world.” It was to be distributed around 10 August 1966 so that the bishops could consider the content of the letter at their conferences. The bishops were to submit their “observations” to the Holy See before 25 December. The final paragraph of the letter further stresses the fact that “this matter is not to be made public and the bishops may discuss [the letter] only with those whom they deem it necessary to consult *sub secreto*.” Archbishop Patrick A. O’Boyle, letter to U.S. bishops, includes Ottaviani’s letter as attachment (5 August 1966). ACUA, Series NCWC, Box 7 Administration. Although the contents of the letter were to remain confidential, they were the topic of a 20 September 1966 *New York Times* article by religion editor John Cogley. In general, Ottaviani lists ten widespread “abuses” in interpretation of Second Vatican Council teachings.

¹⁶Bonnette, letter to Alter, 2.

“The consciences of some professors have been compromised too long already.” If there is no action before the contractual deadline, Bonnette noted that some might resign in protest of the administration’s “failure to fulfill its moral duty.”

In conclusion, Bonnette said he was available if the archbishop needed “further evidence before taking action.” He then asked Alter to keep his name “in confidence” unless the archbishop was unwilling to act, in which case, Bonnette “freely [sacrificed] the security of [his] position to the service of the cause of Christ.”¹⁷ Bonnette appeared to be ready to resign publicly.¹⁸

Upon receiving the letter and then speaking with the apostolic delegate, the archbishop called Marianist Fr. Raymond A. Roesch,¹⁹ president of the university, told him of the letter, and asked the university to investigate. Fr. Roesch took the call during his administrative council meeting. After discussing the call with the council, Roesch called a meeting of those involved, which included Bonnette and the four faculty accused (Eulalio R. Baltazar, John M. Chrisman, Randolph F. Lumpp, and Lawrence P. Ulrich).²⁰ At this

¹⁷Ibid.

¹⁸One wonders what Bonnette would have done if the archbishop had chosen to do nothing. Presumably, he was prepared to resign publicly in protest of the university administration’s “failure to fulfill its moral duty.” One wonders, however, if he would have included the archbishop in his public protest if the archbishop did not respond to his letter. It is an interesting question with no answer.

¹⁹Roesch earned a bachelor of arts degree with majors in English and Latin from the University of Dayton (1936). His master’s degree in psychology was from Catholic University of America (1945) and his Ph.D. in psychology was from Fordham University (1954). Roesch was a faculty member in the University of Dayton’s psychology department beginning in 1951 prior to serving as chair of the psychology department (1952-59) and president of the university (1959-79).

²⁰Baltazar, Chrisman, and Ulrich were faculty members in the philosophy department while Lumpp was in the theological studies department. Baltazar and Chrisman were assistant professors and Ulrich and Lumpp were instructors. Chrisman had the most seniority, having come to the University of Dayton in 1961. Baltazar was hired in 1962, Ulrich in 1964, and Bonnette and Lumpp in 1965.

meeting on 24 October 1966, Baltazar, Chrisman, and Ulrich²¹ first heard that they had been accused of teaching against the magisterium. Bonnette, when asked to read his letter to the archbishop, gave a verbal summary.²² Bonnette was asked to prepare a statement detailing and substantiating his charges against the accused. The accused were then given the opportunity by the president to “submit copies of their prepared speeches, if they had them in written form, and to prepare a full explanation of their position in light of the charges made.”²³

Bonnette’s statement, in the form of a six-page letter to Fr. Roesch dated 28 October 1966, listed the four faculty and specific instances where each publicly “deviated from Catholic doctrine.” The letter included two pages of names of persons in attendance at various events where the alleged deviations occurred. Bonnette clarified that by speaking of “deviation from Catholic doctrine,” he meant “failing to be in full agreement with the mind of the Holy See and of its legitimate organs of expression, e.g., sacred congregations, papal pronouncements, speeches, allocutions, etc.”²⁴

The most substantive charge was that against John Chrisman who had publicly stated that he did not believe in Purgatory. Bonnette’s letter pointed out that such a denial “falls under the provisions of Canon 1325 §2” and although Chrisman’s defense (as reported by the Provost, Fr. Charles J. Lees, to Bonnette) was that Chrisman meant to deny the “fire” notion of Purgatory, Bonnette continued that “[o]ne of the Church

²¹Lumpp was unable to attend this meeting and heard about the accusation in a private meeting with Fr. Roesch.

²²The accused did not see the letter to the archbishop until it was published in my master’s thesis.

²³Raymond A. Roesch, S.M., “Statement Relative to the Controversy Touching Academic Freedom and the Church’s Magisterium” (10 April 1967), 9.

²⁴Dennis Bonnette, letter to Rev. Raymond A. Roesch, S.M. (28 October 1966), 1.

Councils actually used the term ‘*igne*’ in formulating the doctrine.” This issue, the only accusation that dealt with dogma, was, therefore, the only potential basis for an accusation of heresy.

In addition to specific charges about the substance of faculty teachings, Bonnette took issue with the way the accused conducted themselves. For example, Bonnette stated that at one public lecture, the “general tone was to poke fun at papal directives”; at another, “great fun [was made] of the Cardinal”; and “neither speaker presented in a positive manner the traditional teaching”

The accused responded in letter form to Fr. Roesch and included texts of the remarks that were called into question, and quotations from articles that supported their remarks and their rights to “express their difficulties with the official non-infallible positions of the magisterium.”²⁵ The accused recognized that this was a transitional time in the Church and claimed that their views were “within the bounds of current Catholic speculation.”²⁶ They called Bonnette’s views “traditional,” “classical,” “fundamentalist” and “static triumphalist.”

Chrisman stated that his response was based on his understanding of truth as “the growth of human consciousness rather than a static possession.”²⁷ Since truth grows, “Catholic wisdom needs constant development.”²⁸ It follows that the Church needs

²⁵Gregory Baum, in *Search*, reprinted in *Commonweal* (25 November 1966), typed and attached to undated John Chrisman letter to Fr. Roesch.

²⁶John Chrisman, letter to Rev. Raymond A. Roesch, S.M. (undated), 1.

²⁷Only Chrisman’s response is briefly reviewed in this chapter. The responses of all the accused faculty members are reviewed in detail in later chapters.

²⁸The influence of Leslie Dewart is apparent in this definition of truth and in the need for development of the Church’s teachings.

“fearlessly open universities.” “Answers must be worked out without fear of suppression and with full expectation that formulations” may later “turn out to be inadequate.”

In response to the accusation about Purgatory, Chrisman noted that his remarks were made at a program held in a “night-club” atmosphere²⁹ and should be “understood in that unique context”—an “attempt to combine entertainment with intellectual stimulation.” Chrisman admitted his remarks were “too concise” and that he meant to say that he objected to Purgatory as a “place of fire.” In this aspect of his defense, he cited Karl Rahner as support.³⁰

To assist in the investigation, Fr. Roesch consulted a canon lawyer, Fr. James I. O’Connor, S.J.,³¹ “on the point of whether or not there were grounds for a canonical investigation into the charges.”³² Fr. O’Connor reviewed the materials provided to him and gave his recommendation to Fr. Roesch.

On 28 November 1966, Fr. Roesch met with his administrative council and several special invitees: Fr. Matthew F. Kohmescher, S. M., chair of the theological studies department; Dr. Richard R. Baker, chair of the philosophy department; Dr. Rocco M. Donatelli, chair of the faculty forum (a group of sixteen elected faculty members and four appointed administrators who represented faculty views to the administration); Dr. Wilfred J. Steiner, a faculty representative; Bonnette; and the four accused. The results of the

²⁹The event in question was held on a summer evening on the roof terrace of the university’s student union. In addition to theological discussion, there was folk singing and poetry reading. Beverages and “peanuts in the shell” were served as refreshments. UD Press Release, University of Dayton Public Relations Department (3 June 1966). AUD, Series 7J(A2).

³⁰Chrisman, I.

³¹Fr. O’Connor was from the Bellarmine School of Theology of Loyola University in No. Aurora, Illinois. O’Connor’s letter to Roesch will be discussed in Chapter VI.

³²“The ‘Heresy’ Affair,” *The University of Dayton Alumnus* (March 1967): Inside Front Cover.

investigation were reported: “[T]he accused faculty [were] innocent of the charge of teaching and advocating doctrines contrary to the Magisterium of the Church.”³³ It was decided that an *ad hoc* committee of the faculty would be established to “conduct an open discussion directed toward establishing clear directives for the pursuit of truth in academic debate”³⁴ on the campus. The composition of the committee was to include members of the faculty nominated by the faculty forum, Bonnette, and the four accused faculty.

Archbishop Alter accepted this decision from Fr. Roesch on 2 December 1966. According to Roesch, Alter expressed “his satisfaction” with the appointment of this committee and called “attention to the care that must be taken to avoid disturbance of mind and a species of scandal, or at least, wonderment on the part of the ordinary student or hearer because of the way and/or the occasion in which one or other Catholic tenet, dogma or practice may be subjected to academic examination and discussion.”³⁵

Fr. Roesch released a letter dated 3 December 1966 to the faculty and staff on Monday, 5 December 1966, and at the same time made a statement to the press concerning the results of the investigation. On Tuesday, December 6, Bonnette and eight supporters called the conduct of the university’s administration a “classic whitewash.” Their statement, a “Declaration of Conscience on the Doctrinal Crisis at the University of Dayton,” was issued on Phil Donahue’s local radio program, *Conversation Piece*, and called into question the university’s method of investigation into the charges. The nine signatories sought to distinguish themselves “from those colleagues on the faculty who

³³Rev. Raymond A. Roesch, S.M., letter to UD faculty and staff (3 December 1966), 1.

³⁴*Ibid.*, 2.

³⁵*Ibid.*

revealed and confessed publicly their incompetence in the field of philosophy and their deviation from fundamental principles of [C]atholic doctrine.”³⁶ Their objections to the investigation included the lack of witnesses being called to “determine whether . . . erroneous [*sic*] doctrines had been presented.” From this, the signers inferred that “it is readily evident that the university officials exhibited no sincere religious concern for the spiritual welfare of the students.” The signers were “convinced that Prof. Bonnette’s public charge [was] essentially correct,” as they had “heard such public talks in which teachings contrary to the Magisterium have been defended at the University of Dayton.” They stated further: “Any attempt to imply that we do not understand the meaning of the statements made, or the positions defended is to impune [*sic*] our competence as professionally trained philosophers,” and they noted that members of the administration “did not attend those lectures in question.”³⁷

The administration responded to the nine signers on 9 December 1966, by asking why no one had asked the administration why the witnesses weren’t called. The answer, simply stated, was that none of the accused had denied any of Bonnette’s statements. The university had proceeded then to investigate “what [the accused] intended to mean by using [the statements] in the context in which they were uttered.” It was decided that the

³⁶“Declaration of Conscience on the Doctrinal Crisis at the University of Dayton” was read on *Conversation Piece* (6 December 1966). Signed by Fr. Richard J. Dombro, S.M., Dr. Edward W. Harkenrider, Prof. Hugo A. Barbic, Prof. Thomas J. Casaletto, Fr. Francis Langhirt, S.M., Dr. Joseph Dieska, Prof. Paul I. Seman, Prof. Allen V. Rinderly, and Prof. Dennis Bonnette.

³⁷*Ibid.*, 2.

testimony of the accused was “sufficient to clear them of the charge that they were advocating doctrines contrary to the Magisterium of the Church.”³⁸

In a series of three special meetings on December 9, 12, and 14, 1966, the faculty forum voted on a number of motions concerning this situation. The forum approved “the manner in which the president exercised his leadership in adjudicating the cases of the four professors recently accused.”³⁹ The forum also voted on December 9 to censure the eight⁴⁰ members of the faculty who signed the “Declaration of Conscience” for “conduct unworthy of members of the University of Dayton faculty,” and to demand that the charge of incompetence be rescinded in a public statement or fully substantiated or “if they should fail to meet either of these alternatives, resign from their positions at the University.”⁴¹ It took the meetings of December 12 and 14 before the forum was able to hammer out the details of a statement to be issued to the public. In response, the eight soon signed the

³⁸Carbon copy of statement dated 9 December 1966 in possession of Ulrich.

³⁹Minutes of Faculty Forum (9 December 1966), 1.

⁴⁰One of the signers of the “Declaration of Conscience,” Fr. Francis Langhirt, was not a full-time faculty member.

⁴¹*Ibid.*, 1-2. The vote was passed by a vote of nine ayes, three nays, and four abstentions. Of particular interest is the membership on the forum of John Chrisman, one of the four accused faculty, and Richard Baker, chair of the philosophy department. Chrisman attended the meetings of December 9 and 14. Baker attended all three meetings. The forum chairman, Dr. Rocco Donatelli, invited five professors to the December 14 meeting: Harkenrider, Barbic, Bonnette, Casaletto, and Seman. At the beginning of that meeting, a motion was made to allow the visitors to remain at the meeting. No vote was taken, however, because the visitors indicated they were leaving. The statement the visitors intended to present was not read by the forum. I find it interesting that Chrisman and Baker were permitted to participate in these meetings since there appears to be a conflict of interest in their participation. It is difficult to ascertain their level of participation since the minutes contain only the motions and the votes although Dr. Erving Beauregard who was present at the meetings indicates that Chrisman abstained from voting. In my conversations with members of the forum, there was no indication of a conflict of interest in Chrisman and Baker attending the meetings in which the censure was discussed. Erving Beauregard, interview with the author, 22 March 2001.

following statement: “We withdraw the charge that colleagues on the faculty ‘revealed and publicly confessed their incompetence.’ It is a statement we should not have made.”

About the same time, a number of local pastors, including Msgr. James L. Krusling, the dean of the Dayton deanery, and Msgr. James E. Sherman, pastor of Immaculate Conception parish, wrote to Fr. Roesch and to Archbishop Alter expressing dissatisfaction with the university’s findings and with “the religious climate at the University generally.”⁴² Their intervention and the appeal of the nine signers of the “Declaration of Conscience” prompted the archbishop to form a fact-finding commission composed of Rev. Donald McCarthy, Rev. Robert Hagedorn, Rev. W. Henry Kenney, S.J., and Rev. Robert Tensing as chair.⁴³ After a six week investigation, the commission issued a three-page summary of their report.⁴⁴ The summary states that “the right of this appeal to be heard is based on Church law and on the stated objectives of the University” as “committed to the upholding of the deposit of faith and Christian morality.” The

⁴²The ‘Heresy’ Affair,” *The University of Dayton Alumnus* (March 1967): 18.

⁴³All four members of the archbishop’s commission were from the Archdiocese of Cincinnati. McCarthy, reportedly trained at Louvain, was chaplain of the Newman Center at the University of Cincinnati and is the brother of then-auxiliary bishop of Cincinnati, and currently Archbishop Emeritus of Miami, Florida, Edward A. McCarthy. Hagedorn was associated with Mt. St. Mary’s Seminary in Cincinnati, as was Tensing. Kenney was in the department of philosophy at Xavier University. Lawrence Ulrich was personally acquainted with Hagedorn, Tensing, and McCarthy.

⁴⁴The summary states that the full report covers approximately seventy-five pages of testimony. Bonnette and the four accused were called to testify along with a number of others including Fr. Matthew Kohmescher, chair of the theological studies department. Prof. Lumpp was out of town on Christmas break and did not testify. I spoke to a number of people who were interviewed by the commission including Bonnette, Kohmescher, and Ulrich. When asked to give their recollections, all three mentioned the large reel-to-reel tape recorders which were used to tape the sessions.

Two copies of the full report were known to exist. One was given to the archbishop and the other to Fr. James M. Darby, S.M. as chairman of the University of Dayton Board of Trustees. The archivist for the Archdiocese of Cincinnati, Mr. Don H. Buske, has indicated to me the report currently in the Archdiocesan archives is only 10-15 pages in length. The copy held by Fr. Darby has not been located at this time.

commission found that “there [has] been on some specified occasions teaching contrary to Catholic faith and morals, which teachings may not have been contrary to defined doctrines but which were opposed to the teaching of the Magisterium.” The summary indicated that in some lectures, a lack of respect was shown for the magisterium; and pointed out that the university is conducted for the most part as an undergraduate institution, and that the Church is “well served by theological and philosophical research in a high level graduate department of a university, particularly when done by qualified persons.” It concluded by commending the university for creating the *ad hoc* committee to develop guidelines for the future and noted that the commission made no suggestions about dismissals of involved faculty members.⁴⁵

In the university’s press release, Fr. James M. Darby (the chair of the university’s board of trustees and the Marianist provincial) quickly issued a statement which reported that the commission report “reinforced the decision of the University in so far as it clear[ed] the accused professors of any charge of heresy.”⁴⁶ This was correct as far as it went but it gave an “unfortunate and wrong interpretation” to the report, stated Fr. Tensing. The readers of early press reports were given the mistaken impression that the university and its faculty were cleared of all wrongdoing.⁴⁷

University president Raymond A. Roesch, S.M. addressed the entire university faculty on 1 March 1967. He “made clear the position that on the University of Dayton

⁴⁵Rev. Robert Tensing, “Summary Statement from Fact-Finding Commission” (13 February 1967).

⁴⁶Rev. James M. Darby, S.M., “Statement Relative to Report of Archbishop Alter’s Fact-Finding Committee” (17 February 1967).

⁴⁷John Reedy, C.S.C. and James F. Andrews, “The Troubled University of Dayton,” *Ave Maria* (1 April 1967), 8, 20.

campus there must flourish genuine academic freedom.” Both traditional and progressive viewpoints—as well as those in between—were welcome as long as those who speak “confine their utterances to their area of competence” and “acknowledge, respect and pay due reverence to the Magisterium.”⁴⁸ Roesch left it to the *ad hoc* committee to determine how that respect was to be acknowledged.

The faculty responded by giving Roesch a standing ovation. They interpreted his remarks as a distancing of the university from the hierarchy, a “declaration of independence,”⁴⁹ and as UD becoming a “real” university.⁵⁰ Dennis Bonnette, however, saw things differently. Shortly after the faculty address, as Roesch was revising his address for publication as a position paper, he asked Bonnette for his reaction. Bonnette refused to help, stating, “In the long run, it shall not be you, or I, or the University of Dayton itself, which shall decide the principles in contention here, but rather such properly theological questions shall be decided by Rome and no one else.”⁵¹ More than twenty years later, Bonnette’s prediction came true when John Paul II issued the apostolic constitution, *Ex Corde Ecclesiae*.

The Ad Hoc Committee for the Study of Academic Freedom at the University of Dayton under the guidance of Dr. Ellis A. Joseph, chair of the department of secondary education and a member of the faculty forum, met during the spring of 1967. Speakers

⁴⁸Roesch, “Statement Relative to the Controversy Touching Academic Freedom and the Church’s Magisterium” (10 April 1967), 10-11.

⁴⁹Mary Ellen Wolfe, “‘Declaration of Independence’ Announced for UD Faculty,” *Dayton Journal Herald* (2 March 1967), 57.

⁵⁰Lawrence P. Ulrich, personal interview with the author (14 April 1997).

⁵¹Bonnette, letter to Rev. Raymond A. Roesch (8 April 1967). AUD, Series 91-35.

were brought to the campus, including Rosemary Lauer,⁵² a faculty member who figured prominently in the St. John's University case;⁵³ Fr. Neil McCluskey, S.J., former vice president of Gonzaga University and then visiting professor at the University of Notre Dame who was involved in preparing the Land-O'Lakes statement;⁵⁴ and Leslie Dewart, professor of philosophy at the University of Toronto and author of *The Future of Belief*.⁵⁵ Debates were lively and the task of the *ad hoc* committee grew from one purpose—to

⁵²A 1950 graduate from the University of Dayton, Lauer earned M.A. and Ph.D. degrees in philosophy from St. Louis University. After teaching stints at two other Catholic universities, Lauer was hired in 1959 as associate professor of philosophy at St. John's University, NY. When she and thirty other faculty were terminated by St. John's in December 1965 (see footnote 53), Lauer stated that the Catholic Church and higher education "don't mix," since the Church violates the nature of the university. Philip Gleason, *Contending with Modernity: Catholic Higher Education in the Twentieth Century* (New York: Oxford University Press, 1995), 308-310.

⁵³In December 1965, St. John's University in Jamaica, New York abruptly terminated thirty-one professors—most of them members of the United Federation of College Teachers—without allowing them to finish teaching their fall semester classes. The Vincentian administration's action followed a ten-month confrontation with the faculty over issues such as better pay, more academic freedom, and faculty inclusion in academic policy-making. The terminations led to a faculty strike, student demonstrations, and the strongest censure ever by the AAUP. In 1965, St. John's was the largest Catholic university in the US. *Ibid.*

⁵⁴The "Land-O'Lakes statement" refers to a preliminary position paper, entitled "The Nature of the Contemporary Catholic University," that was drafted for a meeting of the International Federation of Catholic Universities (IFCU). The statement, prepared at a northern Wisconsin vacation lodge belonging to the University of Notre Dame, was drafted by representatives from eleven universities across the United States, Canada, and Latin America. Also present were two bishops, two officers from the Jesuits and the Congregation of the Holy Cross, and four lay leaders. The "moving spirit" of the Land-O'Lakes meeting was Fr. Theodore Hesburgh, C.S.C. from Notre Dame. Symbolically, the statement was important as the first to proclaim that a Catholic university must have "true autonomy and academic freedom," i.e., independence from Church hierarchy. *Ibid.*, 317.

⁵⁵Leslie Dewart was born in Spain and raised in Cuba. He emigrated to Canada in 1942. After serving in the Royal Canadian Air Force, he earned a bachelor's degree in psychology in 1951, and a master's in philosophy in 1952. Both degrees were from the University of Toronto. From 1952-54, he was a teaching fellow at St. Michael's College, University of Toronto. Dewart earned his Ph.D. in philosophy from Toronto in 1954. After teaching at the University of Detroit for two years, he returned to the University of Toronto. Dewart is primarily known for his book, *The Future of Belief: Theism in a World Come of Age*, published in 1966. In 1969, he was investigated by the Vatican Congregation for the Doctrine of Faith for the "theological implications of [his] writings." No condemnation was issued. "Leslie Dewart," *Gale Literary Databases, Contemporary Authors* [database-on-line]; available from <http://www.galenet.com/servlet/LRC...CA&t=RK&s=2&r=d&n=10&l=d&NA=dewart>; Internet; accessed 21 May 1999.

study the guidelines of academic freedom on the campus—to seven.⁵⁶ As the preface to the committee’s report states, “All of these tasks are important; they are interrelated; and it would be presumptuous to assume any one document could provide satisfactory closure for all of them.”⁵⁷ The document, therefore, was a starting point for other university policies including one on the nature of the University of Dayton.

Aftermath

Publicity about the doctrinal dispute was far-reaching and included articles in the *New York Times*, the *National Catholic Reporter*, the local secular and Catholic newspapers, and periodicals such as *America*, *Triumph*, and *Ave Maria*. The secular press typically referred to the controversy as a doctrinal or religious dispute. They reported the events as the controversy unfolded and included quotes from Dennis Bonnette, the university administration, and others. Three secular publications included the “Heresy Affair” in larger studies on changes in Catholic higher education. For example, in *The New York Times Magazine*, Daniel Callahan, then associate editor of *Commonweal*, used the Dayton accusations as evidence of opposition to curricular changes in Catholic higher

⁵⁶In addition to studying the guidelines of academic freedom, the other tasks—“in the developmental order in which they were made public”—were: “to provide guidelines to eliminate future difficulties; to give the University a better chance to be free from fault in the future; to formulate a satisfactory and logical explanation of the intent of the University contract pertaining to the preservation of the deposit of faith and Christian morality on campus; to demonstrate that paragraph 25 of the Constitution on the Church [Lumen Gentium], as well as all the other recommendations of Vatican II, are fully applicable on a university campus; to establish criteria that define the true posture of the theologian and the philosopher on campus; and to treat the question of how appropriate respect is to be paid the proper role of the Church’s Magisterium.” *Academic Freedom at the University of Dayton*, Report of the Ad Hoc Committee (July 1967), 3.

⁵⁷*Ibid.*

education.⁵⁸ *The Wall Street Journal* took a similar position⁵⁹ while the *U. S. News & World Report* focused primarily on reporting the facts regarding the controversy in order to substantiate their claim that there was “unrest” at many Catholic institutions over a wide variety of issues; therefore, “enough [was] happening, on a broad scale, to raise questions about the future of Catholic higher education in this country.”⁶⁰

The National Catholic News Service⁶¹ provided the Catholic press with twenty-two articles on the controversy. Subscribers ran the stories in local diocesan newspapers and national papers such as *Our Sunday Visitor*, the *National Catholic Reporter*, and *The Wanderer*. In addition to news stories, some Catholic papers and periodicals published editorials on the “Affair,” treating issues such as the Church and academic freedom, the role of the hierarchy in Catholic higher education, and the right and obligation of a Catholic university to be true to Church teaching.

Why was the Dayton controversy watched so closely? As Thurston N. Davis, the editor-in chief of *America* noted,

In an age like ours, when development and change are necessary and desirable, it is inevitable that doctrinal controversies . . . should break out on various campuses. UD gives us an early-warning. . . . [C]oming months will bring a growing number of these disputes.⁶²

Davis was correct on at least two points. First, his prediction came true—at least one

⁵⁸Daniel Callahan, “Sister Jacqueline Becomes Miss Grennan and Dramatizes a Crisis in Catholic Education,” *The New York Times Magazine* (23 April 1967): 76.

⁵⁹Frederick C. Klein, “Catholic Colleges: Curricula, Campus Life Change as the Schools Alter Long-Held Views,” *The Wall Street Journal* (15 December 1966), 1, 16.

⁶⁰“Revolt in Some Catholic Colleges: What’s Back of It All,” *U.S. News & World Report* (8 May 1967): 58.

⁶¹The precursor to today’s Catholic News Service located in the headquarters of the United States Catholic Conference in Washington, DC.

⁶²Thurston N. Davis, “Editorial,” *America* (November 26, 1966): 672.

additional dispute occurred as the “Heresy Affair” was wrapping up in spring 1967. That dispute involved Fr. Charles Curran and the Catholic University of America.

More important, however, was Davis’ statement that the University of Dayton’s controversy was an early warning. Dayton sounded the alarm about a number of issues that were problematic within Catholic higher education: mission and identity, authority and responsibility, dissent from Church teachings, academic freedom, relationship with the institutional Church, and the role of the laity within Catholic higher education and within the Church. More than thirty-five years later, these issues are still at the forefront of Catholic higher education.

CHAPTER III
THE MODERN PHILOSOPHERS AND THE THOMISTS:
PHILOSOPHY IN CATHOLIC HIGHER EDUCATION*

The conflict between the University of Dayton's modern philosophers and the Thomists did not just erupt without warning or come out of nowhere. As with most disputes, the conflict is related to wider historical and cultural issues and developed over a number of years.

This chapter begins by examining the general historical background of the conflict between the Church and modern philosophies. This examination is a necessarily short survey of key points beginning with the Enlightenment and continuing to the late 1950s. In the second part of the chapter, the narrative turns to the specific conflict between modern philosophies and Thomism at the University of Dayton from 1960-1967. Fortunately, materials written during this period are available from both sides in the controversy. These items show the differing viewpoints, the increasing intensity of the conflict, and the connections to the general historical background in the first part of the chapter. The chapter concludes with a discussion of the importance of this conflict; that is, why does it matter?

*This chapter is based on and in some cases draws from my thesis submitted for the Master of Arts in Theological Studies degree. Mary Jude Brown, "The 'Heresy Affair' at the University of Dayton, 1960-67: The Origins of the 'Affair' and Its Context" (M.A. thesis, University of Dayton, 1999).

Although this chapter deals with a specific conflict between modern philosophers and Thomists at the University of Dayton, it is important to point out that this conflict involves much more than differing philosophical perspectives. The other points of contention embedded within the main conflict are the relationship of philosophy to theology, the role of philosophy in Catholic higher education, teaching methodologies, response to Church authority, assumptions about the laity, and personal tensions in the relationships of faculty members. The narrative and analysis of the “Affair” are arranged by these seven issues with the most important issue—differing philosophical perspectives—treated first and the least measurable issue—personal tensions—treated last.

The conflict at the University of Dayton is part of the centuries-long struggle between the Church and modern philosophies. During that struggle, the Church elevated Thomism to the position of the official philosophy of the Church. As the Dayton philosophical struggle took place, Thomism was about to lose its place of prominence within the Roman Catholic Church.

In addition, the location of this conflict at a Catholic university is both a contributing factor in the conflict and an indicator of a shift that was occurring in the Church. In the university setting, the struggle between Thomism and modern philosophies included differing understandings of the relationship of philosophy to theology, the role of philosophy in a Catholic university, and acceptable responses to Church authority. Ultimately, the result in the U.S. Catholic university context was a “freeing” of philosophy from the “constraints” of theology. The struggle also included criticism of the

methodology of teaching Thomistic philosophy. While this criticism was widespread in U.S. Catholic higher education, it is easy to see that the criticism of teaching could be interpreted on a personal level and such an interpretation would heighten the conflict. The location of the “Heresy Affair” in a university setting also shows a shift in the involvement of the laity in intellectual matters in the Church. This shift includes the beginnings of theological education for the laity so that ultimately philosophy loses its own place of prominence within Catholic higher education. In addition to philosophy’s displacement, new problems arose as a result of an educated laity increasingly making their presence felt within the Church.

Finally, the conflict over philosophy lays the groundwork for the overall “Heresy Affair.” As this chapter develops, the two sides skirmish, and the university administration increasingly appears to support the modern philosophers. Although the philosophical conflict intensifies, the conflict between philosophies was not sufficient to involve others in the dispute. The conflict needed to escalate to an even higher level before the wider community was drawn into it.

Historical Context

As a conflict between the modern philosophers and the Thomists, the “Heresy Affair” has deep roots, so deep that one needs to dig into the Enlightenment of the 17th and 18th centuries to understand how the two sides came to be and why conflicts between them were likely to occur. In a very real sense, one is digging into the origins of the contemporary worldview.

The word Enlightenment has positive connotations. As an age in human history, the Enlightenment followed the Reformation, religious wars, the scientific revolution, and the philosophy of Descartes. It was an age characterized by an awareness of and trust in human reason grounded in empirical facts. As such, the Enlightenment worldview is one that desires autonomy and tolerance and has hope and optimism in the future progress of humankind.² These values sound so positive, who could be against them?

A closer look at the Enlightenment, however, reveals that the autonomy people sought was freedom from the Church. In order to place the human person at the center of the Enlightenment worldview, the Church, that is, God, had to be displaced from the prevailing medieval mentality. As a result of the Enlightenment, the integrally-related God and world separated. The “secular” was constructed,³ and the nation-state ultimately assumed authority. In other words, people exchanged the authority of the church for the authority of the state.

Historians of philosophy give Kant credit for this change in worldview. Concerned with how humans know and what contribution the thinking subject makes to its own thoughts, Kant drew a boundary between knowledge of the finite and “pretensions to

²This characterization of the Enlightenment is based on James C. Livingston, *Modern Christian Thought, Volume I: The Enlightenment and the Nineteenth Century*, 2nd Edition (Upper Saddle River, New Jersey: Prentice Hall, 1997), 5-12.

³My understanding of the secular as a human construction is based on John Milbank, *Theology and Social Theory: Beyond Secular Reason* (Oxford: Blackwell Publishers Ltd., 1993). Milbank points out that there are ideological viewpoints embedded in our methodologies. He argues that we should look at these viewpoints critically and decide whether we want to accept them as our own. His point is that the values of the Enlightenment are so ingrained in us that we do not challenge their validity. If we did, he believes we would recognize that the elevation of human reason over God is not a good thing. Consequently, the rise of the secular at the expense of the sacred (the Church) is not good. Needless to say, Milbank’s theory provokes much debate.

knowledge of the infinite.”⁴ Since pure reason cannot know God, morality is identified with Kant’s categorical imperative; that is, “we should act in such a way that the maxim . . . governing our action would become a universal law.”⁵ Religion thus becomes identified with the private and subjective rather than the public and objective.⁶ All who follow Kant—be they philosophers, theologians, sociologists or political theorists, to name but a few—have had to deal with the issues he raised.

The Church was not unaware of its displacement. Since the time of Constantine, the Church has been both a temporal and spiritual leader. The Church did not remember any other way of being the Church. And so, the history of 19th century Roman Catholicism shows the Church trying to maintain temporal power against the newly created European states. The Church thought that if temporal power was lost, the Church would cease to exist as the Church. When the Church lost the papal states in the Italian Revolution of 1848, Pius IX hunkered down into a defensive mode against modernity that the Church did not fully emerge from until the Second Vatican Council in the 1960s.

Without temporal authority, the Church attempted to remain the Church by relying on its spiritual and intellectual authority. Since the intellectual attacks on the Church were coming from modern philosophies, Leo XIII decided to meet those philosophies head-on. In the encyclical *Aeterni Patris*, issued in 1879, Leo acknowledged the importance of philosophy for knowing that God is, as a prolegomena for theology, and in defense of the

⁴Milbank, 151.

⁵Vincent Barry, *Philosophy: A Text with Readings*, 2d ed. (Belmont, Calif: Wadsworth Publishing Company, 1983), 118.

⁶Milbank, 76.

faith. After chronicling the history of philosophy within the Church, Leo XIII praised the scholastics, particularly Thomas Aquinas, the “chief and master of all.” Leo called on the Church’s bishops “to restore the golden wisdom of St. Thomas, and to spread it far and wide Let the universities . . . illustrate and defend this doctrine, and use it for the refutation of prevailing errors.”⁷

Leo supported his encyclical by initiating a number of practical actions including the reactivation of the Roman Academy of St. Thomas, the removal of non-Thomists from schools such as the Gregorian University, the publication of new editions of Thomas’ works, and the establishment of the *Institut Supérieur de Philosophie* at Louvain under the leadership of Désiré Joseph Mercier. It is important to recognize that Leo XIII did not intend to bury the Church’s head in the sand of 13th century Thomism. Rather, he intended to use Thomism as a weapon to engage the modern philosophies of the 19th century.

Leo’s four immediate successors—Pius X, Benedict XV, Pius XI, and Pius XII—continued the Church’s official support of Thomism into the mid-twentieth century.⁸ Throughout this period, a number of Catholic philosophers including Pierre Rousselot, Joseph Marechal, Jacques Maritain, and Etienne Gilson used Thomistic principles in their dialogue with modern philosophers. The outcome was an emerging plurality of Thomistic

⁷Leo XIII, *Aeterni Patris*, available from http://www.vatican.va/holy_father/leo_xiii/encyclicals/documents/hf_l-xiii_enc_04081879_aeterni-patris_en.html; Internet; accessed on 16 April 2002.

⁸For a detailed exposition of the commendations of Thomas by the teaching authority of the Church thru 1950, see Santiago Ramirez, O.P., “The Authority of St. Thomas Aquinas,” *The Thomist* 15 (January 1952): 1-109.

philosophies rather than the Thomistic synthesis foreseen by Leo XIII.⁹ Not only was this result not up to meeting contemporary challenges, it created its own challenges and tensions within the Church as evidenced in the development of the *nouvelle théologie*¹⁰ in the 1930s and 40s. The “new theologians”—using Thomistic philosophical concepts developed by Rousselot and Marechal—were attacked by strict observance Thomistic theologians who succeeded in having them silenced by the Vatican. Three decades later, a similar internal conflict occurred at the University of Dayton. Again, traditional Thomists sought to silence their opponents.

Immediate Context of the “Heresy Affair”

During the first two-thirds of the twentieth century, while dialoguing with existential, process, and other modern philosophers, some Catholics trained in Thomistic philosophy—such as the “new theologians”—adopted concepts and methodologies from their dialogue partners. Others became convinced that modern philosophies could serve the Church better than Thomism. Pius XII in turn issued the encyclical *Humani generis* (1950) in which he called attention to specific dangers of modern thought and restated the Church’s position. Nevertheless, by the late 1950s, the unrest within and with Thomism—in both content and teaching methodologies—was apparent in Catholic universities.

⁹Gerald A. McCool, S.J., *From Unity to Pluralism: The Internal Evolution of Thomism* (New York: Fordham University Press, 1992).

¹⁰“New theology” was a theological movement primarily in 1940s France which tried to work around the limitations of Thomism. Theologians in this movement are Henri de Lubac, Jean Daniélou, Marie-Dominique Chenu, Yves Congar, and Pierre Teilhard de Chardin. Their methodologies include a return to the sources: biblical, patristic and medieval. Although these men were sanctioned by the Vatican, their theologies were ultimately accepted by the Second Vatican Council.

Gustave Weigel, S.J., speaking at the 1957 meeting of the Catholic Commission on Intellectual and Cultural Affairs (CCICA), critiqued the teaching of philosophy in Catholic schools for its mechanical process, “reductive presentation,” “predigested apologetic” orientation, and the “general defense-mentality” of professors. Weigel argued that “what many a student experiences in these courses makes him vilipend philosophy and consequently scholarship which is supposed to be identical to it.”¹¹

In 1958-59, the philosophy department at the University of Dayton was composed of seven full-time faculty members, three lay men and four priests. As the sixties progressed, additional faculty were hired into the philosophy department: Joseph Dieska (1960), John M. Chrisman (1961), and Eulalio Baltazar and Theodore Kisiel (1962). These four faculty—all lay persons—were the key players in the University of Dayton conflict between Thomism and the modern philosophies. In order to better understand the conflict, it is necessary to first examine their educational backgrounds and formative life experiences.¹²

Joseph Dieska was a native of Czechoslovakia where he earned his bachelor’s (1931), master’s (1939), and doctoral (1940) degrees. He taught at Slovak State University in Bratislava from 1944-48, chaired the Slovak Philosophical Association (1945-48), edited the *Slovak Philosophical Revue* (1945-48), and directed the

¹¹Gustave Weigel, S.J., “American Catholic Intellectualism—A Theologian’s Reflections,” *The Review of Politics* 19 (July 1957): 300-301.

¹²The descriptions of the involved faculty members are quoted almost verbatim from my thesis, pages 77-81.

Philosophical Institute (1945-48).¹³ In addition to his academic career, Dieska was a politician. He served as a member of the Slovak National Parliament, and was president of the Slovak Christian Democratic Party of Freedom.¹⁴ In 1948, when the Communists took control of the government, he was forced to flee for his life, leaving his wife and two small children behind.¹⁵ Upon making his way to the United States, he taught languages at Georgetown Institute of Languages and Linguistics from 1951-53. He taught languages and sociology from 1956-60 at St. Joseph's High School in Cleveland where he came into contact with the Marianists. During 1959-60, Dieska also taught philosophy at Borromeo College in Cleveland. He was appointed assistant professor of philosophy at the University of Dayton in 1960. Dieska retired from the University in 1978 and died in Dayton on 15 March 1995. Although in later years he was able to visit his family in Slovakia, they never joined him in Dayton.

Dieska's background and life experiences contributed to his passionate feelings of love and respect for the Church and against Communism. He was a man with deep beliefs, willing to challenge those with whom he disagreed, and willing to support the leadership of the Church in their conflicts with the evils of the modern world. Undoubtedly, his European education and political experiences shaped his thinking.

¹³"L. Joseph Dieska," in *Gale Literary Databases, Contemporary Authors* [database-on-line]; available from <http://www.galenet.com/servlet/LRC...CA&t=RK&s=2&r=d&n=10&l=d&NA=dieska>; Internet; accessed 30 March 1999.

¹⁴"Meet the New Faculty," *Monday Morning Memo*, 26 September 1960, 3. AUD, Series 3N(3).

¹⁵Bonnette reports that the Communist government sentenced Dieska to death *in absentia*. When the Czechoslovak government granted a universal amnesty in the early 1960s, Dieska was one of thirteen not granted amnesty. Bonnette, e-mail message to the author, 4 June 1999.

Raised in the Pacific Northwest, John Chrisman earned an undergraduate degree in philosophy in 1956 at the University of Portland (Oregon), a Catholic institution run by the Congregation of the Holy Cross.

The philosophy taught at Portland was Thomist. When Chrisman decided to pursue graduate studies, he chose the University of Toronto because a Portland professor said it was the “best place” and because Étienne Gilson and Jacques Maritain, two well-known Thomists, had connections to the university.¹⁶ The university was also the home of the Pontifical Institute of Mediæval Studies.

Upon arrival at Toronto, Chrisman was required to take qualifying courses because of the difference in educational systems. He quickly realized that the emphasis in Toronto was not exclusively Thomist. The professors, particularly Leslie Dewart,¹⁷ “ripped minds like [his] wide open.”¹⁸ Upon completing his master’s degree in 1960, Chrisman remained in Toronto and immediately began work on his doctorate.¹⁹

In spring 1961, Chrisman, married with three children, decided to take a year off from his studies. He heard of an opening to teach philosophy at the University of Dayton

¹⁶Gilson retired from the University of Toronto in 1960. He continued to deliver four lectures during the fall term for the next decade. Maritain offered lecture courses in the early 1930s, and short, intensive classes in the spring for a few years after the Second World War. Maritain’s visits to the department ended before 1950. John Slater, Professor Emeritus, University of Toronto, e-mail to author, 8 April 1999.

¹⁷See footnote 55 on page 32.

¹⁸John M. Chrisman, telephone interview by author, 25 January 1999.

¹⁹Chrisman’s dissertation is entitled “A Study of Two Major Thomistic Attempts to Reconcile Stable Intelligibility with Evolutionary Change.” It deals with the works of Maritain, Gilson, and Henri Bergson. His dissertation director was Leslie Dewart. His Ph.D. was awarded in 1971 from the University of Toronto.

from a fellow graduate student. Chrisman applied at UD and several other Catholic universities. Fr. Edmund Rhodes, then chair of UD's philosophy department, interviewed Chrisman and hired him. Chrisman does not recall being asked about his philosophical orientation which, by this time, was no longer Thomistic.²⁰

The classes Chrisman taught at Dayton resembled those he took as a student at Portland. The textbooks, including the text for logic, were chosen by the department and stamped with the official Catholic imprimatur. For someone in the process of rejecting Thomism as being "out of phase with modern times,"²¹ this situation could have been difficult. Nevertheless, Chrisman quickly settled into teaching the first-year Aristotelian logic course and the required junior-level epistemology course. Both courses allowed him flexibility to introduce students to an historical worldview. Within a few years, he began to see his teaching role as one of "opening up" young minds as his had been opened in Toronto.

As Chrisman began his first year at UD in 1961, Eulalio R. Baltazar was at Georgetown University finishing his doctoral dissertation on Teilhard de Chardin, "A Critical Examination of the Methodology of *The Phenomenon of Man*," under dissertation director Wilfrid Desan. A native of the Philippines, Baltazar arrived in the United States in July 1955 as a Jesuit seminarian with two undergraduate degrees, one in

²⁰Chrisman, *ibid.*

²¹John M. Chrisman, telephone interview by author, 22 February 1999.

agriculture (1945) and another in philosophy (1949), and a master of arts in philosophy (1952).

Upon his arrival in the United States, Baltazar began studies in theology at Woodstock College in Maryland where he came into contact with Jesuits John Courtney Murray and Gustave Weigel, considered by Baltazar to be “two of the greatest Catholic theologians” at that time.²² He also read the banned works of Teilhard de Chardin that were circulating among the Jesuits. Teilhard’s writings resonated with Baltazar’s background in science and philosophy. In time, Baltazar became convinced that Thomas Aquinas’ “religious explanations were inadequate for a modern world of social progress, ferment, science, and change.”²³

Baltazar left the Jesuits just prior to ordination and went to Georgetown University where he began doctoral work in philosophy. While at Georgetown, Baltazar developed a friendship with two Marianist brothers, Joseph Walsh and Gerald Bettice, who were working on their graduate degrees. The Marianists knew the University of Dayton needed philosophy instructors and they encouraged Baltazar to apply. He was offered a position at the rank of instructor and accepted it even though the salary was low. He began teaching in fall 1962.

Theodore Kisiel also began teaching in the philosophy department in fall 1962 after earning his doctorate at Duquesne University. Duquesne was known for its program in

²²Gabrielle Smith, “Religious Controversy Today,” *Dayton Daily News*, 3 January 1967, 20.

²³*Ibid.*

continental philosophies, particularly phenomenology. Kisiel's dissertation on Heidegger, "Toward an Ontology of Crisis," indicates that his interest and training were along existential rather than Thomistic lines.²⁴ Kisiel's dissertation director was Bernard J. Boelen who resigned from Duquesne and moved to DePaul University following the Duquesne philosophy crisis in 1966.²⁵

Kisiel recalls applying by mail for the teaching position at Dayton. When the position was offered to him, he took it knowing he would be teaching Thomism even though Thomism was not his area of expertise. He soon realized, however, that most members of the department were opposed to his area, existentialism. Kisiel, therefore, stayed at Dayton only one year but during that time he contributed to discussions that escalated the tensions within the department.²⁶

With the addition of these four faculty members—a staunch Thomist, a philosopher with an historical worldview, another with a Teilhardian (process) worldview, and an existentialist—the stage was set for philosophical conflict at the University of Dayton. Although it took a number of years for the differences in opinion to become a conflict, by

²⁴Prior to entering the Duquesne program, Kisiel was a nuclear reactor engineer. Kisiel took courses in Thomistic philosophy as background for the Duquesne program. Kisiel, e-mail message to the author, 11 June 1999, and telephone interview with the author, 21 June 1999.

²⁵In 1966, Duquesne University was known as a leader in the field of existential phenomenology when acting chair of the department, John J. Pauson, appeared to be "downgrading" contemporary philosophy to return to Thomism. Faculty and students demonstrated and later five philosophy faculty resigned. The university denied planning a return to Thomism and a special committee involving the AAUP could find no basis for the charge. Ultimately, Pauson resigned as chair. M.A. Farber, "Faculty Dispute Haunts Duquesne," *The New York Times*, 13 March 1966, 39 and John J. Pauson, "Duquesne: Beyond the Official Philosophies," *Continuum* 4 (Summer 1966): 253.

²⁶Kisiel, telephone interview with the author, 21 June 1999.

spring 1963, the two sides were publicly “squaring off” against each other over philosophical issues.²⁷

Tensions escalated in fall 1963 following Eulalio Baltazar’s lecture to the Philosophy Club indicting Thomism for being “irreconcilably out of step with the times.”²⁸ There are two reasons for examining Baltazar’s remarks in some detail. First, the issues embedded within the conflict are discernible in Baltazar’s remarks. It is therefore a good summary of the issues of the conflict. Second, a number of involved parties now point to Baltazar’s lecture as the origin of the “Heresy Affair.”²⁹ Fortunately for this study, Baltazar was asked by Marianist Fr. Thomas Stanley, the dean of the university, to write an article on this topic shortly after the lecture. “Re-examination of the Philosophy Curriculum in Catholic Higher Education” appeared in the inaugural issue of *The University of Dayton Review* in spring 1964.

Baltazar’s philosophical argument in “Re-examination of the Philosophy Curriculum in Catholic Higher Education” centers on persons as historical in their essential being. It follows, therefore, that the best approach to education and philosophy is historical. Baltazar believes such an approach is “a more adequate and more genuinely

²⁷*Flyer News (FN)*. The Spring 1963 exchange involved Fr. John Elbert, Kisiel, and Dieska. Elbert took a negative approach to existentialism in his lecture on 28 February 1963 which was followed by Kisiel’s lecture on 18 April. The debate continued in an undated “open letter” to Kisiel written by Dieska and edited by Dombro. Kisiel responded with his own open letter dated 27 May 1963. The final letter in the series is Dieska’s dated 31 May 1963. For additional information on this exchange, see my thesis, pages 88-93.

²⁸Steve Bickham, “Ideas in Our University: Is Thomism Enough for Us?,” *FN*, 27 September 1963, 4. Bickham was a student at the University of Dayton at the time.

²⁹Eulalio Baltazar, John Chrisman, and Fr. Thomas Stanley, S.M., telephone interviews with the author, 24 January 1999, 25 January 1999, 10 April 1999, respectively.

traditional view of man,” that it is a scriptural view developed by Paul and John, expressed by Augustine, and confirmed by modern thought, especially as formulated by Teilhard de Chardin. Such an approach is evolutionary and temporal in contrast to the Thomistic view of a “universal unchanging human nature” outside history and temporality.³⁰

In addition to an historical approach to philosophy, Baltazar calls for a “unitive, catholic” approach that will form students to understand others, a proposed role for philosophy. He introduces teaching methodology by recommending that all philosophical systems be presented impartially³¹ since choosing one philosophy or theology “puts an obstacle to open-mindedness, to mutual understanding of peoples” which is a policy “Christ could never sanction.”³² Anticipating the objection that Thomism is the “one and only true philosophy” leads Baltazar to recall his premise that persons are essentially historical. If a person attains fullness historically, education– including philosophical education–which is a means to that end, must be historical.³³

Baltazar’s premises and conclusion were not acceptable to the Thomists. They viewed his approach to truth as relativistic and accused him of denying “the possibility of one true philosophy, [and] of defending philosophical pluralism.”³⁴ It did not help the situation that at the outset of his article, Baltazar proposed starting from scratch, without

³⁰Eulalio R. Baltazar, “Re-examination of the Philosophy Curriculum in Catholic Higher Education,” *The University of Dayton Review* (Spring 1964): 28.

³¹*Ibid.*, 29.

³²*Ibid.*, 31.

³³*Ibid.*, 32.

³⁴Bonnette, letter to Fr. Raymond A. Roesch, 28 October 1966. 1.

Thomistic philosophy and theology being “treated as sacred cows.”³⁵ He seemed to be calling into question the Church’s decision to maintain Thomism as its sole philosophy. Since the Thomists did not question the Church’s teachings, they believed that Baltazar was responding to Church authority differently than they were, that is, they thought Baltazar was opposing Church authority.

In addition to laying out his own views, Baltazar addressed two commonly-given reasons for teaching Thomism: 1) that “Leo XIII made Thomism the official philosophy of the Church for all times,” and 2) that Thomism trains students to be apologists for Catholicism. He dismissed the former by calling for *Aeterni Patris* to be understood in its time context, using as support a number of prominent theologians including Ratzinger and Danielou. Regarding the justification of teaching Thomism for apologetic purposes, Baltazar believed this way of thinking was based on two “false premises.” The first premise was that of paternalism, that the “laity are to be treated as children . . . not quite mature.”³⁶ The second false premise was the “pharisaical and self-righteous attitude” of “we are possessed of a better formulation of theology and of philosophy than others.” If Catholic theology and philosophy were the best, Baltazar wondered why Protestant scripture scholars were the ones making the current advances and why the Church opposed Galileo and Darwin?³⁷

³⁵Baltazar, “Re-examination,” 27-28.

³⁶Ibid., 36. Note the use of the word “mature.” The idea of “maturing” or “coming of age” will reappear as the “Heresy Affair” unfolds.

³⁷Ibid. 37.

Baltazar did not stop with philosophical arguments and the rebutting of his opponents' main arguments. He also attacked his opponents' teaching skills when he noted that students only took Thomistic philosophy courses because they had to do so. He pointed out that the philosophy taught in Catholic colleges did not open minds, rather it produced a "ghetto mentality."

Furthermore, students were aware of the "obvious purpose" which was to "indoctrinate, to save souls by keeping Catholics in the Faith and perhaps win others to it."³⁸ Clearly for Baltazar, a "ghetto mentality" and indoctrination are not good things. When Baltazar claimed that "saving souls" is an "obvious purpose" of Thomistic philosophy courses, he appeared to be ridiculing—or at the very least, not valuing—the saving of souls as an objective of Thomistic philosophy courses. As the "Heresy Affair" unfolded, it became clear that Dennis Bonnette and other professors of Thomism at the University of Dayton took the saving of souls seriously—so seriously that they jeopardized their livelihoods in order to stop the loss of souls. In hindsight, Baltazar's statement is an early indicator of problems ahead for the University of Dayton's philosophy department.

Issue One: Philosophical Perspectives

Baltazar's historical/process/evolutionary perspective was one of several non-Thomistic philosophies held by faculty in the philosophy department. The others were

³⁸Ibid., 27.

Heideggerian existentialism held by Kisiel⁴⁰ and Chrisman's evolutionary/historical approach based on the philosophy of Leslie Dewart. The methodological starting point for all three approaches was human experience. Dieska, Dombro, Bonnette, Harkenrider and others at UD held to the philosophy of Thomas Aquinas that was based on the philosophy of Aristotle and methodologically began with reason and logic, that is, with metaphysics, natures and universals.

For Aquinas and the Thomists, the emphasis was on the nature of human beings, their being or essence; that is, humanity's universality across the centuries. The experientially-based philosophers emphasized the changing of humans across time; that is, the process of becoming. In describing this difference in approaches, the non-Thomists described Thomism as "static" compared to their own "dynamic" approach. Although these descriptors are technical terms, the reference to Thomism as "static" was also pejorative.

Dieska countered the experientially-based positions with the argument that "*being* cannot start from *becoming* at least not if one wishes to remain a believer in one God-Creator the Ultimate Ground of every being."⁴¹ In other words, Dieska believed an evolutionary approach led to abandoning traditional beliefs about God or dispensing with Him completely.⁴²

⁴⁰Since Kisiel only remained at the University of Dayton for one year and was not one of the accused faculty members, his philosophical positions will not be examined in detail.

⁴¹Dieska, "Philosophy in Catholic Higher Education," *Social Justice Review* 60 (October 1967): 187.

⁴²Ibid. To my knowledge, none of the accused wrote about their understanding of God.

Perhaps the proposed “Statement of Departmental Conviction” most concisely summarizes the core beliefs of the Thomists. Bonnette drafted the statement and distributed it to the philosophy faculty on 21 March 1966. He intended to move to adopt the proposal at the 25 March 1966 departmental meeting. The proposal began with a preamble including a statement that the department “emphatically rejects the errors of atheism and fideism.” The proposal went on to say that the department “positively asserts its commitment” to the following:

1. We hold that the existence of God can be known through the proper exercise of unaided human reason.
2. We hold that far from being mutually contradictory, faith and reason are, in reality, complementary to one another.
3. We hold that the extramental world has an intelligible structure which, in its broadest outlines, can be grasped with objective certitude by the human mind.
4. We hold that the abiding formal elements of a dynamic reality can be validly described through the analogous application of the primary principles of a realistic metaphysics.
5. We hold that an outstanding example of a philosophy consonant with the “preambles of faith” is to be found in the writings of St. Thomas Aquinas.
6. We hold that any philosophy, to the extent that it is compatible with the above stated principles, and makes a positive contribution to man’s understanding of himself in his relation to the world and to God, is to be welcomed and its development is to be encouraged.⁴³

Eulalio Baltazar disagreed with the six principles as evidenced by his handwritten notes on the proposal.⁴⁴ In response to the principle that God can be known through the proper exercise of unaided human reason, Baltazar wrote, “This is valid as long as you hold the distinction between nature and supernature—but this is a big distinction. Today there is no such thing as reason that is purely natural.” Baltazar’s statement indicated his

⁴³ Bonnette, “A Statement of Departmental Conviction,” 21 March 1966, 3.

⁴⁴Ibid., 5. Baltazar gave me a copy of his comments which were handwritten on a copy of Bonnette’s “Statement.”

awareness of the pure nature hypothesis as a way of understanding human nature. He also indicated his awareness that such a view had been rejected by many contemporary philosophers and theologians. The then-current way of viewing the relationship between nature and grace was intrinsic rather than dualistic and extrinsic to human nature.⁴⁵ Indeed, the Church, with its Vatican II pastoral constitution, *Gaudium et Spes*, had already embraced the concept of a graced world which necessarily rejects pure nature and Bonnette's "unaided human reason."

Regarding the complementarity of faith and reason, Baltazar wrote that "faith is [the] last stage of evolutionary reason."⁴⁶ Concerning point #3, Baltazar held that since "existence precedes essence; that will constitute the intelligible structure of reality. Man apart from the world is meaningless." This again is the conflict between being and becoming. Baltazar also questioned what Bonnette meant by "objective certitude."⁴⁷

Bonnette's point #4 describes elements of a "dynamic" reality which are clearly Thomistic. Baltazar, of course, disagreed since he believed that "dynamic" reality is governed by process philosophy. Baltazar also rejected the view that Thomism was an outstanding example of a philosophy for the sixties. He believed that Teilhard's philosophy was more appropriate for the modern world.

⁴⁵The intrinsic line of thought can be traced from Augustine through Aquinas's natural desire to see God to Maurice Blondel and ultimately to Jesuit Henri de Lubac's *The Mystery of the Supernatural* to the Second Vatican Council's *Gaudium et Spes*.

⁴⁶I have been unable to locate Baltazar to interview him during the writing of this dissertation. He sold his home in June 2000 and moved since letters to him are returned with a stamp of "forwarding order expired."

⁴⁷See the discussion on "truth" later in this section.

Not surprisingly, the proposed statement met with resistance at the departmental meeting.⁴⁸ By the next meeting a week and a half later, Bonnette and his supporters had slightly revised the original proposal. They included “relativism” as an error to be rejected and added an additional numbered point:

We hold that, based upon the firm foundation of man’s common nature, a general science directive of moral conduct can be derived; we reject any ethical system which implies complete moral relativism, such as certain forms of “situation ethics.”⁴⁹

The Thomists were not the only ones preparing for the next meeting. Baltazar also distributed a letter to the faculty prior to the meeting. His letter opposed the purpose of the proposed statement and relayed his own vision for the department: dialogue and respect for one another in the midst of philosophical pluralism. His document included his own “more timely” statement of conviction:

1. The spirit of *aggiornamento* and ecumenism motivates the department.
2. In conformity with the declaration on religious liberty the department safeguards freedom of speech, intellectual and scientific research as long as these are done responsibly.
3. The department holds that religious liberty is founded on the very nature of the human person, therefore we affirm the right of the person to immunity from coercion, indoctrination in religious and philosophic matters.
4. The department assures the freedom of conscience of all students and difference in philosophic and religious matters be not the basis for grading or passing a student.⁵⁰

⁴⁸When it was apparent that the discussion was going nowhere, a vote was taken to postpone the discussion. The department split evenly and the next action recorded in the minutes was a motion for adjournment which passed. For additional information on the “Statement of Departmental Conviction” and the department’s ongoing discussion, see my master’s thesis, pages 134-143.

⁴⁹Bonnette, “Statement of Departmental Conviction,” 4. The implications of this principle will be discussed in the next chapter of this dissertation.

⁵⁰Eulalio R. Baltazar, “Concerning the Statement of Departmental Conviction,” undated. A copy of this document was given to me by Baltazar.

By comparing Baltazar's convictions to Bonnette's, one can see that the individuals involved have competing but not necessarily contradictory worldviews. Baltazar's convictions focus on the individual—the Enlightenment worldview—while Bonnette's convictions illustrate the Thomistic or classical worldview. Baltazar's use of "aggiornamento," "ecumenism," and "religious liberty" illustrates his reliance on the Second Vatican Council's teachings while Bonnette relied on Thomistic wording. Bonnette clearly places God at the center of his convictions while Baltazar neither includes nor excludes God. Perhaps Baltazar's convictions express his feelings of being in the minority position in the department rather than his own philosophical convictions which definitely include God, given his other writings.

The minutes of the 5 April 1966 meeting record much discussion and dissension. Ultimately, the faculty split 11 to 4 in Bonnette's favor and passed the Statement of Departmental Conviction.⁵¹ The statement, however, was simply paper. In essence, the department's consensus was "we disagree on our convictions."

The philosophical concept of "truth" also illustrates the differing perspectives in philosophy. For the Thomists, truth is metaphysical, an "immutable reality,"⁵² eternal and absolute yet able to be known by reason (using philosophy) and by revelation (using theology). Baltazar, on the other hand, approached truth from a "Scriptural-modern view"⁵³ pointing out that Christ is the Truth and also the Light of the World. He then

⁵¹For a detailed discussion of this meeting, see my master's thesis, pages 142-144.

⁵²Dennis Bonnette, "The Doctrinal Crisis in Catholic Colleges and Universities and Its Effect Upon Education," *Social Justice Review* (November 1967).

⁵³Baltazar, "Re-examination," 32.

defined truth as “a light that shows us the true way to our goal.” As such, Baltazar considered truth to be historical. Chrisman, basing his thought on Leslie Dewart and taking a phenomenological rather than a metaphysical approach, defined truth as “a living, organic, growth of human consciousness.”⁵⁴ Truth is not absolute but is “purely relative to man’s state of development; conditioned by his cultural and social context.”⁵⁵ Again, the non-Thomists labeled their own understanding of truth as dynamic compared to the static Thomistic understanding.⁵⁶ The Thomists countered by saying that the non-Thomistic understandings of truth were relativistic and “denie[d] the possibility of one true philosophy.”⁵⁷

Since one of the reasons the “Heresy Affair” occurred was the presence of proponents of different philosophies among the philosophy faculty at the University of Dayton, one needs to ask how Dayton’s department compared to other philosophy departments in American Catholic universities. Fortunately, a survey of the chairs of such departments was conducted in April 1966 by Fr. Ernan McMullin.⁵⁸ The results show that, while the general orientation of teaching in the surveyed departments was Thomistic (72.9%)⁵⁹ and the majority of all faculty were Thomists (57%), “rapid changes” were taking place in the “plurality of philosophical orientations” represented in American

⁵⁴John Chrisman, letter to Raymond A. Roesch, S.M., undated, 3.

⁵⁵E. L. Mascall, “Professor Dewart’s ‘The Future of Belief,’ *The Downside Review* (October 1967): 389.

⁵⁶Chrisman, letter to Roesch, 1.

⁵⁷Dennis Bonnette, letter to Roesch, 28 October 1966, 1.

⁵⁸Ernan McMullin, “Philosophy in the United States Catholic College,” *New Themes in Christian Philosophy* (Notre Dame: University of Notre Dame Press, 1968), 370-409. An in-depth comparison of the survey results with Dayton’s philosophy department can be found in my master’s thesis, pages 59-72.

⁵⁹*Ibid.*, 399.

Catholic philosophy departments.⁶⁰ In other words, the situation at Dayton was similar to that at other American Catholic universities in the mid-1960s.

Several Marianists played a key role in the controversy so it is important to consider their philosophical perspectives. The president, Fr. Raymond A. Roesch, had a Ph.D. in psychology and the chair of the Board of Trustees, Marianist Provincial Fr. James M. Darby, had a Ph.D. in English. Both were trained in Thomism as part of their novitiate and seminary training. Other key Marianists were Fr. Richard J. Dombro,⁶¹ a long-time faculty member in philosophy and a supporter of Thomism, and former university president and professor of philosophy, Fr. John A. Elbert,⁶² also a supporter of Thomism. Fr. Thomas A. Stanley,⁶³ provost and dean of the University from 1961-65, was trained as a Thomist, had regard for Thomism, and thought Thomism should be taught at a Catholic university but not exclusively. Stanley also had (and has) “a great regard” for Teilhard de Chardin. Stanley looks on Teilhard as a “great thinker with key insights, but does not consider him a philosopher properly speaking.”⁶⁴

⁶⁰Ibid., 401.

⁶¹Fr. Dombro came to the philosophy department in 1952 with a bachelor’s degree from the University of Dayton (1929) and master’s (1952) and doctoral (1958) degrees from Fordham University. His dissertation, entitled “The Two Supreme Newmanic Realities,” was directed by Dietrich von Hildebrand. (Ph.D. diss., Fordham University, 1958), ASM(E).

⁶²Fr. Elbert had bachelor’s (1911) and master’s (1916) degrees from the University of Dayton (then St. Mary’s Institute) and a doctorate in philosophy from the University of Cincinnati. He served as president of UD from 1938-44 and as provincial of the Society of Mary’s Cincinnati Province from 1948-58. He served on the University’s Board of Trustees from 1958 until his death on 11 September 1966. AUD, University of Dayton press release, 11 September 1966.

⁶³Fr. Stanley had a B.A. (1943) from the University of Dayton and an S.T.D. (1952) from the University of Fribourg, Switzerland. In addition to his administrative positions at the University of Dayton, he taught in the Theological Studies department.

⁶⁴Fr. Thomas A. Stanley, e-mail message to author, 26 April 2002.

One of the venues for the philosophy faculty to carry on their debate with each other was the “Intellectual Frontiers” Annual Lecture Series initiated in 1962 as part of the University administration’s efforts to enhance the intellectual climate on campus.⁶⁵ Dr. James MacMahon, a young faculty member in the biology department, managed the series. His task, working with a committee, was to accept nominations for speakers on “thought-provoking topics,” select the speakers, manage the program, and allow both sides to be heard. In his words, “it was an interesting period and it was easy to find socially relevant” topics for the lectures and discussions which followed.⁶⁶ Speakers were from both on- and off-campus and topics were from a variety of academic disciplines. MacMahon recalls that he never asked permission from the University administration nor did he feel pressure regarding the topics or speakers chosen for the series. MacMahon “heard” the lecture series was “out on the edge at times” but he believes the University’s president and upper administration were generally “understanding of alternative viewpoints—within bounds.”⁶⁷

An example of a timely and controversial lecture was John Chrisman’s lecture on the philosophical implications of Teilhard de Chardin’s *The Phenomenon of Man*, the second lecture in the inaugural year of the Intellectual Frontiers series. The topic was timely because Teilhard’s works were widely read and discussed. The topic was

⁶⁵When “Intellectual Frontiers” was initiated, UD’s Cultural Lecture Series was discontinued. There seems to be no connection between the title “Intellectual Frontiers” and Walter Ong’s book, *Frontiers in American Catholicism: Essays on Ideology and Culture*, which was published in 1957.

⁶⁶James A. MacMahon, telephone interview with the author, 22 March 2002. MacMahon earned his Ph.D. in biology from the University of Notre Dame (1964). He taught at Dayton from 1963-71. Since leaving Dayton, he has been at Utah State University, Logan, where he is a professor of biology. At Utah State, MacMahon served as chair of the biology department, dean of the College of Science, and vice president of university advancement.

⁶⁷Ibid.

controversial because of the official warning on Teilhard's works issued by the Holy Office on 30 June 1962. Chrisman does not recall any negative reaction to his lecture. In fact, he recalls that this presentation brought him to the attention of Fr. Stanley, the dean of the University, who as shown earlier had an interest in this topic.⁶⁸

This portrayal of the 1960s University of Dayton philosophy department shows how the previously Thomistic department turned pluralistic. McMullin's survey shows that such emerging pluralism was common in U.S. Catholic philosophy departments at this time. In turn, the philosophy departments reflected the changes in the wider Church as evidenced by the Second Vatican Council. The Dayton conflict reached crisis stage exactly one year after the Church officially allowed modern philosophies to be used within the Church.⁶⁹

Issue Two: Relationship of Philosophy to Theology

Although all philosophies have to deal with questions about God, it is apparent from the above definitions of truth that the two sides differed in their views of the relationship of theology to philosophy; that is, of faith to reason. For the Thomists, "theology uses the logical and anthropological principles of philosophy in order to make the gospel message properly intelligible."⁷⁰ Thomists begin with the assumption that

⁶⁸John Chrisman, telephone interview by author, 4 May 1999.

⁶⁹Austin Flannery, O.P., *Vatican Council II: The Conciliar and PostConciliar Documents*, Collegeville, Minn.: The Liturgical Press, 1979. *Optatam Totius*, the decree on priestly training, was issued on 28 October 1965. It called for the Church to "rely" on the philosophy "forever valid" but to also "take account of modern philosophical studies" (718). A case could also be made that Thomism had lost its status by the Council's opening in 1962 as indicated by the rejection of the early documents drafted by the Preparatory Commission.

⁷⁰Richard Schaeffler, "Philosophy," *Sacramentum Mundi: An Encyclopedia of Theology*, Karl Rahner, ed. (New York: Herder & Herder, 1970), 11.

“[p]hilosophy does not contradict the revealed truths of theology . . . and furthermore it is believed that reason correctly applied will lead to results which support the assertions of revelation.”⁷¹ In other words, Thomists begin by affirming God’s existence by reason and then use reason in ways that support their faith. For Dieska, the issue then becomes “whether any philosophy other than the philosophy of St. Thomas is more able to support certain theological doctrines.”⁷² Dieska’s use of the word “doctrines” implies that Church teaching is a factor in his philosophizing and indeed it is. Philosophical debate should be “conducted in a manner and spirit compatible with the basic principles and doctrines of the Catholic faith and sufficiently reveals the traditionally demanded *sentire cum Ecclesia* (thinking and feeling with the Church).”⁷³ Baltazar criticized the Thomistic approach for undermining the integrity and legitimate autonomy of philosophy when he said: “the theologians assumed the right to say what philosophy . . . can or cannot do since [the theologians] possessed the universal truths of reality . . . [in] this classic and medieval worldview.”⁷⁴

⁷¹John Macquarrie, *Twentieth-Century Religious Thought: The Frontiers of Philosophy and Theology, 1900-1960* (New York: Harper & Row, Publishers, 1963), 279.

⁷²This quote was part of a response by Fr. Richard Dombro to a statement attributed to Dr. Francis R. Kendzioriski, assistant professor of physics, by an unnamed *Ivler News* reporter. The statement was: “I wonder what would happen to Thomistic philosophy if its theology were removed?” Fr. Dombro responded that his response would be the same as Dieska’s: that “absolutely nothing would happen because there is no theology revealed, or sacred science included. If natural theology or philosophy of God were removed the same thing would happen to Thomism as to any other philosophical system past or present. We just would not have any philosophical knowledge about God.” Dieska continues that “the question is whether any philosophy other than the philosophy of St. Thomas is more able to support certain theological doctrines.” Further, just because philosophy supports certain theological truths does not mean it deprives itself of its philosophical character. “Lecture Sparks Letters,” *FN*, 15 November 1963, 4.

⁷³Dieska, “Philosophy in Catholic Higher Education,” 184.

⁷⁴Eulalio Baltazar, “Teilhard de Chardin: A Philosophy of Proccession,” *Continuum* 2 (Spring 1964): 88.

The non-Thomists objected to such an approach, insisting on the need for freedom⁷⁵ in their philosophizing; that is, philosophy must be autonomous from theology.⁷⁶ Chrisman emphasized that philosophizing is “tentative rather than definitive.”⁷⁷ He continued:

Each academic discipline has its own ground rules for responsible participating and . . . in philosophy the requirements are that views advanced must have the support of disciplined reason and that positions must merit the respect of those who have an adequate background in that area of speculation.⁷⁸

In other words, philosophy must not be limited by theology.

Dieska, while agreeing with the “metaphysical justification” of human freedom, supports an ethical limitation of that freedom; that is, natural law. Quoting Karl Rahner, Dieska explains that this “constraint” on our freedom is what distinguishes a “Christian from a non-Christian worldview.”⁷⁹

Although the two sides differed in their views, they shared one thing in common: the belief that if they get philosophy correct, theology will follow. Baltazar, for example, in describing the need for theology to change from the timeless to the historical approach, stated that first “philosophy must furnish a framework.”⁸⁰ The Thomists engaged in the

⁷⁵This section deals with the freedom of philosophy from theological constraints. The issue of academic freedom at a Catholic university will be treated in Chapter Six.

⁷⁶William Portier, “The Genealogy of ‘Heresy’: Leslie Dewart as Icon of the Catholic 1960s,” *American Catholic Studies* 113 (Spring-Summer 2002): 74. Portier argues that the view of philosophy’s autonomy had a social and political base in addition to being an intellectual position. The political combat Portier refers to is between the Vatican and the modern states, especially France. See also William T. Cavanaugh, “A Fire Strong Enough to Consume the House: The Wars of Religion and the Rise of the State,” *Modern Theology* 11 (October 1995): 397-420.

⁷⁷Chrisman, undated letter to Roesch, 4.

⁷⁸Ibid.

⁷⁹Dieska, “Philosophy in Catholic Higher Education,” 184.

⁸⁰Eulalio R. Baltazar, “A Philosophy of Procession,” *New Theology* No. 2, Martin E. Marty and Dean G. Peerman, eds. (New York: The Macmillan Co., 1963), 136.

“Heresy Affair” because they believed philosophy mattered to theology. Bonnette expressed his concern about a “‘pluralism in truth’ which implies the denial of absolute truth.” He continued, “[s]uch a position destroys the concept of essence (nature) without which the Mysteries of Faith cannot be expressed.”⁸¹ In other words, both sides believed that theology follows philosophy’s lead—if the philosophy is correct, so follows theology. No one appears to have questioned the importance of philosophy to theological speculations.⁸²

The Dayton philosophers were not unusual in their disagreement about how philosophy is related to theology. The relationship question goes back centuries and continues to the present. Various positions have been staked out including accepting theological truths based on faith and then relying on reason to affirm them (Anselm, Hegel, Gilson), keeping philosophy separate from theology (Mercier, Van Steenberghe), allowing faith to “indicate where the truth lies . . . and [then] establishing conclusions by independent reasoning” (Maritain), and using philosophy to discover a natural desire for the supernatural (Blondel, de Lubac).⁸³ Most recently, John Paul II took up the relationship question in his 1998 encyclical, *Fides et Ratio*, where he described three states of philosophy in relation to the faith: “a philosophy prior to faith, a philosophy positively influenced by faith, and a philosophy that functions within theology to achieve some

⁸¹Dennis Bonnette, “Some Principles Relating to Theology and Philosophy at the University of Dayton,” duplicated copy given to me by Bonnette, 26 September 1966.

⁸²Portier, “The Genealogy of ‘Heresy,’” 74. Clearly, if philosophy is the starting point for theology as both sides in the “Heresy” Affair held, theology is influenced by philosophy. A discussion of this influence (both positive and negative) is beyond the scope of this dissertation.

⁸³Avery Dulles, “Can Philosophy be Christian?” *First Things* 102, April 2000 [journal on-line]; available from <http://www.leaderu.com/ftissues/ft0004/articles/dulles.html>; Internet; accessed 29 September 2000.

understanding of faith.”⁸⁴ For John Paul II, theology and philosophy are “harmoniously integrated to the advantage of both and the detriment of neither.”⁸⁵ He describes their relationship as a circle. Theology starts with

the word of God revealed in history, while its final goal will be an understanding of that word which increases with each passing generation. Yet, since God’s word is Truth (cf. Jn 17:17), the human search for truth—philosophy, pursued in keeping with its own rules—can only help to understand God’s word better. . . . [W]hat matters most is that the believer’s reason use its powers of reflection in the search for truth which moves from the word of God towards a better understanding of it. . . . This circular relationship with the word of God leaves philosophy enriched, because reason discovers new and unsuspected horizons.⁸⁶

Issue Three: Role of Philosophy in Catholic Higher Education⁸⁷

The participants in the “Heresy Affair” also had differing perspectives on the role of philosophy in Catholic higher education. Traditionally, scholastic courses served an apologetic function by providing a “rational foundation for the Catholic faith” and a “lexicon of terms for theology,” and by serving as “substitute religion courses for non-Catholic students.”⁸⁸ Baltazar, in the “Re-examination” article discussed previously in this chapter, criticized the Thomists for their apologetic use of philosophy. Recall that he argued for an impartial presentation of many philosophies rather than a multi-course

⁸⁴Ibid.

⁸⁵Ibid.

⁸⁶John Paul II, *Fides et Ratio*, §73, 14 September 1998 [encyclical on-line]; available from http://www.vatican.va/holy_father/john_paul_ii/encyclicals/documents/hf_jp-ii_enc_15101998_fides-et-ratio_en.html; Internet; accessed 7 November 2003.

⁸⁷The topic of Catholic higher education will be discussed in detail in Chapter Five. For the purposes of this discussion on the role of philosophy in Catholic higher education in the mid-1960s, Catholic higher education is defined as institutions of higher learning operated by Catholic religious communities or dioceses.

⁸⁸John Chrisman, “Some Remarks about the Role of Philosophy in General Education,” paper delivered at the University of Dayton Faculty Day of Dialogue, 20 February 1967. Copy of document provided by Chrisman.

presentation of Thomism as the one true philosophy. The Thomists, on the other hand, argued that students should know well the philosophy their faith was based on before learning other philosophies which could threaten their faith. The Thomists also responded to Baltazar that non-Thomistic philosophies were presented in the courses on Thomism. Baltazar in turn replied that the Thomists' presentation of non-Thomistic philosophies was negative; that is, "this philosophy is wrong because ..." rather than in the impartial manner Baltazar recommended.

Baltazar's criticisms of Thomism were based in part on his view that philosophy's role in higher education is both historical and unitive. By historical, Baltazar means that philosophy has to be related to the "present affairs and problem [*sic*] of modern society" while unitive refers to the bringing together of peoples with different values and beliefs. In order to unite people, one needs to understand and respect their philosophies. Philosophy should therefore be taught impartially.⁸⁹

Chrisman also saw philosophy as a unifier but in a different way than Baltazar. For Chrisman, philosophy is important as "our continuing attempt to construct and maintain a worldview," that is, as a "unifier of experience at a high level" so that human culture can advance.⁹⁰ Chrisman is describing philosophy's role as one of integration.

Thomists Joseph Dieska and Dennis Bonnette wrote about the role of philosophy in Catholic education in two articles that appeared shortly after the resolution of the UD conflict. Dieska stated that "philosophy must illuminate man's mind regarding truth" and

⁸⁹Baltazar, "Re-examination," 33.

⁹⁰Chrisman, "Some Remarks about the Role of Philosophy." Similar remarks are found on page one of Chrisman's undated letter to Fr. Roesch concerning the charges brought against him.

“then lead man to perform certain activities in accordance with truth.”⁹¹ Dieska, of course, means the “Christian notion of truth wherein the ultimate basis is God.” He realizes that his “choice of philosophy” is “necessarily limited” by his faith. It follows that “every search for a true and proper relation between philosophy and Catholic education winds up” in the age-old problem of faith and reason.⁹² For Dieska, the very definition of Catholic education means that the “identity of Catholic education” is taken from its “theological and philosophical orientation.”⁹³ Since Aquinas “knew how to solve” the problem of “faith and reason,” Thomism is “the only possible [philosophy] . . . if one desires to remain Christian and Catholic.”⁹⁴

Bonnette’s approach to the role of philosophy in Catholic higher education begins by logically deducing the “intrinsic value of Catholic education” based on the “fact of divine institution” of the Church which has been “revealed” to Catholics by the “gift of faith.”⁹⁵ If Catholic education is conducted “in accord with the mind of the Church,” its “objective value . . . in terms of its intellectual and moral contribution to civilization should be evident to all.” Furthermore, Catholic education is superior to “every other form of education since it alone is capable of preparing man for his last end,” that is, “to know God in the Beatific Vision.” It follows that the “highest of all sciences” is theology. Philosophy and the other “lower sciences” . . . participate . . . insofar as they contribute to man’s search for Ultimate Truth in a manner proportioned to their subject matter.” In

⁹¹Dieska, “Philosophy in Catholic Higher Education,” 185.

⁹²Ibid.

⁹³Ibid., 186.

⁹⁴Ibid.

⁹⁵Bonnette, “The Doctrinal Crisis in Catholic Colleges and Universities and Its Effect Upon Education,” *Social Justice Review* (November 1967): 230.

particular, “Christian philosophy . . . stands in sharp relief against the obscurity and confusion disseminated by an unbridled philosophical pluralism and its parasitic attendant, epistemological relativism.”⁹⁶ Clearly, for Bonnette, philosophy’s role is to maintain orthodoxy and consequently uphold the identity of Catholic education.⁹⁷

When I began exploring how the faculty involved in the “Heresy Affair” looked at the discipline of philosophy within Catholic higher education, I expected to find some indication that philosophy was the integrating force within the curriculum. The University of Dayton’s Constitution states that “The University has chosen as its option the Christian worldview as a distinctive orientation and insists only that human problems be first approached from that philosophical position.” The *University of Dayton Bulletin, Undergraduate Catalog Issue* for 1966-67 states that philosophy and theology are “the integrating forces of the University.”⁹⁸ The 1960-61 University Board of Trustees, which was comprised of the Marianist Provincial Council, considered philosophy to be so important to the University’s mission that it required a philosophy course as part of each graduate course of studies.⁹⁹ I was, therefore, surprised when the faculty involved did not use the term “integration.” Furthermore, the non-Thomists barely addressed the

⁹⁶Ibid.

⁹⁷Ibid., 233.

⁹⁸*University of Dayton Bulletin, Undergraduate Catalog Issue, 1966-67*, University of Dayton, Dayton, Oh., 57.

⁹⁹Raymond A. Roesch, S.M., letter to John A. Elbert, S.M., 15 March 1961. AUD, Series IDC(17), Box 36, Folder 2. A department could either have a faculty member from the Department of Philosophy teach the course or send one of their own faculty for training in philosophy. The departments of history and mathematics chose the latter approach. Leroy Eid (history) and Lawrence Cada (mathematics), both Marianists at the time, went to Fordham University to work on master’s degrees in philosophy during the spring semesters of 1966 (Cada and Eid) and 1967 (Cada). Lawrence Cada, S.M., personal interview, 24 June 2002.

importance of philosophy. Perhaps the topic did not seem relevant or did not support their own arguments. Dieska and Bonnette, on the other hand, passionately believed that philosophy was important to Catholic higher education as their words and actions indicate.

Issue Four: Teaching Methodologies

Given the differences in philosophical perspectives and in understandings of the role of philosophy in Catholic higher education, it is not surprising that the two sides differed in their teaching methodologies. The primary information available about the Thomists' teaching methodologies is in the form of critique by the non-Thomists: Thomism was taught in such a way as to present absolute answers to ultimate questions. In other words, Thomism was taught as the "truth" rather than as a philosophical search for the truth or as the history of humanity's search for truth. Baltazar referred to this approach as apologetic while Chrisman called it indoctrination.¹⁰⁰ Former students recall that they were a "captive audience"¹⁰¹ "forced"¹⁰² to take philosophy courses described as a "colossal bore."¹⁰³ One student described the coursework as "prepackaged 'correct' answers to be memorized and repeated."¹⁰⁴

At least one Thomist, Dr. Edward Harkenrider, a lay faculty member, was concerned enough about teaching methodology that in fall 1960 he submitted a proposal

¹⁰⁰Chrisman, undated letter to Roesch., 3.

¹⁰¹Paul J. Morman, interview with author, 14 March 1997.

¹⁰²Barbara Hilbert Andolson, e-mail message to author, 9 April 1999.

¹⁰³Bob Killian, "Down Here: Troublemaker," *FN*, 22 January 1965, 5.

¹⁰⁴Bob Killian, "Down Here: Reply, with Questions," *FN*, 19 March 1965, 4. In the same *FN* column, Killian referred to students as "well-behaved tape recorders [who] echo [the Thomistic] viewpoint when called upon."

in response to the University president's \$20,000 challenge to the faculty.¹⁰⁵

Harkenrider's proposal stated that too often students failed to grasp the unity and integrity of philosophy and, as a result, philosophy was "largely meaningless" to them. His proposal attempted to address this concern by centering all philosophy courses on a common theme—the dignity of man, "his worthwhileness." He proposed that students be placed in a group and remain with that group and the same instructor for the required five semesters of courses.¹⁰⁶

By reversing the above critique on the part of the non-Thomists, we can see that the non-Thomists wanted to teach philosophy as a search for truth or a history of the search for truth. They certainly did not want to teach that "Thomism has all the answers."¹⁰⁷ The students responded positively to new ideas and novel approaches. The non-Thomists, particularly Eulalio Baltazar and John Chrisman were popular teachers.

In addition to being "one of the best liked teachers on campus,"¹⁰⁸ Baltazar was respected for his scholarly work. I noted previously that Baltazar made campus

¹⁰⁵At the first faculty meeting of the 1960-61 academic year. Fr. Raymond A. Roesch stated that he would give \$20,000 to the academic department that "would devise some program to 'guarantee a sound breakthrough in its academic area.'" The purpose of the challenge was to encourage excellence and "significant" contributions to the academic world. "Father Roesch Offers Challenge," *FN*, 20 September 1960, 1. Harkenrider's proposal came in second when the proposals were judged in May 1961. Edward Harkenrider, personal history written for his granddaughter, 104. Copy given to me by Harkenrider.

¹⁰⁶Harkenrider's proposal was not implemented until January 1967. Unfortunately, Harkenrider resigned his faculty position in December 1966 so he did not get to see the outcome of his proposal. One can only speculate as to the potential impact his proposal might have had on the Dayton controversy had it been implemented earlier.

The University of Dayton currently has a required Humanities Base program that "challenges students to develop and formulate their own conception of what it means to be human." *The University of Dayton Bulletin*, August 2001, 55. Moreover, Harkenrider's grouping of students, now called "cohorting," is presently a popular concept in academe.

¹⁰⁷This quote is attributed to Baltazar by Steve Bickham in "Ideas in Our University: Is Thomism Enough for Us?" *FN*, 27 September 1963, 4.

¹⁰⁸"Farmer to Philosopher," *The University of Dayton Alumnus*, June 1967, 21.

presentations on process philosophy and Teilhard de Chardin as an alternative to Thomism. Baltazar also published “Contraception and the Philosophy of Process” in the 1964 text *Contraception and Holiness: The Catholic Predicament*¹⁰⁹ and *Teilhard and the Supernatural*.¹¹⁰ In spring 1967, Baltazar was recognized as “Professor of the Year” at the University of Dayton. His award citation described him as “a man who has helped to create an exciting revitalization of philosophic discussion on our campus and in the world.”¹¹¹

As mentioned previously, Chrisman typically taught the first year Aristotelian logic and the junior-level epistemology courses. Both courses gave him flexibility to introduce students to the historical worldview.¹¹² In epistemology, he typically used Socratic methodology. Barbara Hilkert Andolsen, a former UD undergraduate, favorably recalls Chrisman’s

technique of “becoming” the thinker under discussion. . . .
In other words, if we talked about Descartes, he adopted
Descartes [*sic*] point of view and engaged in a dialogue
[with] the students in which he vigorously defended
Descartes [*sic*] ideas about knowing. But next week he
“became” Berkeley.¹¹³

¹⁰⁹Eulalio Baltazar, “Contraception and the Philosophy of Process,” *Contraception and Holiness: The Catholic Predicament* (New York: Herder and Herder, 1964), 154-174. The book was published hurriedly in an attempt to get it in front of the members of the Second Vatican Council who were expected to consider the issue of contraception. All chapters of the book contain arguments for the modification of the Church’s teaching on birth control. Baltazar’s essay will be reviewed in the next chapter.

¹¹⁰Eulalio Baltazar, *Teilhard and the Supernatural* (Baltimore: Helicon, 1966). The publication of this work led to Baltazar being invited by Bishop Fulton Sheen to teach the book’s concepts to Sheen’s seminarians in Rochester, NY, from January to June 1968. Sheen was much impressed by Baltazar’s work. “Bishop Sheen Invites Dr. Baltazar to Teach,” *FN*, 7 April 1967.

¹¹¹“Baltazar Named Prof of Year,” *FN*, 10 March 1967, 3.

¹¹²Chrisman, telephone interview by author, 25 January 1999.

¹¹³Barbara Hilkert Andolsen, e-mail message to author, 9 April 1999. Andolsen currently holds the Helen Bennett McMurray Professorship in Social Ethics at Monmouth University in New Jersey.

Andolson notes that “30 years later I still am inspired by his good teaching.”¹¹⁴ Other students such as Martin Flahive label Chrisman as “my most influential professor”¹¹⁵ and Stephen Bickham states that “[i]t was because of John Chrisman that I became a philosopher.”¹¹⁶ “I’ve tried to embody John’s spirit in my teaching.”¹¹⁷

The view that emerges of teaching in Dayton’s department of philosophy is one that was typical of most philosophy departments in American Catholic universities in the late 1950s and 1960s. Generally, Thomism was taught in a deadening way and, consequently, seen by students as irrelevant to the contemporary world. Those professors who ventured into modern philosophies were generally more popular with the students because of both the subject matter and their different approaches to teaching philosophy. The resulting situation placed professors in adversarial roles with each other and brought out personal animosities that will be addressed below.

Issue Five: Response to Church Authority

In reviewing the argument over differing philosophical perspectives, one can readily see that the two sides also differed in their responses to Church authority. The Thomists quoted Vatican I, Leo XIII, and *Humani Generis* to show that their position was the position of the Church. The non-Thomists countered by relying on Scripture and

¹¹⁴Andolsen, e-mail message to author, 28 April 1999.

¹¹⁵Martin Flahive, telephone interview with the author, 24 January 1999. Flahive is an attorney employed by the City and County of Denver. He also is an adjunct professor at Regis University.

¹¹⁶Stephen Bickham, e-mail message to author, 21 August 2000. Bickham has a doctorate in philosophy from Southern Illinois University and has been teaching at Mansfield University in Pennsylvania for 33 years.

¹¹⁷Bickham, telephone interview with the author, 4 February 2003.

Augustine, and calling for Leo XIII to be understood in the context of his times. Clearly, both claimed to be within the Catholic tradition.

For Dennis Bonnette, the topic of Church authority appeared in the very first sentence of his accusation letter to the archbishop when Bonnette reminded the archbishop of his canonical obligation of vigilance over schools in his territory (Canon 1381, §2).¹¹⁸ Bonnette invoked the archbishop's right and duty to oversee the schools in his archdiocese, appealing to the archbishop's authority within the Church.

Bonnette raised the issue of improper response to Church authority when he reported to the archbishop that teachings contrary to the magisterium were being advocated at the University of Dayton. Bonnette specifically reported that "theories condemned in Cardinal Ottaviani's¹¹⁹ famous letter of July 25, 1966, are being openly advocated by a substantial number of the members of the theology and philosophy faculty" at UD.¹²⁰ Bonnette was disturbed by the opposition of the accused to the teachings of this high-ranking Church official.

When asked to present his case to the University president, Bonnette accused the four faculty members of "deviations from Catholic doctrine"¹²¹ which he defined as

¹¹⁸The archbishop is to "see to it that nothing contrary to faith and morals is taught in the schools or that no activity in the schools is likewise a source of danger to the Catholic students there." James Herome Conn, S.J., *Catholic Universities in the United States and Ecclesiastical Authority*, Roma: Editrice Pontificia Universita Gregoriana, 1991, 34-5.

¹¹⁹Ottaviani was the prefect of the Congregation for the Doctrine of the Faith (CDF) until his retirement in January 1968. He suffered a "defeat" at the opening of the Second Vatican Council when the bishops rejected the preparatory schemas and new ones were written. Therefore, he was already "on the way out" when he wrote his July 1966 letter. The letter will be reviewed in more detail in Chapter Four.

¹²⁰Bonnette, letter to Karl J. Alter, 15 October 1966, 2.

¹²¹Bonnette, letter to Roesch, 28 October 1966, 1.

failure to be in full agreement with the mind of the Holy See and of its legitimate organs of expression, e.g., sacred congregations, papal pronouncements, speeches, allocutions, etc. . . . I refer to all such theories and doctrines which the Holy See has publicly condemned as contrary to the mind of the Church¹²²

Bonnette continues that the four accused have “publicly . . . revealed their explicit disagreement with Church teaching. . . .”¹²³

If disagreeing with Church teaching is not acceptable, what for Bonnette is a proper response to Church authority? He answers this question in “The Doctrinal Crisis in Catholic Colleges and Universities and Its Effect Upon Education,” an article published in *Social Justice Review* in November 1967.¹²⁴ Here Bonnette indicates that the First Vatican Council’s teaching on papal primacy and Article 25 of the Second Vatican Council document, *Lumen Gentium*, are pivotal to his position.

Bonnette begins by recalling that Pope John XXIII’s announcement of *aggiornamento* was “widely hailed,” but for varying reasons. There were those who wanted to “revivify modern man’s awareness of the relevance and validity of Catholic teaching to the contemporary era” and there were others who wanted to make “essential changes in the Catholic Church herself.” Bonnette makes it clear he is “on guard” against those who want to “change” the Church and he is intent on safeguarding the authority of the pope as “solemnly defined [in] the dogma on papal primacy.”¹²⁵

¹²²Ibid.

¹²³Ibid.

¹²⁴By the time the article was published, slightly more than a year had passed since Bonnette wrote his letter to the archbishop. Bonnette left the University of Dayton in the summer of 1967 and accepted a faculty position at Niagara University where he remains to this day.

¹²⁵Bonnette, “The Doctrinal Crisis in Catholic Colleges .” 228.

Noting that “every educated Catholic is well aware” of papal infallibility, Bonnette continues that “relatively few seem to be aware” that Vatican I “solemnly defined the dogma on papal primacy” which states that the “Roman Pontiff has supreme power of jurisdiction over the universal Church in matters of faith and morals.” This “fullness of supreme power is immediate over the whole Church as well as the individual faithful.”¹²⁶ Bonnette uses primacy to support his position that the proper response to the teachings of the pope is for the faithful to accept and follow such teachings because the pope has supreme power over the individual faithful.

Such use of papal primacy is uncommon. Typically, primacy is related to the exercise of the “petrine ministry”¹²⁷ with an emphasis on the jurisdiction of the pope as the final authority for preserving the unity of the Church.¹²⁸ Bonnette’s source for his quotation on papal primacy is Denzinger’s *Enchiridion Symbolorum*, no.1831, which cites one paragraph from Chapter III of *Pastor Aeternus*, the First Dogmatic Constitution on

¹²⁶Ibid.

¹²⁷“Petrine ministry” is defined as “the ministry on behalf of the unity of the Church in faith and communion, that finds its model in the role which the New Testament attributes to Peter.” Francis A. Sullivan, S.J., *Magisterium: Teaching Authority in the Catholic Church* (Ramsey, NJ: Paulist Press, 1983), 75-76.

¹²⁸The pope has jurisdiction over all the churches which includes the Eastern and Protestant churches as well as the local Roman Catholic churches. Not surprisingly, papal primacy is problematic in ecumenical conversations. Most recently, papal primacy has been part of an internal discussion within the Roman Catholic Church as to the relationship of the pope to local churches. The most recent Vatican communications on the topic are John Paul II’s 1995 encyclical, *Ut Unum Sint* and a nine-page document, “Considerations ‘The Primacy of the Successor of Peter in the Mystery [sic] of the Church,’” signed by Joseph Cardinal Ratzinger on 31 October 1998. Available from *L’Osservatore Romano*, English Edition, 18 November 1998, 5-6.

the Church of Christ, promulgated by the Vatican Council on 18 July 1870.¹²⁹ Because Bonnette is focusing on one particular paragraph in *Pastor Aeternus*, he overlooks that “the same chapter had previously said . . . that the pope’s supreme power does not detract from the power of the bishops, which is also ordinary and immediate.”¹³⁰ To put it another way, the bishops still have their own legitimate power along with the pope’s power. Generally, there is no tension in the day-to-day exercise of the ordinary and immediate power of the pope and bishops.

Although most theologians would not cite papal primacy to articulate a papal to individual focus, the historical origins of *Pastor Aeternus* have been described as a movement from the periphery of the church (the faithful) to the pope.¹³¹ In the early to mid-19th century, as modern France and Germany developed into states, the local churches found themselves trying to secure their independence from the secular governments. The remedy was for the faithful to appeal—not to their local bishops who were controlled by the secular governments—but “over the mountains” to the pope, a movement known as ultramontanism. In effect, Dennis Bonnette’s understanding of papal

¹²⁹Denzinger 1831 states: “If anyone shall say that the Roman Pontiff has the office merely of inspection and direction and not a full and supreme power of jurisdiction over the universal Church, not only in things which belong to faith and morals, but also in those which relate to the discipline and government of the Church spread throughout the world; or assert that he possesses merely the principal part and not all the fullness of this supreme power, or that this power which he enjoys is not ordinary and immediate, both over each and all the Churches, and over each and all the pastors and the faithful let him be anathema.” Denzinger 1831 is a conciliar canon with an anathema attached to it. Francis A. Sullivan, S.J. states that the “statement whose contradiction is condemned” is a “dogma of the faith.” Francis A. Sullivan, *Creative Fidelity: Weighing and Interpreting Documents of the Magisterium* (Mahwah, NJ: Paulist Press, 1996), 46-49.

¹³⁰Klaus Schatz, S.J., *Papal Primacy: From Its Origins to the Present* (Collegeville, Minn.: The Liturgical Press, 1996), 163.

¹³¹*Ibid.*, 151. Schatz quotes an Alexis de Tocqueville 1856 letter: “The pope is driven more by the faithful to become absolute ruler of the Church than they are impelled by him to submit to his rule. Rome’s attitude is more an effect than a cause.”

primacy can be described as an ultramontane reading of the Vatican I document on papal primacy.¹³²

Accepting that Bonnette has made his case that the pontiff has authority over the individual faithful, the previous question still remains unanswered: what is a proper response to Church authority? To answer the question, Bonnette quotes *LG* Article 25: “the faithful . . . (must show) . . . religious submission of will and of mind . . . to the authentic teaching authority of the Roman Pontiff, even when he is not speaking *ex cathedra*.”¹³³ Bonnette also asserts that Catholics are “obliged to heed not only the dogmas of the Church, but also the pronouncements of the ordinary magisterium.” He again refers to Article 25 which “demands” adherence. Furthermore, he states that a Catholic is not free to respectfully differ from the magisterium.¹³⁴ In his conclusion, Bonnette reinforces that his “central and very concrete point” is that “to be Catholic it is not enough merely to believe the dogma. One is also bound to accept *all* the teachings of

¹³²Bonnette could also have appealed to papal primacy because he believed the local archbishop (who had immediate jurisdiction) was not ensuring unity in Church teaching. Bonnette does not recollect using primacy in this manner. He states that he relied on Dieska for the theological aspect of his argument. We have no way of knowing for sure why Dr. Dieska appealed to papal primacy. Bonnette, e-mail message to the author, 22 October 2002.

¹³³Bonnette, “The Doctrinal Crisis in Catholic Colleges,” 224.

¹³⁴*Ibid.*, 225. The *LG* paragraph Bonnette quotes from is the second of seven paragraphs in §25. It reads: “Bishops, teaching in communion with the Roman Pontiff, are to be respected by all as witnesses to divine and Catholic truth. In matters of faith and morals, the bishops speak in the name of Christ and the faithful are to accept their teaching and adhere to it with a religious assent of soul. This religious submission of will and of mind must be shown in a special way to the authentic teaching authority of the Roman Pontiff, even when he is not speaking *ex cathedra*. That is, it must be shown in such a way that his supreme magisterium is acknowledged with reverence, the judgments made by him are sincerely adhered to, according to his manifest mind and will. His mind and will in the matter may be known chiefly either from the character of the documents, from his frequent repetition of the same doctrine, or from his manner of speaking.” Walter M. Abbott, S.J., ed., *The Documents of Vatican II* (New York: Herder and Herder, 1966), 47-48.

the Church, *even those which are not solemnly defined*” [emphasis provided by Bonnette].

Bonnette correctly quotes *Lumen Gentium* but, as with *Pastor Aeternus*, he focuses on one particular quotation without acknowledging that other Second Vatican Council communications may have bearing on that portion of the document. In the case of *LG* 25, Francis Sullivan notes that the Theological Commission of Vatican II responded to a proposed situation where a “learned person” is unable to give “internal assent” to a non-infallible doctrine. The commission stated that in such a situation, “the approved theological treatises should be consulted.” Since the commission knew these treatises dealt with dissent, Sullivan believes the commission was implying that dissent was possible.¹³⁵

Bonnette’s reference to dogmas and the ordinary magisterium, and other statements such as “to be Catholic, one must accept all (emphasis added) the teachings of the Church” appear to indicate that Bonnette interprets *LG* Article 25 without taking into consideration traditional distinctions made concerning the levels of teaching authority.¹³⁶ If Bonnette made distinctions as to levels of authority, he would open the door for varying responses. The corresponding “deliberate denial” of a teaching would then lead to censure

¹³⁵Francis A. Sullivan, S.J., *Magisterium: Teaching Authority in the Catholic Church* (New York: Paulist Press, 1983), 166-167. The translation of the Conciliar emendation and of the commission’s reply are Sullivan’s.

¹³⁶The classification system for levels of Church teaching is known as “Theological Notes.” The notes are “judgments made by theologians and occasionally by the magisterium . . . [as to] the degree of certainty with which a particular doctrine may be said to be in harmony with revealed truth.” For example, a doctrine categorized as *de fide divina* (clearly contained in the sources of revelation) carries a higher level of authority than a doctrine labeled *de fide ecclesiastica* (not directly revealed but infallibly taught by the hierarchical magisterium). J. Robert Dionne, *The Papacy and the Church: A Study of Praxis and Reception in Ecumenical Perspective* (New York: Philosophical Library, Inc., 1987), 23-24.

based on the teaching's level of authority.¹³⁷ Although some of Bonnette's writings seem to indicate a lack of knowledge about traditional teaching levels, other communications show that Bonnette is aware of such levels and their corresponding censures. For example, in the accusation letter to Archbishop Alter and the follow-up to President Roesch, Bonnette carefully points out that he is concerned about "teachings contrary to the magisterium" and the denial of purgatory which "falls under the provisions of Canon 1325 §2." Such careful wording indicates that Bonnette knows that denial of purgatory is the most serious of his accusations and that it is not on the same level as denial of a non-dogmatic magisterial teaching.

Although Bonnette appears to know that there are different levels of teaching authority, he does not want to allow for different levels of responses as indicated by his statement above that a Catholic "must accept (emphasis added by Bonnette) all the teachings of the Church." It is not clear what Bonnette means by accept. Does his definition of acceptance allow for distinctions between levels of truth? He does not give us an answer to this important question.

If these were the only quotations used from Bonnette's article, one would get an incomplete picture. Bonnette discusses "a scholar's just contribution to the development of the ordinary teaching of the Church" and states that one can "question" in two ways: by bringing forth new data for consideration; new arguments for the attention of the Holy See" and in the "domain where the Church has taken no definite stand, . . . one is free to speculate and teach in any manner which responsible scholarship allows." He points out

¹³⁷Ibid., 25.

that since “the Church’s decrees always relate to faith and morals” they are “limited in scope.” Bonnette also explains that he is not advocating that “*only* the Catholic position be presented. . . . Good teaching demands that *all* relevant positions be presented for the consideration of the student. . . . What is primarily forbidden . . . is simply the open advocacy of doctrines opposed to definite Catholic teaching,” and he notes the difference between presenting and teaching.

In comparing these two sets of quotations, we see different statements. On the one hand, it seems that to be Catholic, Bonnette believes one must “accept” all of the “dogmas” of the Church and the “pronouncements” of the ordinary magisterium; on the other hand, he says the Church’s “decrees” are “limited to faith and morals.” The fact that a scholar can “question” by bringing up new “data” or “arguments” seems to imply that one has not necessarily “accepted” everything promulgated by the Church or at least accepted that what has been promulgated has been articulated in the most helpful way.

Nevertheless, despite the conflicting statements, it is apparent that Bonnette interprets *Lumen Gentium* Article 25 narrowly: anyone who is Catholic must adhere with “religious obedience of mind and will” to the “authentic teaching authority of the Roman Pontiff.” The fact that known Catholics openly questioned and advocated positions that differed from the Church teaching authority meant, to him, they were not adhering with religious obedience of mind and will.¹³⁸

¹³⁸Obviously there is another issue involved: the responsibilities of teachers in Catholic schools. This issue will be dealt with in Chapter Four.

Bonnette was not alone in his narrow interpretation of *LG* Article 25. He had supporters in the philosophy department at the University of Dayton, particularly fellow faculty members Joseph Dieska and Marianist Fr. Richard Dombro. Dieska made references similar to Bonnette's regarding papal primacy and *LG* Article 25 in his article, "New Theology' and the Old Faith"¹³⁹ Fr. Dombro, in an eight-page memo to Fr. Roesch, recommended "thinking with the Church" and "being FAITHFUL to the thought of the Church and of not deviating from it" (emphases added by Dombro).¹⁴⁰ In addition, Dombro circulated an assembled packet of pertinent quotations from Vatican II documents and commentaries regarding the magisterium, development of doctrine, and academic freedom. *Lumen Gentium* Article 25 is one of the included quotations.¹⁴¹ The views of Bonnette, Dieska, and Dombro also fall in line with what has come to be known as the conservative minority at the Second Vatican Council.

Bonnette's interpretation of *Lumen Gentium* Article 25 leaves no room for dissent on Church teachings related to faith or morals. Hence, any expression of thought that is contrary to Church teaching is unacceptable to him. The non-Thomists, on the other hand, believed that *aggiornamento*, the spirit of the Second Vatican Council, was on their

¹³⁹Joseph L. Dieska, "New Theology' and the Old Faith," *FOCUS on the University of Dayton*, (July 1968): 11, 13. Although Dieska's work was published after Bonnette's, I believe—based on my communication with Bonnette—that Dieska was Bonnette's advisor on theological issues.

¹⁴⁰Richard J. Dombro, 19 October 1965, memo to Raymond A. Roesch, 5. Carbon copy of the memo given to me by Dennis J. Bonnette.

¹⁴¹The packet of quotations has a handwritten title (appears to be Fr. Dombro's writing), "Quotes from 16 Documents re: Magisterium." Each quote has a page number and a notation of which document or commentary the quote came from and what it concerns (the magisterium, development of dogma, or academic freedom). The unidentified source of the quotes appears to be *The Documents of Vatican II in a New and Definitive Translation with Commentaries and Notes by Catholic, Protestant and Orthodox Authorities*, Walter M. Abbott, S.J., general editor (New York: Herder and Herder, 1966). My thanks to Dr. Dennis Doyle for his assistance in identifying this text.

side while Bonnette's "static triumphalism"¹⁴² was a thing of the past. They believed they had the right to "express their difficulties with the official non-infallible positions of the magisterium,"¹⁴³ particularly if the Church was "re-examining her traditional position"¹⁴⁴ on a subject as Baltazar believed was the case with contraception in the mid-1960s. Baltazar held that not only did they have the right to express their views, that was what they were "supposed to be doing" since "the role of Catholic philosophers and theologians" was to "develop and explore the depth of the truths of Christianity."¹⁴⁵ "How can the Pope decide on a given question without the previous research of philosophers, theologians, etc., seeing the pros and cons of a question, testing ideas by talking about them, writing about them?"¹⁴⁶

If Bonnette had been given the opportunity to respond to Baltazar's 1966 letter to Roesch, he might have agreed that the work of philosophers and theologians is needed by the pope, but Bonnette likely would have added that scholars must be careful to "uphold the teachings of the Church" and not "publicly cast into doubt that teaching."¹⁴⁷ In response to Baltazar's statement that the Church was "re-examining her position on the issue of contraception," Bonnette might have argued that the Papal Commission on Birth and Population Control was formed to personally advise the pope, not to "re-examine" the

¹⁴²Chrisman, undated letter to Roesch, 3.

¹⁴³Gregory Baum, in *Search* (reprinted in *Commonweal*, 25 November 1966), typed and attached to undated John Chrisman letter to Fr. Roesch.

¹⁴⁴Eulalio Baltazar, undated letter to Roesch, 4. Copy of the letter was given to me by Ulrich.

¹⁴⁵*Ibid.*, 11.

¹⁴⁶*Ibid.*, 10.

¹⁴⁷Dennis Bonnette, e-mail message to the author, 24 August 2002.

topic of contraception.¹⁴⁸ Furthermore, on 23 June 1964, upon announcing that the commission had been formed, Paul VI said that the Church's teachings on the matter remained in force. In Bonnette's eyes, the publication of articles and books such as Baltazar's essay in *Contraception and Holiness* (Fall 1964)—no matter how respectful and reasoned such articles might be—"publicly cast into doubt" the Church's teaching and "led the general laity to anticipate and expect a reversal of Church teaching."¹⁴⁹ Clearly, Bonnette and Baltazar have differing views on a scholar's responsibility relative to Church authority.

It is important to recognize that the responses of Baltazar and Chrisman address the specific accusations against them rather than lay out their own beliefs. We therefore have an incomplete picture of what they actually believed. For example, neither Baltazar nor Chrisman addressed *LG* Article 25. One wonders how they interpreted and applied it in comparison to Bonnette's narrow interpretation. One particular response on the part of Baltazar gives us some clues. Bonnette accused Baltazar of "poking fun at papal directives," of saying that "the overall effect of encyclicals has been to crush all creativity" and that the pope did not actually write the encyclicals.¹⁵⁰ Since Baltazar had to respond to Bonnette's accusation, we have Baltazar's view of encyclicals:

. . . [T]he encyclical is a vehicle of the ordinary Magisterium. To say that there is inadequacy of formulation in an encyclical, that there is vagueness in certain expressions is . . . to attest to the fact that encyclicals are not

¹⁴⁸John XXIII originally formed the commission of six people to advise him on problems of population, the family and natality. The commission was expanded to 15 members by May 1964 and to 52 by March 1965. John T. Noonan, Jr., *Contraception: A History of Its Treatment by the Catholic Theologians and Canonists* (Cambridge: Harvard University Press, 1966), 531.

¹⁴⁹Bonnette, e-mail message to the author, 24 August 2002.

¹⁵⁰Bonnette, letter to Roesch, 28 October 1966, 2.

final conclusions, but rather guidelines and directives for further thought and reflection. If theologians observe that even dogmatic formulations are not the end but merely the beginning for further theological reflection, then is this not more so of encyclicals?¹⁵¹

Baltazar made the logical deduction that since dogma develops, other church teachings develop also. He correctly stated that encyclicals are vehicles of the ordinary teaching authority of the Church. It does not necessarily follow that they are therefore only “guidelines and directives.” Recall that *LG* Article 25 requires “the religious obedience of the mind ... of the will and intellect.” By starting from the position that encyclicals are only “guidelines and directives,” Baltazar potentially compromised his openness and willingness to accept Church teaching at the level of authority at which it is actually being taught. On the other hand, in response to an accusation concerning contraception, Baltazar makes it clear that although he defends contraception during the time when the church is “re-examining her traditional position,” as a Catholic, he will obey the Church if the papal decision differs from his personal view,¹⁵² an action which certainly is in line with Bonnette’s interpretation of *LG* Article 25.

In summary, the “Heresy Affair” participants differ sharply in their understandings of the proper response to Church authority. Bonnette approaches all Church teachings intent on accepting them on personal and intellectual levels. He believes that a scholar’s contributions are needed within the Church but are necessarily limited in manner and topic by the need to preserve the faith and to not scandalize the public. Baltazar and Chrisman,

¹⁵¹Baltazar, undated letter to Roesch, 8.

¹⁵²*Ibid.*, 5. One source listing those who disagreed with *Humanae Vitae* is the 14 August 1968 issue of the *National Catholic Reporter*, page 8. Baltazar’s name is not listed.

on the other hand, view some Church teachings as open to re-examination in light of bringing the Church up to date. They therefore approach Church teachings in an intellectually critical manner, believing it is their responsibility as Catholic scholars to bring issues to the attention of the Church. Although the two sides differ sharply with each other, neither side is alone in its views within the Church. In other words, the wider Church suffered from the same polarization of views.

Issue Six: Assumptions about the Laity

Differing assumptions about the laity may also be a source of conflict within the “Heresy Affair.” We saw above that Baltazar, Chrisman, and *Flyer News* columnists accused the Thomists of indoctrination and a “we’ve got the truth” approach. Such an approach could be justified if one viewed students as children needing to be spoon-fed the views of the Church. The non-Thomists equated this latter view with the paternalistic way the institutional church treated the laity through the first half of the 20th century. Chrisman in particular expressed this view when he stated:

People of [Bonnette’s] convictions must continue to fear that the trend away from restful certainties will confuse and endanger the faithful. But is not much of the confusion due to the fact that the faithful have for too long been indoctrinated with the idea of a closed universe and a perfected church, while the contemporary emphasis is upon openness and development?¹⁵³

Similarly, Baltazar describes a “policy of paternalism” where “what [the laity] think, how they act must always come from the top.” This way of thinking stems from

¹⁵³Chrisman, undated letter to Roesch, 3.

“the premise that the laity are to be treated as children, second class Catholics, not quite mature. They are forever to be protected.”¹⁵⁴

Since both Baltazar and Chrisman are critical of treating the laity like children and protecting them, we can assume that they thought it was time for the laity to be treated as mature Christians—capable of distinguishing between the teachings of the Church and those counter to the Church and capable of making their own decisions.

Neither Bonnette, Dieska, Dombro, or Harkenrider expressly addressed the topic of the laity. We do know from their actions that they cared deeply about what was happening at the University of Dayton. They and others risked their livelihoods because the situation was “at the point of doing grave harm to the faith and morals of the entire university community,”¹⁵⁵ a community that included students, lay faculty, staff, administrators, and members of religious orders.

Although we do not know how the Thomists characterized the laity, we saw previously that Bonnette believes scholars have a responsibility to avoid scandal and confusion in the minds of the public. Such a view does not necessarily mean that Bonnette believes the laity should be treated as children or that a paternalistic approach is best. Bonnette could honestly be concerned as to how actions impact others. He could also realize how something might be perceived negatively by someone untrained in theology or philosophy or by a student who is still maturing intellectually and spiritually. To put it another way, there is not enough evidence available to determine the attitudes of the

¹⁵⁴Baltazar, “Re-examination,” 36.

¹⁵⁵Bonnette, letter to Karl J. Alter, I. The issue of “grave harm to the faith and morals” of the community will be explored in further detail in Chapter Four.

Thomists toward the laity. What is known is that the two sides disagreed on the appropriate action given that one does not agree intellectually with the magisterium.

Once again, we have two viewpoints represented in the philosophy department at the University of Dayton, two viewpoints that are reflected in the wider Church. For example, the commonly-used references to the “ghetto” or immigrant Church reflect—sometimes pejoratively—a view of the laity in need of protection. John Tracy Ellis’ famous speech of the mid-1950s can also be viewed as an admonition to the increasing numbers of lay scholars of U.S. Catholic universities to “grow up.” The increasingly well educated laity, including those who began to study theology as it moved from seminaries to universities in the 1950s, expected to take a more active role in the Church. Indeed, the Second Vatican Council further heightened such expectations early in the 1960s when some laity were invited to participate in the Council as observers. *Apostolicam Actuositatem*, the 18 November 1965 Decree on the Lay Apostolate, solidified expectations even more.¹⁵⁶

In their comments on the laity, neither Chrisman nor Baltazar make any distinction between college students and the laity-at-large. One could argue that in their letters to Fr. Roesch, they were responding to accusations and so they were writing from their own perspective as Catholic lay scholars with the right and responsibility to address Church issues. On the other hand, Baltazar’s “Re-examination” article clearly comments on how

¹⁵⁶One should not assume that, prior to the Second Vatican Council, the laity had no influence within the Church. There is a long tradition of lay influence and movements including that of William Joseph Chaminade’s Family of Mary, Catholic Action, the Catholic Worker movement, third orders, and so forth. What the Council did was recognize the legitimacy of the laity’s ministry by right of their own baptism rather than through the ordained ministry of the priests and hierarchy.

philosophy should be taught and therefore implies that undergraduate students are no different from the laity in general.

Previously, we saw that Bonnette, et al. were concerned about the entire University community, including students. Others involved in the “Affair” expressed their understanding that students are at a lower level of intellectual and emotional maturity. For example, the archbishop’s fact-finding commission, in its report to the archbishop, recommended that the university figure out a way to handle discussion of controversial topics given that the University of Dayton is primarily an “undergraduate institution” in its theology and philosophy departments rather than an institution doing “hi-level graduate” work.¹⁵⁷ Previously, the department faculty meeting minutes for 14 September 1966 record that Dr. Richard Baker, the chair of the philosophy department, reminded his faculty to watch their behavior given that the students are a “crowd of impressionable nineteen year old kids.”¹⁵⁸

In summary, the two sides in this conflict differed in their attitudes toward lay responsibility and maturity, and consequently, in how the laity should be treated. Once again, both views were represented within the Church. Given that the conflict took place at a university, what is troublesome is the apparent non-recognition, on the part of the modern philosophers, that undergraduate students are not at the same level of intellectual and emotional maturity as adult Catholics.

Issue Seven: Personal Tensions

¹⁵⁷Fact-Finding Commission, report to Karl J. Alter, 13 February 1967, 3.

¹⁵⁸Department of Philosophy Faculty Meeting Minutes, 14 September 1966, 3, AUD, Series 20QI(3), Box 1, Folder 1.

People are both rational and emotional beings so there is no doubt that emotions contributed to the “Heresy Affair.” Exactly how they contributed is not easily determined since the disciplines of psychology (both social and clinical), sociology, communication, philosophy, and neuroscience are all involved in research on emotions. Since a study using any one of these disciplines is beyond the scope of this dissertation, I will focus on the interpersonal relationships within the philosophy department and present evidence that shows the involvement of emotions in the conflict.¹⁵⁹

Earlier in this chapter, Baltazar’s article “Re-examination of the Philosophy Curriculum in Catholic Higher Education” was reviewed in detail. The article included a number of remarks that were sure to trigger an emotional response from Baltazar’s intellectual opponents. For example, Baltazar refers to Thomistic philosophy and theology as “sacred cows” that cannot be challenged. He tells the Thomists they act like Pharisees and are self-righteous when they claim to have the absolute truth. Baltazar goes on to tell the Thomists they view the laity as children which leads them to indoctrinate students in their classes. As a result, students take the Thomists’ classes only because they are required to do so.

The tone of Baltazar’s article is combatative. The Thomists likely felt attacked on a personal level since their philosophical beliefs, their understanding of the faith, and their

¹⁵⁹The difference in ages could play a part in the conflict but it is an easy statistic to manipulate and therefore hard to ascertain its impact. For example, the average age of the four accused faculty is 30.5 years old. The average age of the four most prominent accusers (Bonnette, Harkenrider, Dieska, and Dombro) is 45.75 years old. On the other hand, if the UD faculty members who wrote to theologians and signed the declaration of conscience are included, the average age of the accusers is 38.25. If one adds Langhirt and Elbert to the accusers, the average age is 44.7 years old. The main spokespersons in the conflict are Chrisman and Bonnette, respectively 31 and 27.

educational prowess were challenged. The resulting emotional responses on the part of the Thomists were anger, hostility, resentment, and determination to fight back and uphold the Catholic faith.

One should not assume that Baltazar is being blamed for the emotional aspects of the “Heresy Affair.” The usual tone of Baltazar’s published texts is respectful of Catholic tradition and Church authority while arguing that scholasticism is inadequate for the times. Typically, Baltazar’s publications did not include blatant jabs such as those in the “Re-examination” article, all of which lead one to believe that “Re-examination” is part of an ongoing argument with his colleagues at the University of Dayton.

The evidence shows that some of the Thomists also engaged in personal attacks and sarcasm in their written communications with the non-Thomists. For example, Dieska, in responding by open letter to a Kisiel lecture on existentialism in spring 1963, called Kisiel’s views “absolutely false, highly exaggerated, and tinged with cunning sophistry.”¹⁶⁰ Dieska stated that “anyone who has done but superficial reading on existentialism”¹⁶¹ would know that one of Kisiel’s comments was not correct. Kisiel, of course, responded with jabs at Dieska including one that criticized Dieska’s “selective nature” of quoting from “secondary sources . . . reminiscent of a 1950 Senate investigation”¹⁶² to which Dieska replied that as he remembered Kisiel’s lecture, it “was

¹⁶⁰Joseph Dieska, “A Reply: Some Observations on Dr. T. Kisiel’s ‘Atheism of Heidegger, Sartre and St. Thomas,’” undated, 1. AUD, Series 91-35, Box 5. For a complete review of the exchange between Kisiel and Dieska, see my master’s thesis, 88-93.

¹⁶¹*Ibid.*, 10.

¹⁶²Theodore J. Kisiel, “The Sphinx of Atheism,” 27 May 1963, 2. AUD, Series 91-35, Box 5.

based on very little source material, if any at all.”¹⁶³ Clearly, both sides were also capable of public sarcasm and attacks on their opponents.

Other evidence of the emotional aspect of the controversy includes a *Flyer News* student columnist warning that “highly personalized presentations” are occurring and unless some guidelines are developed for the public dialogue, “an extended clash of personalities rather than ideas” will develop.¹⁶⁴ Additional evidence includes department of philosophy faculty meeting minutes indicating polarization within the department. Both sides were inflexible so that issues were unresolvable by vote, leading to frustration on the part of the minority non-Thomists and a feeling of their being “discriminated against.”¹⁶⁵

Departmental minutes also indicate that the faculty engaged in “snide remarks, cute comments, sneering jests” and that they ‘attacked one another’s views derogatorily.’¹⁶⁶ A graduate student with an office in the department recalls that the two sides labeled each other “the idiots” and “the heretics.”¹⁶⁷

We have no way of measuring the tension and stress levels in the department but they must have been very high as evidenced by the health of one Thomist being affected.¹⁶⁸ We have seen that the non-Thomists were frustrated by the inflexibility of the Thomists

¹⁶³Joseph Dieska, “An Open Letter on the Heidegger Issue,” 31 May 1963, 1. AUD, Series 91-35, Box 5.

¹⁶⁴Baumgartner, “Be It Resolved: An Approach to Truth,” *FN*, 10 January 1964, 3.

¹⁶⁵The Thomists controlled the department votes by 11 to 4. Department of Philosophy Faculty Meeting Minutes, 5 April 1966, 3. AUD, Series 20QU(3), Box 1, Folder 1.

¹⁶⁶*Ibid.*, 14 September 1966, 3. AUD, Series 20QI(3), Box 1, Folder 1.

¹⁶⁷Robert Eramian, telephone interviews with the author, 22 January 1999 and 27 June 1999. Both Chrisman and Ulrich deny name-calling on their part, e-mail messages to the author, 2 February 2002. One possibility is that the graduate students labeled the two sides.

¹⁶⁸Harkenrider suffered from a severe nervous condition resulting in sleeplessness and constant tenseness in his legs. Edward Harkenrider, personal history written for his granddaughter, 119. Copy given to me by Harkenrider.

and the Thomists' control of department issues. Surely their resentment and hostility must have increased over the years. On the other side, imagine how difficult it must have been for the Thomists to witness the non-Thomists' success and popularity with the students, all the while believing that the more popular the non-Thomists were, the more souls were at risk. Belittlement and criticism of the Thomists by the popular non-Thomists also hurt and likely inflamed the animosities of the Thomists toward the non-Thomists. Finally, the Thomists felt their jobs were threatened. If Thomism was no longer taught, how would they support their families?¹⁶⁹

In summary, the picture one gets of the emotional aspect of this controversy shows faculty with a genuine dislike for those faculty on the opposing side. Their reasons for disliking each other range from personality clashes to anger over intellectual positions to anxiety over employment to jealousy and, above all, to concern for immortal souls. While it is difficult to measure exactly how much emotions contributed to the controversy, there is no doubt that they were a key component in the "Heresy Affair." Given the fact that philosophy departments of other Catholic universities had faculty who disagreed over the same issues—philosophical perspectives, the role of philosophy to theology, the role of philosophy in Catholic higher education, the proper response to Church authority, teaching methodologies, and assumptions about the laity—the emotional aspect may go a

¹⁶⁹The fear of losing their jobs was not an irrational fear. In the 1967 American Catholic Philosophical Association (ACPA) Presidential Address given by Rev. Ernan McMullin at the University of Notre Dame on 28 March 1967, McMullin questioned whether there will be any justification for requiring philosophy courses as they become "less definitively 'Catholic' in tone." He then asked, "[w]hat will we do . . . with our large philosophy staffs?" He answered his own question by saying, "As you can see, abysses begin to open up!" Ernan McMullin, "Presidential Address: Who are we?" *Proceedings of the American Catholic Philosophical Association*, Volume 41, ACPA (Washington, DC: Catholic University of America, 1967), 12.

long way toward explaining why the “Heresy Affair” happened at the University of Dayton rather than another American Catholic university.

Conclusion: The Modern Philosophers and the Thomists

The “Heresy Affair” originated as a conflict between the modern philosophers and the Thomists in the University of Dayton philosophy department. While the initial differences centered on philosophical perspectives—a conflict between the historical and classical worldviews—the two parties soon disagreed on the relationship of theology to philosophy, the role of philosophy in Catholic higher education, teaching methodologies, the appropriate response to Church authority, and their assumptions about the laity. We have seen that these differences were not unusual in Catholic higher education nor were they unusual in the Church.

Were these issues important enough to fight over? Obviously so. The issues can be divided into two types: those relating to the Catholic Church and those which tap into the emotions. Both types are very important to individuals. Were these differences important enough to write an accusation letter to the archbishop? The answer is “no.” The conflict needed to escalate beyond what was presented in this chapter before we can determine why the “Heresy Affair” happened at the University of Dayton at this particular moment in time.

CHAPTER IV

SITUATION ETHICS AND TRADITIONAL CATHOLIC MORALITY*

The “Heresy Affair” would have remained a controversy internal to the University of Dayton’s philosophy department if the topics had not shifted from theological and philosophical issues to moral and ethical issues. As the topics shifted, the debate broadened to include more faculty and students. This shift is much larger than a mere change in debate topics with additional participants. Some faculty believed the ensuing discussions on moral issues encouraged students to commit immoral acts. Assuming students behaved as faculty advocated, the consequences to students could be serious.

In analyzing this second component, the most useful methodology is to consider approaches to ethical decision-making, response to Church authority, assumptions about the laity, increasing personal tensions, and pastoral concerns. Notice that several of these issues carry over from the first component. For example, the proper response to Church authority remains at the forefront of the second component as do assumptions about the laity and increasing personal tensions. The issues discussed and the various views

*This chapter is based on and in some cases draws from my thesis submitted for the Master of Arts in Theological Studies degree. Mary Jude Brown, “The ‘Heresy Affair’ at the University of Dayton, 1960-67: The Origins of the ‘Affair’ and Its Context” (M.A. thesis, University of Dayton, 1999).

represented are not unique to the “Heresy Affair.” Both the issues and the views are found throughout the Church and in other Catholic institutions of higher education.

This chapter begins by examining the general historical background for the conflict between the Church and other approaches to ethical decision-making, specifically situation ethics. This examination covers the period from the late 1800s to 1966. In the second part of the chapter, the narrative returns to the specific conflict at the University of Dayton in the mid-1960s. Fortunately, materials written during this period are available from both sides in the controversy. These items are analyzed to show the differing viewpoints, the increasing intensity of the conflict, and the connections to the general historical background in the first part of the chapter. The chapter concludes with a discussion of the importance of this conflict, that is, why does it matter?

Historical Context

As discussed in the previous chapter, Leo XIII made Thomism and scholasticism the Church’s answer to modern philosophies. In the years following the 1879 publication of *Aeterni Patris*, each branch of Catholic philosophy and theology, including moral theology and ethics, adopted the Thomistic approach.² Moral theology, along with other branches of theology, was a clerical undertaking from 1879 until the 1950s while ethics, as a philosophical study, was undertaken by both the laity and the clergy.

²*The Catholic Encyclopedia, Volume V*, published in 1909, defines ethics as “the science of the moral rectitude of human acts in accordance with the first principles of natural reason. Moral theology also deals with the “moral actions of man” but “has its origin in supernaturally revealed truth.” *The Catholic Encyclopedia*; available from <http://www.newadvent.org/cathen/05556a.htm>; Internet; accessed 2 November 2002.

Moral theology from 1879 to the Second Vatican Council is synonymous with the manualist model.³ Developed for use in seminaries, manuals were used to prepare men for sacramental ministry, particularly the sacrament of penance. In response to the challenges of the 19th and early 20th centuries, the manuals tended to have “crisp, clear, and exceptionless determinations which possessed a legalistic character.”⁴

Thomistic ethics in the period 1879 to the mid-1960s used the same moral theory as that of the manuals. Both are based on the eternal law of God whose divine nature is the cause and prototype of human nature. Both are teleological and deontological, that is, human life is directed towards the final end of God and people have the duty to follow the law.⁵ The objective norm for Thomistic ethics is natural law known by human reason while the subjective norm is conscience. Clearly, ethics as practiced within the Thomistic philosophical tradition gives a place to God and religion.

While there are a number of ethical systems that do not give a place to God or religion, this dissertation is concerned with only one such system, situation ethics. Furthermore, this dissertation is concerned with a specific form of situation ethics that occurred in the United States in the 1960s.

At the outset, it is helpful to recognize that other terms are used in addition to situation ethics, for example, an ethics of circumstance, contextual ethics, ethics of responsibility, an ethics of exception, and the “new morality.” In each case, the basic

³See John A. Gallagher, *Time Past, Time Future: An Historical Study of Catholic Moral Theology*, (Mahwah, NJ: Paulist Press, 1990), 29-37 for information on the historical development of the manuals from 1540 to 1879.

⁴*Ibid.*, 41.

⁵In moral theology, Catholics also have the duty of following Church law.

understanding falls in line with German theologian Karl Rahner's understanding of situation ethics:

It denies the universal obligation (and one which remains valid in every case) of material universal norms in the concrete individual case, it being quite immaterial whether these norms be conceived as a natural law or as a positive divine law. Norms are universal, but man as an existent is the individual and unique in each case, and hence he cannot be regulated in his actions by material norms of a universal kind . . . There remains then as "norm" of action only the call of each particular unique situation.⁶

Not surprisingly, the Church was concerned about an ethical system that denied universal norms. Since the papal condemnations are at the heart of the "Heresy Affair," it is important to review the papal documents in some detail.

Pius XII issued his first encyclical on 20 October 1939. The world was on the brink of the Second World War and his encyclical was appropriately addressed "On the Unity of Human Society," *Summi Pontificatus*. After stating that he was "putting off to another time" a "full statement of the doctrinal stand to be taken in face of the errors" of the day (n.27), Pius XII stated that the "new errors [added] to the doctrinal aberrations of the past" led "inevitably to a drift towards chaos." The "new errors" include the "denial

⁶Karl Rahner, *Theological Investigations, Volume II: Man in the Church*, trans. By Karl-H. Kruger (Baltimore, MD: Helicon Press, 1963), 217. Rahner began his essay "On the Question of a Formal Existential Ethics" by stating "It would be interesting to know who first introduced the term 'situation ethics' into the present-day discussions of moral theology and philosophy." He goes on to talk about situation ethics being frequently discussed in the German language and he uses a footnote to provide a bibliography of eighteen works of predominantly German theologians from 1946 to 1953 (Rahner, 217-218). The works of Karl Barth and Dietrich Bonhoeffer, developed in the late 1930s and early 1940s in the context of war-torn Europe, are frequently cited as supporting evidence for American situationists in the 1960s.

and rejection of a universal norm of morality” and forgetting the natural law which has its foundation in God (n.28).⁷

The encyclical *Humani Generis* was issued by Pius XII on 12 August 1950. Perhaps it was the “full statement” of which he spoke in *Summi Pontificatus*.⁸ After acknowledging that “disagreement and error among men on moral and religious matters” (n.1) have always been a cause of sorrow for all good men, Pius discusses errors “outside the Christian fold” (n.5.) including existentialism (n.6) and historicism which “overthrows the foundation of all truth and absolute law” (n.7).⁹ Pius XII then turns to the new ideas being promulgated by Catholic theologians and philosophers after which he upholds Thomism because of its ability to help human reason “to express properly the law which the Creator has imprinted in the hearts of men” (n.29). The pontiff condemns innovative philosophies for “indiscriminately mingling cognition and act of will” when these philosophies say that “man, since he cannot by using his reason decide with certainty what is true and is to be accepted, turns to his will, by which he freely chooses among opposite opinions” (n.33). In the next paragraph (n.34), Pius XII points out that “these new opinions endanger . . . ethics.”¹⁰

⁷Quotations and paragraph numbers for the *Summi Pontificatus* text were taken from the on-line version available from <http://listserv.american.edu/catho...urch/papal/pius.xii/summi>; Internet; accessed 9 December 1998.

⁸*Humani Generis* was directly addressed to the bishops of the world although it appears to be written for trained theologians since the language is concise and technical, assertions are presented without proof, and concepts underlying the assertions are not amplified or justified. It is assumed that readers of the encyclical are familiar with the subject matter. A. C. Cotter, S.J., *The Encyclical “Humani Generis” with a Commentary*, (Weston, MA: Weston College Press, 1951).

⁹Only those matters in philosophy pertaining to situational concepts are acknowledged here since they are within the scope of this dissertation.

¹⁰Quotations and paragraph numbers for the *Humani Generis* text were taken from the on-line version available from <http://listserv.american.edu/catho...urch/papal/pius.xii/humani.generis>; Internet; accessed 3 November 1997.

Although the immediate impact of *Humani Generis* was the withdrawal of some works from circulation and the loss of teaching office for theologians such as Congar, Chenu, and de Lubac, it did not put a stop to theological and philosophical discussions. By 1952, Pius XII decided to speak out directly against situation ethics. The first venue he used was a radio message on 23 March where he spoke of some who made the conscience absolute and who wanted to free themselves from the authority of the Church.¹¹ Later, on 18 April 1952, Pius XII used his allocution to the International Congress of the World Federation of Catholic Young Women to directly condemn the “new morality” based on circumstances rather than on universal moral norms.¹² The pontiff upheld that “the fundamental obligations of the moral law are based on the essence and nature of man, and on his essential relationships, and thus they have force wherever we find man.”¹³ The pope referred to these two statements in another allocution, *Magnificate dominum*, in 1954, when he discussed those who wanted to be “treated as adults” to “decide for themselves” what they can do “in any given situation.” He pointed out that just because someone is an adult does not mean they are no longer “subject to the guidance and government of legitimate authority. For government is not a kind of nursery for children, but the effective direction of adults toward the end proposed to the state.”¹⁴

Discussions on situation ethics continued among philosophers and theologians and, on 2 February 1956, the Sacred Congregation of the Holy Office issued a formal decree

¹¹Gallagher, 225.

¹²This is an interesting choice of audience for this speech.

¹³Gallagher, 225-226.

¹⁴John C. Ford, S.J. and Gerald Kelly, S.J., *Contemporary Moral Theology, Volume I: Questions in Fundamental Moral Theology* (Westminster, MD: The Newman Press, 1958), 120.

condemning “situation ethics, by whatever name it may be called, and interdicted its being taught in Catholic schools, or its being propagated or defended in books, writing of any kind or in conferences.”¹⁵

The pope was not the only Catholic speaking out against situation ethics in the 1950s. Karl Rahner describes this approach to morality and points out its errors in *Stimmen der Zeit* in February 1950.¹⁶ In 1955, Dietrich von Hildebrand and Alice Jourdain¹⁷ published *True Morality and its Counterfeits*. In it, they spoke of circumstance or existential ethics as an intellectual movement finding expression in youth organizations and in literature, including the works of Graham Greene. In *True Morality*, the aim of the authors is “to do justice to the elements in circumstance ethics that are valuable contributions, following the principle, “*ex stercore, aurum* (gold from the dunghill)” while refuting the errors in detail. In the process, they hope to present a “clearer elaboration of Christian morality.”¹⁸ In June 1957, “The Morality of Situation Ethics” was a topic of a general session given by Aidan M. Carr, O.F.M.Conv., St. Anthony-on-Hudson, Rensselaer, NY, at the Twelfth Annual Convention of the Catholic Theological Society of America. Fr. Carr reviewed the position of the Church, evaluated the basic errors of

¹⁵Aidan M. Carr, O.F.M.Conv., “The Morality of Situation Ethics,” *Proceedings of the Twelfth Annual Convention of the Catholic Theological Society of America* (Catholic Theological Society of America, 1958), 82.

¹⁶Noted in Dietrich and Alice Von Hildebrand, *Morality and Situation Ethics* (Chicago, Ill.: Franciscan Herald Press, 1966), 5.

¹⁷At the time of publication, Von Hildebrand was a professor of philosophy at Fordham University while Jourdain, who married Von Hildebrand in 1959, was a lecturer at Hunter College of the City University of New York.

¹⁸Dietrich and Alice Von Hildebrand, *Morality and Situation Ethics*, 11.

situation ethics and existentialism, and then replied to those errors emphasizing formation of conscience and the role of prudence.¹⁹

The U.S. version of situation ethics came to fruition in the late 1950s and early 1960s, just as the German discussion waned a bit. I have already indicated how some American Catholics were following the German discussions. U.S. Protestants were also reading the works of German authors such as Brunner, Barth, and Bonhoeffer and beginning to publish their own thoughts on contemporary ethics.

The first Protestant work in this area to receive broad attention was Paul L. Lehmann's 1963 *Ethics in a Christian Context*.²⁰ Lehmann's thesis is that the Christian community, *koinonia*, should be taken as the starting point for ethical reflection. Lehmann describes a *koinonia* ethic as contextual, one "concerned with relations and functions, not with principles and precepts."²¹ He calls for emphasis on the individual situation, taking into consideration the norms of the New Testament, with only one ethical absolute—doing the will of God as discerned within the context of the Christian community.

The person who ultimately became synonymous with U.S. situation ethics is Joseph Fletcher. His "fat pamphlet"²² entitled *Situation Ethics: The New Morality* was

¹⁹These Catholic responses were chosen primarily because they are available in English. According to Gallagher, Josef Fuchs is another Catholic author who responded to situation ethics during the 1950s. His works at that time were in German. See Gallagher for his interpretation of Fuchs' writings (Gallagher, 233-235).

²⁰An ordained minister of the United Church of Christ and the Presbyterian Church, Lehmann's academic career spanned four decades (1933-1976) and a number of institutions. He was Auburn Professor of Systematic Theology at Union Theological Seminary in New York when this text was published in 1963.

²¹Paul L. Lehmann, *Ethics in a Christian Context*, (New York: Harper and Row, 1963), 124.

²²Joseph Fletcher, "Memoir of an Ex-Radical," *Joseph Fletcher: Memoir of an Ex-Radical: Reminiscence and Reappraisal*, ed. Kenneth Vaux (Louisville, KY: Westminster/John Knox Press, 1993), 82.

published in 1966.²³ By 1981, he claimed that “nearly a million copies” were in circulation and that he had spoken at approximately 417 American universities and colleges, 42 educational institutions abroad, and 60 medical schools and centers.²⁴ Numerous articles and commentaries appeared in scholarly journals and books and, perhaps more notably, in the mainstream press as evidenced by an article in *Time* magazine on 21 January 1966.²⁵ Fletcher’s book made “situation ethics” a household word.

Exactly what did Fletcher mean by the term “situation ethics”? It is, in Fletcher’s words, a “method” (rather than a system) of making moral decisions.²⁶ One comes to decision-making with the “ethical maxims of [the] community and its heritage.” Reason is used as “the instrument of moral judgment” and scripture is accepted as “the source of the norm . . . to love God in the neighbor.”²⁷ In making a decision, acts are judged according to the situation or context and then Christian love, *agape*—defined by Fletcher as “goodwill at work in partnership with reason”²⁸—is used as the “binding and unexceptionable” norm for behavior.²⁹ All other rules, maxims, and principles are guides in the decision-making process, but they are expendable in any given situation. In other words, Fletcher urges one to do the most loving thing in all situations. He admits that his thesis was originally set forward within the “context of Christian rhetoric, but situation

²³Fletcher originally published his ideas in “The New Look in Christian Ethics,” *Harvard Divinity Bulletin* (October 1959): 7-18.

²⁴Joseph Fletcher, “Situation Ethics Revisited,” *Religious Humanism* (Winter 1982): 9.

²⁵“Situation Ethics: Between Law and Love,” *Time* (21 January 1966): 55.

²⁶Joseph Fletcher, *Situation Ethics: The New Morality*, Library of Theological Ethics, ed., Robin W. Lovin, Douglas F. Ottati, and William Schweiker, (Louisville, KY: Westminster John Knox Press, 1966), 11.

²⁷*Ibid.*, 26.

²⁸*Ibid.*, 69.

²⁹*Ibid.*, 30.

ethics as a theory of moral action is . . . utterly independent of Christian presuppositions or beliefs.”³⁰

Throughout the book, Fletcher emphasizes sexual and other individualistic moral dilemmas. His examples appear to be written in a manner meant to engage or provoke the reader. In addition, there is very little depth in his discussion of the concepts underlying the examples. The style of the book is sensationalist, which perhaps explains its appeal to the general public.

A number of Catholics dialogued with Fletcher in U.S. journals.³¹ Herbert McCabe, O.P., the former editor of the *New Blackfriars*, became the chief spokesperson. *Commonweal*, in the 14 January 1966 issue, featured articles by both Fletcher and McCabe along with the responses of each.³² McCabe, whose article was aptly titled “The Validity of Absolutes,” rejects situation ethics based on his belief that some acts are wrong under any circumstances. Using the situationists’ terminology, he describes these acts as “unloving.”³³ McCabe believes that the situationists err because they use “loving” as a descriptor of something interior to a person that accompanies bodily behavior—that is, as intent—rather than as describing love as a bodily activity, for example, feeding the hungry.

³⁰Joseph Fletcher, “Memoir of an Ex-Radical,” 82.

³¹This dissertation is limited to the period prior to fall 1966 when the “Heresy Affair” erupted. The works of some Catholic authors, including Charles Curran, appeared after that time.

³²These articles were reprinted, with other commentaries on themes and issues in situationism, in the text *Situationism and the New Morality*, ed. Robert L. Cunningham (New York: Appleton-Century-Crofts, 1970).

³³McCabe distinguishes his position from a legalist one that he defines as “one who holds that good behavior consists precisely in obeying laws.” Herbert McCabe, O.P., “The Validity of Absolutes,” *Commonweal* (14 January 1966): 432.

McCabe also criticizes the situationists because of their narrow understanding of “situation.” People exist in many contexts, that is, reality consists of overlapping situations and priorities. McCabe contends that being a human being has priority over the demands of any personal situation we may find ourselves in. While implementation may not be easy, this is a profound and fairly simple concept to grasp.

The Vatican also weighed in with its opinion on the sixties version of situation ethics. Alfredo Cardinal Ottaviani, the head of the Sacred Congregation for the Doctrine of the Faith, warned in his 24 July 1966 letter to the heads of the episcopal conferences that errors of doctrine had arisen since the Second Vatican Council ended in December 1965. He listed “ten wide-spread ‘abuses’ in interpretation of Council teachings” including the following concepts related to situation ethics:

¶ The ordinary teaching authority of the church, especially that of the Pope is being counted for so little that it is almost relegated to the area of debatable questions.

¶ There are widespread denials of the objectivity and immutability of truth. Relativism is being endorsed and the idea is put forth that every truth is the product of the evolution of conscience and history.

¶ In moral theology, some deny any objective basis at all to morality. They do not accept natural law and hold that wrongness and righteousness are established by moral situations in which people find themselves. Bad ideas about morality and responsibility in sexual and marital matters are also heard.³⁴

³⁴John Cogley, “Ottaviani Lists Doctrine ‘Abuses,’” *The New York Times* (20 September 1966): 20. Ottaviani also “instructed” the recipients to “keep the communication strictly secret.” Obviously, the communication was not kept secret because on 20 September 1966, an article listing the doctrinal abuses was published in *The New York Times*. Copy of 24 July 1966 Ottaviani letter in Latin attached to Patrick A. O’Boyle, letter to U.S. bishops, 5 August 1966. ACUA, Box 7, Administration, NCWC.

Clearly, the “official” position of the Church on situation ethics did not change in the ten years since the 2 February 1956 formal decree was issued by the Holy Office.

In summary, situation ethics originated among theologians and philosophers in Europe, spread to the United States and was popularized by Joseph Fletcher. Fr. McCabe responded to Fletcher from within the Catholic tradition. Over a 27-year period, the Vatican consistently said that situation ethics was wrong and against Church teaching. I return now to the University of Dayton of 1966 to continue my analysis of the “Heresy Affair.”

Issue One: Approaches to Ethics

In Chapter III, the individuals involved in the “Heresy Affair” differed in their philosophical perspectives. They coalesced into two parties, the Thomists and the modern philosophers. Since ethics is a subdiscipline of philosophy, one would expect faculty with conflicting philosophical perspectives to also have conflicting ethical perspectives. The faculty involved in the “Heresy Affair” meet this expectation in this regard. The Thomists supported traditional Church teaching which relies heavily on the ethics of Thomas Aquinas based on natural law. The modern thinkers, on the other hand, explored new approaches to morality, particularly situation ethics.

The Thomists held to traditional Catholic morality based on the understanding that people are unique beings created by God for a purpose. Human nature is viewed as universal and unchanging so that the objective norm for morality is natural law using human reason. Three factors are considered in making a moral judgment: the nature of the act (the object), the circumstances, and the purpose of an act (the end). Acts that

violate natural law are intrinsically evil since these acts violate nature that was created by God. An action which “directs man to his last end”—“perfect happiness which can be realized only by man being united with the Perfect Good who is God alone”—is “worthwhile.”³⁵

The objections to Thomistic ethics raised by the modern thinkers were the same objections they raised against Thomistic philosophy, that is, its static quality, its lack of consideration for human experience, and its lack of historical consciousness. Furthermore, the modern thinkers claimed that these failures of traditional ethics resulted in an ethics that is “absolutistic and unbending.”³⁶

If traditional Catholic morality was inadequate for the world of the 1960s, what did the accused faculty want in its place? The answer varies from person to person as shown below. However, all four agreed that ethics should be evolutionary, based on historical consciousness and human experience. This is not surprising given their historical worldview.

What about situation ethics, the topic of the philosophy club lecture, which was the last straw for Dennis Bonnette? The four accused faculty members agree that the term is problematic, that it means different things to different people, and that there is at least some truth in taking into consideration the importance of circumstances. Beyond that, there is no common agreement. In fact, there is much disagreement among them.

³⁵Edward Harkenrider, “A Proposal to the \$20,000 Challenge: A New Procedure in the Teaching of Philosophy,” 4. Proposal given to me by Edward Harkenrider.

³⁶Baltazar, “Contraception and the Philosophy of Process,” *Contraception and Holiness: The Catholic Predicament* (New York: Herder & Herder, 1964), 158.

Perhaps the best approach is to look at what each of the accused said about ethics and morality, either directly or indirectly. While looking at the views of the four accused, we will also be looking at the accusations against them as found in Dennis Bonnette's letter to Fr. Roesch dated 28 October 1966. In particular, two events reported in Bonnette's letter are relevant to this discussion. Both are lectures and discussions on situation ethics: in spring 1966 involving Baltazar and Chrisman and in October 1966 involving Lumppp and Ulrich.

In spring 1966, the Religious Activities Committee of the University of Dayton sponsored a lecture on situation ethics in which Baltazar and Chrisman were participants.³⁷

According to Bonnette:

Baltazar eloquently defended situation ethics in precisely that form which has been condemned by the Holy Father. Both [Baltazar and Chrisman] insisted that their form of situation ethics was not the target of the condemnation since their's [*sic*] was "Christian" in that it was "Theistic," rather than "Atheistic."³⁸

Baltazar, in his undated response to Fr. Roesch, stated that he cannot answer this accusation because Bonnette did not define the "condemned" situation ethics nor did Bonnette show how Baltazar's ethics was the same as the condemned ethics. Baltazar continued that

. . . I expressly stated in my talk that the situation ethics I accept is that based on the interpersonal encounter between Yahweh and Israel and between Christ and His Church. This view is not new. It is the view of Father Bernard Häring, Herbert McCabe, O.P., Schillebeeckx, etc. and more recently expressed by Father Charles Curran of Catholic University

³⁷I have been unable to find any public record of this event: number of attendees, location and so forth. It appears to have been held in March according to a fall 1966 article in the *Flyer News*.

³⁸Dennis Bonnette, letter to Fr. Raymond A. Roesch, S.M., 28 October 1966, 1-2.

when he stated that the experience of the Christian people is the [emphasis added] norm of morality. Thus, an objective norm of morality is not denied.³⁹

In analyzing this dialogue, we see that there was agreement on several facts: 1) Baltazar defended situation ethics in his lecture; and 2) the Pope condemned situation ethics. As to whether or not Baltazar's espoused ethics is condemned, there is disagreement. Bonnette claimed Baltazar's ethics are condemned because the Pope has condemned "all" situation ethics. Baltazar, on the other hand, said his ethics are not condemned because his situation ethics do not deny an objective norm of morality. To put it a different way, Baltazar looked at the specifics of the definition of situation ethics and made his case based on how his definition differed from the condemned definitions. Baltazar tried to strengthen his case by showing how his ethics were the same as those of prominent theologians within the Church.

Bonnette's accusation against Chrisman claimed that Chrisman publicly endorsed all that Baltazar had said and then "proceed[ed] to insist that, 'Man must lovingly create. I don't mean that man discovers the moral law, he creates it. That is, based on my metaphysics.'" Bonnette also said that Chrisman defined and defended the following definition of situation ethics: "Man has no right to hide under *a priori* and abstract decisions handed down from extrinsic authorities."⁴⁰ Bonnette likely interpreted Chrisman to be saying that following universal abstract norms such as those of the Church is an evasion of one's responsibilities to think for oneself.

³⁹Ibid., 6-7.

⁴⁰Ibid., 2.

Chrisman's response to Bonnette's charges noted that he did not claim his "own form of situation ethics" was "complete or adequate." He and Baltazar were "philosophizing" about a human problem.⁴¹ His exact words at the lecture included:

If situation ethics meant that there is no right and wrong, that in fact there is no morality, then I would be against it. But if it means that man must lovingly create the right action according to the requirements of the total situation, and that man has no right to evade self-responsibility by hiding under *a priori* and abstract decisions handed down from an extrinsic authority, then I see nothing unChristian about it.⁴²

Here, Chrisman is reacting against those who blindly follow Church teaching when their "honestly formed conscience" tells them to follow another course of action. Such a person is "abdicating responsibility" when they "refuse what is in [their] deepest, deepest gut."⁴³ Notice that Chrisman is not saying that one should not follow Church teaching. Rather, he is saying that one must honestly form one's conscience which would include using the "rules and laws developed through time and consensus."⁴⁴ Such laws have "great importance in a choice" but, after forming one's conscience, the individual must accept responsibility for the decision and follow his/her own conscience even if it leads the person against Church teaching.⁴⁵ Perhaps this is what Chrisman meant in his response letter to the accusations when he said that "man must lovingly create the right action"⁴⁶ along with Bonnette's reporting of Chrisman saying "man creates moral law."

⁴¹John Chrisman, letter to Fr. Raymond A. Roesch, undated, 6.

⁴²Ibid.

⁴³Chrisman, e-mail message to the author, 18 November 2002.

⁴⁴Ibid.

⁴⁵Ibid. Chrisman referred to this as a "Nuremberg principle of living morality." In effect, Chrisman is saying, even if the Church tells a person to do something, that is not a reason for the person to avoid responsibility for doing something wrong.

⁴⁶Chrisman, letter to Roesch, 6.

Chrisman arrived at this juncture after reading both Fletcher's *Situation Ethics* and Henri Bergson's classic, *The Two Sources of Morality and Religion*.⁴⁷ Chrisman also was influenced by two events in the sixties: the Sherri Finkbine thalidomide pregnancy⁴⁸ and the availability of new forms of contraception.⁴⁹ Both real world "situations" brought him face-to-face with universal abstract norms that "cover a wide spectrum of acts."⁵⁰ When the Church's teachings kept individuals from doing anything to resolve their situations, Chrisman was led to question the intelligibility and adequacy of such norms.

Was Chrisman advocating that individuals do their own thing? In his response to the charges against him, Chrisman stated that in his lecture he "stressed the communal and cultural character of our developing morality as opposed to an individualistic and subjective origin" of morality. He also stated that he "repeatedly emphasized the requirement of considering the total situation rather than merely picking out the aspects one wished to emphasize."⁵¹ Furthermore, as support for his philosophizing about situation ethics, Chrisman, as did Baltazar, listed prominent Catholic scholars.⁵²

⁴⁷Bergson's two sources are extrinsic authority with its universal laws, and human autonomy with the responsibility for using one's intellect. Chrisman's dissertation topic was highly critical of Thomistic ethics in favor of Bergson. Chrisman states that in writing his dissertation, he moved toward situation ethics. Chrisman, e-mail message to the author, 10 September 2003.

⁴⁸In 1962, Sherri Finkbine, "Miss Sherri" on the children's television show "Romper Room," took thalidomide early in her fifth pregnancy. She decided to have a therapeutic abortion rather than risk having a deformed child. Her husband, doctor, and hospital agreed. Prior to the abortion, she told her story to a local (Phoenix) newspaper reporter. When the situation became national news, the hospital reversed its position. Ultimately, Finkbine had the abortion in Sweden. Her case did much to shape U.S. public opinion in support of legalized abortion. The facts in this paragraph are drawn from http://www.feminist.org/roevwade/roe_illegal.asp and <http://www.integritasinstitute.org/papers/nclm2.pdf>; Internet; accessed on 22 November 02.

⁴⁹The controversy over the Church's teaching on contraception will be discussed later in this chapter.

⁵⁰Chrisman, letter to Roesch, undated, 6.

⁵¹Ibid.

⁵²Ibid., 5.

Recall that Chrisman stated that he would be against situation ethics if it meant that there was no right or wrong and that “man must **lovingly** create the right action.” Chrisman went on to say that it is “difficult to find an adequate criterion of morality.” Combining these statements, it seems that *agape* à la Fletcher is important to Chrisman’s morality but that love is not an adequate norm. On the other hand, Chrisman does not say what, if anything, is an adequate norm. When confronted with an actual decision, how does one weigh the alternatives given Chrisman’s situation ethics?

Chrisman said that he saw nothing unchristian in his situation ethics. On the other hand, there is nothing markedly Christian in his ethics and “not being unchristian” does not equal being Christian. The closest Chrisman gets to Christian concepts is using the word “lovingly,” stressing the communal nature of morality, and considering that “[Church] rules and laws . . . have great importance.” Granted, Chrisman was philosophizing, not theologizing, and we do not have much to go on given the historical data. Nevertheless, it appears that Chrisman’s situation ethics was outside of an acceptable position within the Church.

On 11 October 1966, the University of Dayton philosophy club met for lectures presented by Randolph F. Lumpp and Lawrence Ulrich of the departments of theological studies and philosophy, respectively. Chrisman moderated the discussion that followed. The *Flyer News* reported that nearly 150 people attended, including Bonnette.⁵³ This meeting was the “last straw” for Bonnette—four days later he wrote his accusation letter to the archbishop.

⁵³Jim Wade, “Situation Ethics,” *Flyer News*, 28 October 1966.

Ulrich opened the meeting with his presentation entitled “Some Basic Concepts and Principles for a Situation Ethics.” He did not intend to develop an ethical system. Rather, he attempted to “set forth a few [basic] concepts [which lead a man to such an ethical position] with the hope that [these concepts] will lead to understanding, and if not this, at least to questions which will clarify some of the issues involved.”⁵⁴ For Ulrich, the “basic point of view” in situation ethics can be expressed by the word “experience” which Ulrich defines as “an encounter involving consciousness upon an empirical or phenomenological plane.”⁵⁵ People experience themselves as beings-in-a-world and as beings-in-time, that is, as “historical” or “evolutionary” beings.⁵⁶ The human situation is temporal and so ethics must be temporal and since man is in relationship with others, his ethics must be on the “level of a conscious community.” Going “outside of the spatio-temporal world” to solve ethical problems is “an attempt by man to escape from the experience of his situation . . . and is a shirking of his responsibility as a moral agent.” In this statement, Ulrich’s position is similar to Chrisman’s view of man avoiding responsibility by relying on extrinsic authority.

Ulrich points out that morality was created by man, the result of looking at actions and “attempting to form some type of system whereby to judge those actions.”⁵⁷ Similar to Chrisman, Ulrich says that man has “the responsibility for creating his own answers and his own ethical criterion in the light of his consciousness of himself as an historical

⁵⁴Lawrence Ulrich, “Some Basic Concepts and Principles for a Situation Ethics,” lecture given at UD philosophy club meeting on 11 October 1966, 1. A copy of the lecture was given to me by Ulrich.

⁵⁵Ibid., 1.

⁵⁶Ibid., 2.

⁵⁷Ibid., 3-5.

reality.”⁵⁸ Also similar to Chrisman, Ulrich emphasizes the intersubjective⁵⁹ rather than the individualistic nature of ethics.⁶⁰

While both Chrisman and Ulrich mentioned difficulties in applying situation ethics, Ulrich went further and explored decision-making using a situation ethics methodology.⁶¹ In the example given, Ulrich took a consequentialist approach—if the act is “productive of good” then it is morally good. Furthermore, Ulrich allowed for evaluation of an action across time (i.e., an action is morally good now but not in the future) and across societies and cultures within the same time period.⁶² To put it another way, Ulrich emphasized that human experience is still evolving and, therefore, one cannot speak of universals, of the “totality of human experience in the sense that this experience is completed.”⁶³

One needs to be careful in analyzing Ulrich’s lecture in the context of Roman Catholicism in the 1960s. First, Ulrich is a philosopher rather than a theologian. His lecture should therefore be analyzed as a philosophical text. Second, Ulrich’s stated purpose was to lecture on “some basic concepts and principles for a situation ethics.” As such, one would expect Ulrich to look at concepts relevant to situation ethics and so he does. For example, Ulrich states that man is a being in relationship with others in a temporal situation. He appears to be saying that humans are in relationship with other humans in space and time. This statement is accurate as far as it goes, but one wonders if

⁵⁸Ibid. 9.

⁵⁹Chrisman used the term “communal.”

⁶⁰Ulrich, “Some Basic Concepts,” 6.

⁶¹Situation ethics, by definition, is not a system of ethics; it is a method of making ethical decisions. For a detailed discussion of Ulrich’s approach, see page 153 of my thesis.

⁶²Ulrich, “Some Basic Concepts,” 8.

⁶³Ibid.

he is saying that humans are only in relationship with other humans and that human existence is only in time. If so, from a theological framework, this statement is problematical because it does not take into account the relationship of humans with God nor an eternal existence. On the other hand, if Ulrich is simply explaining how the situation ethicist looks at man, the statement is not a problem.

Introducing the concept of God into Ulrich's presentation also challenges other elements of his presentation. For example, Ulrich stated that man reflects on his situation—what is and what ought to be—but Ulrich does not explain how the situation ethicist determines what ought to be. Since Ulrich notes that man has a common moral awareness and history, one could presume that, for some ethicists, traditional Church teaching and scripture are included in such a determination. If so, natural law—"the participation of the eternal law in the rational creature"—becomes a determining factor.⁶⁴ On the other hand, Ulrich stated that a situation ethicist rejects atemporal universals which means a rejection of natural moral law, the starting point for Church moral teaching.⁶⁵ Again, this is problematic if Ulrich intends to do more than present the viewpoint of a situation ethicist.

Another area where there is disagreement between situation ethics as presented by Ulrich and traditional Catholic teaching is the assessment of what makes an act moral. Ulrich's example relied on the consequences of an action. Such an approach conflicts with

⁶⁴Charles E. Curran, *History and Contemporary Issues: Studies in Moral Theology*, (New York: Continuum, 1996), 35.

⁶⁵Ibid. "The first principles . . . are known intuitively by human reason: Good is to be done; evil is to be avoided; act according to right reason."

Catholic teaching that defines the morality of an act in terms of its object, end, and circumstances.⁶⁶

As shown above, in some ways the case can be made that Ulrich lectured on the topic of situation ethics without adopting such an approach as his own. In fact, he does so for the first five pages of his eight-plus page lecture. On page six, however, Ulrich's lecture changes from a presentation to a proposal—an argument, so to speak—for intersubjectivity as a common ground between the subjective-temporal-particular and the objective-atemporal-universal. Within his argument for such a position, Ulrich uses his consequentialist example and rejects atemporal values. It is no wonder that Bonnette reported to Fr. Roesch that “. . . [t]he impression given to many students and professors present was that universal immutable moral norms were either being denied or ignored.”⁶⁷

The ethical perspectives presented by Randolph Lumpp are found in his lecture to the philosophy club entitled “A Theological Perspective on ‘Situation Ethics.’” Lumpp, as did Baltazar, Chrisman and Ulrich, began by stating his dislike for the term “situation ethics.” After defining and explaining classical ethics, he turned to his key point that “theologically based ethics has different sources from philosophical ethics” and therefore, “Christian behavior is motivated by factors that come from faith and may not be obvious to reason.”⁶⁸ Using a biblical approach, Lumpp developed three points: 1) the history of God's self revelation to man makes “situation ethics” possible; that is, salvation history

⁶⁶Gallagher, 93-94. For an act to be morally good it must be good with respect to its object, end, and circumstances. If there is an evil aspect to any one of these three, then the act in its entirety is evil.

⁶⁷Bonnette, letter to Roesch, 4.

⁶⁸Randolph Lumpp, e-mail message to the author, 14 January 1999.

shows a “gradual development of man’s self understanding”; 2) the revealed notion of history makes classical ethics unfeasible and obsolete; that is, a person-to-person encounter is more useful for developing morality than “law and principle”; and 3) the Incarnation makes man’s ethics and morality not more universal, but more particular and concrete; that is a “concrete person-to-person . . . exchange . . . forms the basis of Christian life.”⁶⁹ To put it another way, Lumpp argued that some characteristics of situation ethics are supported by a biblical approach.⁷⁰ In fact, he concluded by stating that “situation ethics” exists as a possibility because of the impact of Christianity upon humanity.⁷¹

Before analyzing Lumpp’s lecture, it is important to focus on what Lumpp aimed to do, that is, he came to the philosophy club meeting as a former philosopher intent on undermining all philosophy, not just Thomistic philosophy, with theology. In other words, Lumpp went to the enemy camp as a former colleague who believed he was now wiser than the philosophers were. He wanted to knock the props out from under philosophical ethics and focus on what theology offered to ethics. Lumpp did not intend to endorse “situation ethics” à la Fletcher. Rather, Lumpp intended to show that the principles of “situation ethics”—lauded in the secular press and used by many to refute Church morality—actually owed their existence to Christianity. The next logical step if one

⁶⁹Randolph Lumpp, “A Theological Perspective on ‘Situation Ethics.’” 2-6, ASM(E), University of Dayton Philosophy Controversy, 1966.

⁷⁰For a detailed exposition of Lumpp’s lecture, see my master’s thesis, pages 155-158.

⁷¹Lumpp, “A Theological Perspective, 6-7.

followed Lumppp's argument is to focus on the Church's contributions to philosophical ethics, rather than to criticize the Church's position on morality.

Did the attendees at the philosophy club lecture understand what Lumppp was arguing? The answer to this question is "unlikely." The unsophisticated students probably concluded that situation ethics was acceptable because it had Christian aspects.

Sophisticated students and philosophers such as Ulrich and Chrisman were the most likely to have grasped Lumppp's arguments but there is no record that they realized what he was saying. What about Bonnette and his supporters? Surely, they were capable of following Lumppp's intellectual argument. Does the historical record show that the accusers grasped Lumppp's argument? This question calls for a closer look

Bonnette's critique of Lumppp is found in Bonnette's 28 October 1966 letter to Fr. Roesch. Specifically, Bonnette stated that

. . . [t]he impression given to many students and professors present was that universal immutable moral norms were either being denied or ignored. . . . no attempt was made . . . to show how either the title of the talk or its contents could be made to harmonize with recent Church teaching. . . . [Lumppp did not present] in a positive manner the traditional teaching on the natural law.⁷²

The record shows, therefore, that Bonnette focused on the details of what he thought Lumppp implied (denial of universal immutable moral norms) and on what he thought Lumppp should have said (the Church's teachings) so that Bonnette missed Lumppp's overall argument which, in principle, he could have supported.

⁷²Bonnette, letter to Roesch, 4.

In analyzing Lumpp's lecture, we find that Lumpp did not use the terms "universal immutable moral norms" but instead referred to "laws and principles." Furthermore, in his response to Bonnette's criticism, Lumpp stated that while it is "historical fact" that we "formulate and teach norms. . . . The question remains . . . as to how one proceeds from such norms to the immediate application in the concrete moral instance." This leads Lumpp to ask "are the formulation and application of universal moral norms . . . sufficient for the Christian?"⁷³ The whole point of Lumpp's lecture was to answer that question with a resounding "no." Christians need more than philosophy to shape their ethics. They need theology, too, which is Lumpp's response to the criticism that he did not mention natural law. True, he did not mention natural law, but it is also true that he did not deny it either. In fact, his argument that theology is needed implies that the natural law standard is a lesser standard than the Gospel. Since everyone seems to have missed Lumpp's overall argument, what he said was misinterpreted by Bonnette and others.

In summary, the two sides differed in approaches to ethics, which follow from their differing philosophical perspectives. Bonnette and his supporters held to the "universal immutable moral norms" of traditional Church teaching and to the then-current condemnation of situation ethics on the part of the Church. The four accused faculty members supported in varying degrees some of the principles of the condemned situation ethics. All four took an evolutionary approach, with Baltazar and Lumpp using Christian frameworks and Chrisman and Ulrich relying on non-religious philosophical frameworks. In particular, Chrisman and Ulrich emphasized human responsibility in developing norms.

⁷³Randolph Lumpp, letter to Fr. Raymond A. Roesch, S.M., 21 November 1966, 2.

All four placed more emphasis on the situation or circumstances than did Bonnette whose emphasis was on universal, immutable norms.

As with philosophical perspectives in the previous chapter, this was a time of transition with the viewpoints of both sides represented within the Church. We have seen how Catholic theologians such as McCabe dialogued with Fletcher. Other Catholic theologians such as Thomas Wassmer, S.J. and John Giles Milhaven, S.J. read and were influenced by Fletcher which led to their working within the Church to influence Catholic moral tradition.⁷⁴ Wassmer and Milhaven supported positions embraced by the modern philosophers at Dayton, that is, questioning the existence of moral absolutes, rethinking natural law and the role of the magisterium, and placing more emphasis on circumstances and intention.⁷⁵ Shortly after the “Heresy Affair,” theologians such as Charles E. Curran embraced proportionalism, a moral theory that also challenged traditional Catholic morality.

At transitional times such as the mid-1960s, it is not unusual for opposing parties to respond to caricatures of their opponents. In other words, neither party reacts to their opponent as their opponent really exists. Rather, the issues are simplified or, in the words of Anglican theologian John Macquarrie, they become “one-sided ideas . . . usually as hasty correctives to equally one-sided aberrations which they were meant to correct.”⁷⁶ Such was the case at Dayton when the modern philosophers characterized the Church’s

⁷⁴Wassmer’s publications on situation ethics go back to the late 1950s while Milhaven’s occur in 1966 and thereafter.

⁷⁵Gallagher, 240-241.

⁷⁶John Macquarrie, *3 Issues in Ethics* (New York: Harper and Row Publishers, 1970), 59-60.

moral teachings as universal, abstract legalism and Bonnette labeled his opponents as situation ethicists. Both are exaggerations, containing elements of the truth while lacking the whole truth. Neither side seems to have heard what their opponents were really saying and so their reactions were ineffective in dealing with the controversy.

Issue Two: Response to Church Authority

Given the Church's teachings on situation ethics described earlier in this chapter and Bonnette's support of Church authority described in Chapter Two, it is no surprise to discover that response to Church authority is an issue in the "Heresy Affair" conflict over ethics. The difference in responses of the two sides to Church authority is most evident when dealing with the topics of contraception, situation ethics, and abortion.

Contraception. The topic of contraception does not come up in Bonnette's letter to the archbishop; rather, Bonnette brings it up in his detailed accusation letter to Fr. Roesch. Specifically, Bonnette states that "Dr. Baltazar defends birth control" in his 1964 book chapter in *Contraception and Holiness: The Catholic Predicament*⁷⁷ and that in Fall 1965, Baltazar "was quoted by the UD Flyer News [sic] as having maintained that contraception is not a theological question."

Baltazar agrees with both points in Bonnette's accusation and states that the context for his defense of contraception is the re-examination of the Church's traditional position on birth control. As evidence, he cites an article by Gregory Baum in the Spring

⁷⁷*Contraception and Holiness: The Catholic Predicament* (New York: Herder and Herder, 1964). Thomas D. Roberts, S.J. wrote the introduction to the book which did not have an editor. For an analysis of the book, see my master's thesis, pages 112-116.

1966 edition of *Continuum* where Baum, after quoting Pope Paul VI, concludes that “there is a doubt in the Catholic Church as to whether there is a morally significant difference between natural and artificial means of preventing conception.”⁷⁸ Baltazar goes on to note that “fifty-three out of sixty”⁷⁹ members of the papal commission favor some sort of change in the traditional doctrine” as do “many cardinals, bishops, theologians, and a vast number of the Catholic laity.”⁸⁰ In other words, Baltazar agrees that he defends contraception, as do many other Catholics, at this time when the Church is re-examining its position. He clearly does not think it is problematic to be Catholic and to defend birth control.

If Bonnette had been given the opportunity to respond to Baltazar’s 1966 letter to Roesch, he likely would have argued that the Papal Commission on Birth and Population Control was formed to advise the pope, not to “re-examine” the topic of contraception.⁸¹ Furthermore, on 23 June 1964, upon announcing the formation of the commission, Paul VI said that the Church’s teachings on the matter remained in force.⁸² If one looks to the Pope for guidance, one could conclude—as did Bonnette—that the Church teaching on contraception was still in place but that a commission was advising the Pope on this topic.

⁷⁸Baltazar, undated letter to Roesch, 4.

⁷⁹There appears to be a discrepancy regarding the number of members on the commission. Baltazar indicates sixty while John Noonan claims there were fifty-two. Noonan says that the commission was established under John XXIII with a membership of six, was expanded to fifteen by May 1964, and to fifty-two by March 1965. John T. Noonan, Jr., *Contraception: A History of Its Treatment by the Catholic Theologians and Canonists, Enlarged Edition* (Cambridge: The Belknap Press of Harvard University Press, 1986), 531.

⁸⁰Baltazar, undated letter to Roesch, 4.

⁸¹In March 1963, John XXIII formed the commission of six people to advise him on problems of population, the family and natality. Noonan, 531.

⁸²Pope Paul VI. Address to the Cardinals of the Roman Curia, 23 June 1964. Quoted in Dorothy Dunbar Bromley, *Catholics and Birth Control: Contemporary Views on Doctrine* (New York: The Devin-Adair Company, 1965), 86-87.

Baltazar likely would have responded that, even if Bonnette's interpretation was correct, scholars have a responsibility to the Church. Since a papal commission was at the very least advising the pope, Catholic scholars should be informing the commission with the most recent thinking on the topic. In other words, Baltazar focused on the commission and its task.

Bonnette, however, would likely have responded that the publication of articles and books such as Baltazar's essay in *Contraception and Holiness: The Catholic Predicament*—no matter how respectful and reasoned such articles might be—“publicly cast into doubt” the Church's teaching and “led the general laity to anticipate and expect a reversal of Church teaching.”⁸³ To put it another way, Bonnette places his emphasis on the continuity of Church teaching and believes a scholar should uphold Church authority. Clearly, the two philosophers have differing views on a scholar's responsibility to the Church.

Regarding Bonnette's second accusation—that contraception is not a theological question—Baltazar stated that

every moral theologian or Christian ethicist knows that the traditional argument against contraception is not based on revelation or tradition but solely on the natural law. In this sense it is not a theological question, but a philosophic one.⁸⁴

Baltazar went on to point out that Bonnette would have known what Baltazar meant if Bonnette had read the book chapter in question. It is apparent that to Baltazar, both accusations pertaining to contraception are non-issues.

⁸³Bonnette, e-mail message to the author,

⁸⁴Baltazar, undated letter to Roesch, 5.

Bonnette had supporters at the University of Dayton in his views on contraception and Church authority. The strongest supporter appears to be Marianist Fr. Richard J. Dombro who approached University president Roesch and asked him to stop a philosophy club meeting on “Birth Control—A Time to Re-evaluate” which was scheduled for 19 October 1965.⁸⁵ The discussion was to begin with Baltazar’s argument in *Contraception and Holiness*: “The question of birth control is not a theological one since the reasoning is based on natural law.”

In requesting that the meeting be cancelled, Dombro reported to Roesch that the majority of the faculty in the philosophy department did not want the discussion to be held. They were concerned pastorally about “the damage that could be done to students.”⁸⁶ As a general policy, Dombro recommended that the philosophy club not debate issues the Church asks her members to refrain from discussing.⁸⁷

Roesch did not cancel the philosophy club meeting and it went on as planned. As reported by Dombro, Baltazar “absented himself” from the meeting at the request of Chrisman, the club’s moderator.⁸⁸ In Baltazar’s absence, students attempted to explain his viewpoint.

When the meeting was thrown open to discussion, Bonnette, in defense of the Church’s position, recalled Paul VI’s statement that “no one should . . . pronounce himself

⁸⁵Richard J. Dombro, S.M., Memo to Raymond A. Roesch, S.M., 19 October 1965, 1. Document given to me by Dennis Bonnette. For a more complete review of Dombro’s memo to Roesch, see my master’s thesis, pages 124-130.

⁸⁶Ibid.

⁸⁷Ibid., 7.

⁸⁸Ibid., 1. None of the involved parties (Chrisman, Baltazar, and Joseph Quinn, the club president) recalls the specific event or its circumstances. Chrisman and Baltazar, telephone interviews with the author. Quinn, e-mail message to the author, 24 June 1999.

in terms differing from the norm in force” to which Chrisman “somewhat irately” replied that he had authorized the discussion and stated that the group had the “full right to debate it regardless of the Pope’s words.”⁸⁹

At this point, Hugo Barbic⁹⁰ asked Chrisman if he had any theological training. After all, the topic of the discussion was whether birth control was a theological or philosophical issue. Baltazar, the planned presenter, had theological training. Chrisman, on the other hand, admitted he had none. Barbic responded that he did have theological training and he indicated to Chrisman that if Chrisman had theological training, he would understand Bonnette’s question about the legitimacy of the discussion.

From Dombro’s report to Roesch, we see that Bonnette, Barbic, and Dombro staunchly upheld papal teachings, past and present. As indicated in Dombro’s memorandum to Roesch, the Thomist majority in the philosophy department believed the discussion should not even occur. Chrisman, on the other hand, tried to claim space to debate the issue without the oversight of the magisterium. He therefore labeled birth control a philosophical rather than a theological issue.⁹¹

The view that birth control was at least partially a philosophical issue was not uncommon in the mid-1960s. For example, in a *Theological Studies* article, moral theologian Paul Quay, S.J. stated that the Church’s argument emphasized “natural law and

⁸⁹Dombro, 2.

⁹⁰Hugo A. Barbic came to the University of Dayton in 1964 as an instructor. He had a bachelor’s degree from the University of San Francisco (1961) and a master’s from the University of Toronto (1963). After the controversy at Dayton, he worked on his doctorate at the Aquinas Institute of Philosophy.

⁹¹Chrisman, telephone interview by the author, 23 May 1999.

. . . the role of unaided reason in the establishing of the norms of moral conduct.”⁹² Fr. Michael O’Leary, the philosophy chairman at Sacred Heart Seminary in Detroit, in a letter to *Jubilee*, stated his opinion that the “ethics of marriage falls into the domain, not exclusively of the moral theologians, ‘who have been writing absolutely,’ but also of the moral philosophers since ‘the subject matter is one of reason, not of revelation.’”⁹³

The philosophical element of the question of contraception is also recognized in both the majority and the minority papal commission reports.⁹⁴ The majority papal commission report, for example, summarizes the objective criteria of morality as “what God revealing himself through the natural law and Christian revelation, sets before [the Christian married couple] to do.”⁹⁵

The minority report states: “If we could bring forward arguments which are clear and cogent based on reason alone, it would not be necessary for our commission to exist,

⁹²Quay, Paul, S.J., “Contraception and Conjugal Love,” *Theological Studies* (April 1961): 19. Baltazar quotes Quay in his chapter on contraception (page 155) and in his response letter to Fr. Roesch (page 5).

⁹³Dorothy Dunbar Bromley, *Catholics and Birth Control: Contemporary Views on Doctrine* (New York: The Devin-Adair Company, 1965), 110, quoting Michael O’Leary, letter to *Jubilee*, March 1964. Reprinted later in the *Michigan Catholic*, 26 March 1964. O’Leary’s letter was part of the debate that erupted in response to the publication of an article in the October-December 1963 issue of *Ephemerides Theologicae Lovanienses* by Rev. Louis Janssens, professor of moral theology at the Catholic University of Louvain. Janssens argued that the birth control pill could be likened to the rhythm method and therefore could be used within justified limits. Bromley, 103.

⁹⁴The majority and minority reports were first published in the United States in the *National Catholic Reporter*, 19 April 1967. Germain Grisez rightfully points out that the very use of the words “majority” and “minority” conveys a view of the work of the commission different from that of the pope who formed the commission as an advisory body. Germain Grisez, *The Way of the Lord Jesus, Volume One, Christian Moral Principles* (Chicago: Franciscan Herald Press, 1983), 908.

⁹⁵“Majority Papal Commission Report,” *The Catholic Case for Contraception*, ed. Daniel Callahan (Toronto: The Macmillan Company, 1969), 166-167.

nor would the present state of affairs exist in the Church as it is.”⁹⁶ Although recognizing that philosophical arguments are important, the minority note:

First, the question [of contraception] is not merely or principally philosophical. It depends on the nature of human life and human sexuality, as understood **theologically** (emphasis added) by the Church. Secondly, in this matter men need the help of the teaching of the Church, explained and applied under the leadership of the magisterium, so that they can with certitude and security embrace the way, the truth and the life.⁹⁷

The minority report continues with a quotation from Pius XI’s *Casti Connubii*:

“For Christ Himself made the Church the teacher of truth in those things also which concern the right regulation of moral conduct, even though some knowledge of the same is not beyond human reason.”⁹⁸ In a later section of the report entitled “Philosophical Foundations and Arguments of Others and Critique,”⁹⁹ the minority describe and critique seven philosophical arguments along with multiple sub-arguments used by proponents of contraception to “attack”¹⁰⁰ the teaching of the Church. While the specific philosophical arguments and counter-arguments are beyond the scope of this dissertation, what is relevant is that philosophical positions such as those of Baltazar and Chrisman were not atypical nor were the positions of Bonnette, Dombro, and Barbic. Within the Catholic Church, one finds both viewpoints represented in the mid-1960s. Furthermore, the philosophical arguments and counter-arguments were closely tied to how one viewed the authority of the Church: could the teaching of the Church regarding contraception be

⁹⁶“Minority Papal Commission Report,” *The Catholic Case for Contraception*,” ed. Daniel Callahan (Toronto: The Macmillan Company, 1969), 184.

⁹⁷*Ibid.*, 186.

⁹⁸*Ibid.*

⁹⁹*Ibid.*, 193-205.

¹⁰⁰*Ibid.*, 185.

changed? Those who argued “yes” frequently did so from a philosophical viewpoint while at the same time recognizing the issue of authority in the Church.¹⁰¹ Those who argued “no,” including the writers of the minority report, emphasized among other things the need for the Church to interpret philosophical arguments (i.e., a theological component), the continuity of the Church’s teaching, and the consequences if the teaching of the Church were changed including “serious harm” to the “value and dignity of the Church’s teaching authority.”¹⁰² In summary, the positions of the Dayton combatants related to the topic of contraception mirrored those of others within the Church.

Situation Ethics. Dennis Bonnette’s accusation letter to the archbishop clearly states that both Chrisman and Baltazar publicly endorsed situation ethics “in precisely that form which has been condemned by the Holy See.”¹⁰³ In the same letter, Bonnette accused Ulrich and Lumppp of offering “no positive affirmation of the traditional teaching on the natural law.” Bonnette’s letter to Roesch further clarified that “[d]espite the condemnation by the Magisterium, no attempt was made by either speaker to show how either the title of the talk or its contents could be made to harmonize with recent Church teaching.”¹⁰⁴ In other words, Bonnette held that Catholics must respect the teaching of Church authorities. If the Church condemned a particular teaching, Catholics should not endorse it. Furthermore, Bonnette held that the present teaching of the Church should be

¹⁰¹See *Commonweal’s* special issue (5 June 1964) on “Responsible Parenthood” for Daniel Callahan’s “Authority and the Church” where Callahan describes the real issue at stake in the struggle over contraception as “how the authority in the Church is to be understood, interpreted and developed.” Daniel Callahan, “Authority and the Theologian” *Commonweal* (5 June 1964): 319, 323.

¹⁰²Minority Papal Commission Report, 209.

¹⁰³Bonnette, letter to the archbishop, 1.

¹⁰⁴Bonnette, letter to Roesch, 4.

included in any presentation on a specific topic. In other words, the audience should not be left wondering where the Church stood on the topic presented.

Ulrich, in his response letter to Fr. Roesch, addressed Bonnette's accusation by acknowledging that "two officials of the Church who could share in the Magisterium" had spoken on the topic: Cardinal Ottaviani and Pius XII. After naming and dating these references, Ulrich states that to his knowledge, these are not infallible teachings. The unstated implication is that only infallible teachings of the Church have to be followed.¹⁰⁵

In regard to Bonnette's complaint that the traditional teaching on natural law was not presented during the lecture, Ulrich stated that the topic of the lecture was situation ethics and that he was only permitted fifteen minutes for presentation. In other words, there was insufficient time to include natural law in his lecture.

Ulrich's response indicates that, at the time it was written, he was aware of the Church communications on situation ethics. He correctly lists Ottaviani and the pope and the dates of their communications but he mistakenly attributes to the pope, the decree that was issued by the Holy Office in 1956.¹⁰⁶ Ulrich provides more detail on the Church communications than do the others accused by Bonnette. Ulrich's response calls these communications "references" to situation ethics and states that they were made in a letter, an instruction, and an allocution. By referring to them as a letter, an instruction, and an allocution, he is able to call them "documents" and is able to avoid calling them Church

¹⁰⁵Lawrence Ulrich, letter to Roesch, 22 November 1966, 1.

¹⁰⁶*Ibid.*, 1. This error would have been easy to make. The Decree was issued by the Holy Office on 2 February 1956 but published in *AAS* on 24 March 1956, 144-5. Ulrich quotes the *AAS* source which is published in Latin.

teachings. Finally, it must be noted that Ulrich does not acknowledge that the Church condemned situation ethics, which the decree, issued by the Holy Office, did in no uncertain terms.¹⁰⁷ In summary, although Ulrich does not address the response owed to Church authority, he clearly recognizes that the Church has authority on these issues and he minimizes the level of that authority, presumably to minimize his own required response to the authority.

In responding to Bonnette's critique concerning the magisterium's "condemnation," Lumpp points out that the two papal statements on situation ethics "do not define their terms in detail, but rather point to certain dangers [*sic*]."¹⁰⁸ Similar to Ulrich above, Lumpp is downplaying the authority level of the statements. Furthermore, since Lumpp does not name which papal statements he is referring to, it is difficult to assess the accuracy of his response. The Ottaviani letter was the most recent statement issued and one of the "errors and abuses" described appears to be "situation ethics."

Lumpp continues in his response to Roesch, "These statements are not the last word on the subject directed toward stifling discussion but rather are, as the ordinary Magisterium is always, instructive guidance. Consequently, the question is far from closed."¹⁰⁹ Lumpp is correct in including papal statements in the ordinary teaching authority of the Church. It does not necessarily follow that they are therefore only

¹⁰⁷The title of Rahner's essay quoted in footnote 6 of this chapter is "On the Question of a Formal Existential Ethics." Perhaps this is the essay Lumpp attached to his original letter to Fr. Roesch.

¹⁰⁸Lumpp, response to Bonnette's letter to Fr. Roesch, 2.

¹⁰⁹Ibid.

“instructive guidance,”¹¹⁰ a term that Lumpp recalls using as “descriptive” rather than “precisely technical.”¹¹¹ Lumpp believes that the response Catholics owe to the ordinary magisterium is to 1) take it seriously, 2) study it carefully if one is going to teach about it, 3) be cautious in disagreeing with the magisterium, and 4) if one disagrees, do not represent one’s disagreement as Church teaching.¹¹²

Bonnette, if given an opportunity to respond to Lumpp, would likely have quoted Article 25 of *Lumen Gentium*, Vatican II’s Dogmatic Constitution on the Church, which requires the faithful to give “loyal submission of the will and intellect . . . to the authentic teaching authority of the Roman Pontiff, even when he does not speak *ex cathedra*.”¹¹³ Although the meaning of these words has been debated since the day they were written, a 21st century understanding is that one should come to a papal document with an openness and willingness to accept the teaching of the Church. If one reads a document with the mindset that the document is only “instructive guidance,” one has potentially compromised

¹¹⁰In *Creative Fidelity: Weighing and Interpreting Documents of the Magisterium*, Francis A. Sullivan spends seven pages analyzing the 1995 encyclical *Evangelium vitae* to determine if John Paul II intended to invoke the “infallibility which Vatican II attributed to the teaching of the ‘ordinary and universal magisterium.’” Sullivan states that while he believes “it is true that no dogma has ever been solemnly defined in a papal encyclical . . . the fact that something has not been done before does not mean that it cannot be done.” Francis A. Sullivan, *Creative Fidelity: Weighing and Interpreting Documents of the Magisterium* (Mahwah, N.J.: Paulist Press, 1996), 159. John C. Ford and Germain Grisez claimed in a 1978 article that “the official teaching on artificial contraception fulfilled the conditions laid down by Vatican II for the infallible exercise of the ordinary universal magisterium.” Quoted in Sullivan, 105. Sullivan does not believe they proved their case but the point being made is that Lumpp needs to be careful in stating that something is only being taught by the “ordinary Magisterium” and therefore, it is only “instructive guidance.”

¹¹¹Randolph Lumpp, e-mail message to the author, 19 June 1999.

¹¹²Randolph Lumpp, e-mail message to the author, 18 June 1999.

¹¹³Austin Flannery, O.P., ed. *Vatican Council II: The Conciliar and Post Conciliar Documents* (Collegeville, Minn.: The Liturgical Press, 1979), 379.

one's openness and willingness to accept the teaching at the level of authority at which it is actually being taught.

In regard to the critique that he did not mention natural law, Lumpp responded in a manner similar to Ulrich: "the nature and scope of the presentations precluded talking about many things."¹¹⁴ While Bonnette's criticism is true, it is also true that Lumpp did not deny natural law. The basic point Lumpp wanted to make was that the natural law standard is a lesser standard than the Gospel. The way Lumpp made his point, however, was open to misinterpretation on the part of listeners.

Abortion. Chrisman raised the topic of abortion when he used the example of Sherri Finkbine in his 1965 talk on situation ethics. According to Bonnette, Chrisman

clearly implied that Sherri Finkbine was morally justified in going to Sweden to obtain an abortion, because, otherwise, she would have given birth to something like a "jellybean with eyes"—to use his exact words.¹¹⁵

Chrisman responded that he did not advocate abortion because "to advocate an abstraction is as irrelevant as to condemn an abstraction." He used Mrs. Finkbine's "situation to exemplify the agony faced by a moral agent who must choose" and noted that "no person not in her position could condemn her."¹¹⁶ By using this example in a discussion on situation ethics, Chrisman implies that the Church's teaching on abortion should be mitigated based on circumstances.

Abortion was a topic in the discussion period following the Ulrich/Lumpp presentations on situation ethics. Lumpp recalls that Bonnette asked him "whether the

¹¹⁴Lumpp, response to Roesch, 3.

¹¹⁵Bonnette, letter to Roesch, 2.

¹¹⁶Chrisman, letter to Roesch, 6.

Church could change its teaching on abortion.” Lumpp answered that he believed the Church already had changed its teaching when the principle of double effect was applied to the case of an ectopic pregnancy.¹¹⁷ Bonnette pressed further about how the Church might or might not change its position and Lumpp recalls declining to speak for the Church.¹¹⁸ This exchange shows Bonnette’s involvement in the discussion and his concern for the moral teachings of the Church being presented and taught as changeable.

As mentioned previously in this chapter, this was a time of transition within the Church. Philosophers and theologians who considered themselves within the Roman Catholic tradition responded similarly to both sides in the Dayton controversy. To put it another way, the Dayton faculty members’ responses to Church authority were not unique within the Church of the mid-1960s, a Church which was trying to distinguish between “what must be believed by Roman Catholics and what is a matter of opinion.”¹¹⁹ Indeed, the Ottaviani letter of 1966 would not need to have been written if the views expressed at Dayton were not widespread within the Church.

Issue Three: Assumptions about the Laity

In the previous chapter, the two sides had differing assumptions about how the laity, including students, should be treated. Baltazar and Chrisman interacted with the

¹¹⁷Lumpp cites Fr. T. Lincoln Bouscaren, S.J. At the time, Bouscaren was a consultant to the Sacred Congregation for the Propagation of the Faith, of the Council, and of Religious. Bouscaren was also an author of canon law books. Lumpp most likely refers to Bouscaren’s work entitled *Ethics of Ectopic Operations* which was published by the Bruce Publishing Co., Milwaukee, Wisconsin in 1933 and 1944.

¹¹⁸Lumpp, e-mail message to the author, 18 January 1999, 2.

¹¹⁹John Cogley. “Ottaviani Lists Doctrine ‘Abuses,’” *New York Times*, 20 September 1966, 20. The Latin text of this portion of the letter is “probe distinguendo inter id quod est credendum et id quod est opinabile.” Cardinal Ottaviani, 24 July 1966 (N. 871/66), letter to the heads of the episcopal conferences, 1. ACUA, Box 7, Administration NCWC.

students as if they were adults. Bonnette and his supporters took action when they believed harm was occurring to the “faith and morals of the entire university community.”¹²⁰ One could interpret Bonnette’s actions as paternalistic or overprotective of students.

Differing views toward the laity and students continued to be an issue as the conflict escalated over ethical topics. The best spokesperson for the accused is Lawrence Ulrich who explained his view in his response letter addressed to Fr. Roesch. Ulrich describes the role of the philosopher as social and then observes that “ideas must be discussed, questioned, and clarified by a number of persons if ideas are to be refined. Because the university finds its *raison d’etre* in its students, they must have an important part in this function.” Ulrich grants that “students may not have the fully mature philosophical sophistication to see all the ramifications of a problem. But when, if ever, does one achieve” such sophistication? He went on to say that students asked questions “out of sincere interest” and he wondered if they would ever learn how to think about “vital issues and problems” if they did not learn to do so “at the university level.”¹²¹

Three months later, Ulrich described the “degree of intellectual sophistication of the modern undergraduate” for Monsignor Robert Tensing, chair of the archbishop’s fact-finding committee,

Today’s undergraduate has a problematic orientation in the sense that he will not accept prefabricated answers. . . . He wishes to participate in an

¹²⁰Bonnette, letter to the Archbishop, 1.

¹²¹Ulrich, letter to Roesch, 22 November 1966, 3.

intellectual analysis of problems rather than accept answers with no knowledge of the problems involved.¹²²

Ulrich clearly does not take a protective stance toward students.

On the other hand, Edward Harkenrider, one of Bonnette's supporters, worried about the reaction of the students who heard the accused: "I fear that many students are being encouraged to create their own morality and that at a time in their life when sex plays such an important role."¹²³ Harkenrider's view shows concern for students on moral and physical levels. There is no indication here or anywhere else that he wants to protect students intellectually. In fact, he states that he was not opposed to non-Catholics or atheists teaching something contrary to Church teachings at the University of Dayton.

Harkenrider's

opposition was to those who professed to be Catholics standing up in a Catholic college and teaching something opposed to church teachings as though they were church teachings or at least could be reconciled with being a member of the Catholic church [*sic*].¹²⁴

Part of the explanation for the differing viewpoints of Ulrich, Chrisman and Baltazar with Harkenrider, Dombro and Dieska is the fifteen year average age difference between the two groups of men. Bonnette seems to be an exception since his views were aligned with Harkenrider, Dombro and Dieska and he is about the same age as Ulrich and Chrisman.

¹²²Ulrich, letter to Msgr. Robert Tensing, 23 February 1967, 5.

¹²³Harkenrider, letter to friends, 5 January 1967, 3.

¹²⁴Harkenrider, personal history written for his granddaughter, 120. Copy given to me by Harkenrider.

Another explanation is that the view of Americans toward young adults was changing in the 1960s. This cultural shift was associated with the Vietnam War era when young men were drafted and sent to war at 18 but were unable to vote until age 21. The backlash against such a policy ultimately led to the passage in 1971 of the 26th amendment to the U. S. Constitution, thus lowering the voting age to 18.¹²⁵

Before the 26th amendment passed, however, gradual changes occurred elsewhere in American culture. For example, where institutions of higher education previously established rules and regulations *in loco parentis*, during the 1960s some rules were falling by the wayside. For example, in February 1961, the Student Welfare Council at the University of Dayton decided to make weekly chapel attendance voluntary rather than mandatory.¹²⁶

The Americans whose view toward young adults changed in the sixties included the parents of those young adults. To put it another way, the expectations of parents of traditional age college students was changing. Probably some sent their children to Catholic schools in order to protect them but others wanted their children to have additional opportunities in this time of growth and change.

In such a time of cultural change, one would expect to find opposing viewpoints such as those espoused by the University of Dayton philosophy faculty. Differing opinions

¹²⁵Other cultural movements such as feminism, civil rights, and the sexual revolution also occurred in the sixties. All impacted young adults to some extent but the lowering of the voting age most clearly indicates that young people were viewed differently as the decade wore on. The rights of 18 year olds to privacy and to oversee their education records did not become law until 1974 under the Family Educational Rights and Privacy Act (FERPA).

¹²⁶Edward H. Knust, S.M., *Hallowed Memories: A Chronological History of the University of Dayton*, (Dayton, Oh: University of Dayton, 1953), 104.

on this issue are not a cause for alarm. However, when combined with the other issues in this chapter, differing assumptions about the laity contributes to the overall level of conflict in the “Heresy Affair” at the University of Dayton.

Issue Four: Increasing Personal Tensions

In the previous chapter, we saw that some of the faculty in the philosophy department at the University of Dayton genuinely disliked each other and that emotional tensions between them increased as the years went by. When the conflict expanded to include approaches to ethics, tensions escalated further, in part because the stakes were higher in terms of student behavior and therefore had the potential for greater impact on students’ lives and souls.

Although it is nearly impossible to gauge the emotional level of the conflict, a marked change in the actions of one of the parties is surely an indicator that the emotional intensity of the conflict has increased for that party. Such a change in activity occurred on the part of the accusers in the year prior to Bonnette’s letter to the archbishop. Specifically, the accusers went on the offensive, the number of actions increased, activities occurred more frequently, the number of actively involved supporters broadened, and the scope of activities widened. A brief look at each of these activities is helpful.

Perhaps the first evidence of the accusers mounting an offensive is Dombro’s October 1965 meeting with Fr. Roesch as reported in Dombro’s eight page follow-up memo. Recall that Dombro informed Roesch that the majority of faculty in the department of philosophy were not in favor of holding that evening’s philosophy club meeting on birth control. The implication, of course, is that Dombro wanted Roesch to

order the cancellation of the meeting.¹²⁷ Typically, the accusers were attendees and participants in the club meetings. Dombro's memo is the first indication that they tried to stop a meeting before it occurred. When Dombro's initiative failed, his follow-up to Roesch included some practical suggestions for organization and control of the philosophy club.¹²⁸ Since these initiatives were not implemented, one assumes that nothing came of Dombro's suggestions.

A second indicator that the accusers, particularly Dombro, were on the offensive is a 16 May 1966 letter from Bro. Leonard A. Mann, S.M., Dean of the College of Arts and Sciences, to Dombro responding to a note from Dombro that was attached to a copy of a *Catholic Mind* editorial which "stresses the prudence necessary in probing the pressing questions of the day, especially when they have theological or ethical overtones."¹²⁹ Dombro appears to be approaching Mann as Dean and reminding Mann of his responsibilities as an administrator in a Catholic university. In his response, Mann seeks to reassure Dombro that he has "not been passive" and that he has sought "prudent counsel from others"¹³⁰ in the "lively dialogue currently in progress, especially among the faculty in the department of Philosophy [*sic*]."¹³¹

¹²⁷One wonders if Dombro or other members of the department first took the matter to their chairperson, Dr. Richard Baker, who appointed Chrisman as the moderator of the philosophy club. There is no mention of Baker in Dombro's memo.

¹²⁸For a complete review of Dombro's memo to Roesch, see my master's thesis, pages 124-130. There is no record in the department minutes of Dombro or any other member of the faculty trying to implement these changes through the department or chair prior to going to Roesch.

¹²⁹The specific source of the editorial is not referenced so we have no way to be sure which one it was. Leonard A. Mann, S.M., letter to Dombro, 16 May 1966, 1. Copy of the letter given to me by Dennis Bonnette.

¹³⁰*Ibid.*, 3.

¹³¹*Ibid.*, 1. Mann's letter to Dombro will be discussed in more detail in the next chapter.

Other indicators of an offensive include the actions of Marianist priests Fr. Francis Langhirt in writing to the archbishop in February 1965 and Fr. John Elbert in preparing to take the matter to the University of Dayton's board of trustees in fall 1966, and the spring 1966 effort to pass and implement a statement of departmental convictions. In the next section of this chapter we will see that a group of the accusers met with the provost, Fr. Lees, in summer 1966 to discuss their concerns. Subsequently, the accusers visited and wrote letters to prominent theologians asking how a Catholic university administrator should deal with faculty who are teaching things contrary to the Church.

This brief review of actions taken by the accusers shows that the number of actions on the part of the accusers increased from one or two defensive responses per year to approximately seven actions on the offensive over less than a year. The number of accusers directly involved increased from three (Dieska, Dombro, Harkenrider) to at least seven (Bonnette, Dieska, Dombro, Elbert, Harkenrider, Langhirt, Seman). Finally, the scope of activities in this final year is broader. For example, the appeals to the top UD administrators are in writing and, in the case of Dombro's memo to Roesch, are more specific in terms of requested action. The accusers have also initiated contact with people outside the University community including noted theologians, at least one local pastor, and the archbishop.¹³² Clearly, Bonnette and his supporters are feeling the pressure to put a stop to the actions of Baltazar and Chrisman and each new step is taking them closer to appealing for additional help in dealing with the situation at Dayton.

¹³²I refer here to Fr. Langhirt's letter to the chancery.

Issue Five: Pastoral Concerns

Up to this point, we have looked at the “Heresy Affair” as an intellectual conflict over philosophies and approaches to ethics and as a clash among Catholic professors over responses to Church authority and assumptions about the laity. The element of personal animosities toward each other and increasing emotional tensions have also been considered. While these factors are important to the unfolding of the “Affair,” another element is required to escalate the conflict to the level of the archbishop. That element, the pastoral concern for souls, came to the forefront when the intellectual discussion switched from philosophy to ethics, thus impacting students’ behavior rather than abstract, intellectual matters.

The primary spokesperson for pastoral concern is again Dennis Bonnette. The first sentence of his accusation letter to the archbishop talks about the development of “a crisis of faith” at the University of Dayton. His letter continues using phrases such as “doing grave harm to the faith and morals” of the community, “the continued harm to souls which is done daily in the classroom,” and “Catholic consciences . . . have been compromised.” In fact, the reason Bonnette cites for approaching the archbishop with this matter is Canon 1381, §2: the ordinary’s obligation to ensure that nothing contrary to faith and morals is taught in the schools in his territory.¹³³

The pastoral concerns are also implicit in the subject matter mentioned most often in the letters to the archbishop and to Fr. Roesch, that is, situation ethics, abortion, and contraception, all of which affect students’ sexual morals. As Bonnette explains,

¹³³See footnote 9 in Chapter Two.

There were thousands of young students being misled (and this, in the midst of the “sexual revolution”). Situation ethics not only destroys theological and philosophical formation. It also endorses young people’s sexual explorations. When the secular was exploding with new-found sexual freedoms, all [UD] students needed was [its] own professors saying, “Amen!”¹³⁴

Bonnette was not the only person motivated by pastoral concern for the souls of students. Fr. Dombro expressed concern in his 1965 memo to Fr. Roesch. Specifically, Dombro stated that

some members of the department of philosophy, in fact, the majority of them, were not at all in agreement with the holding of [the philosophy club meeting on birth control], and that they were convinced that in the name of Catholic education steps should have been taken to prevent the damage that could be done to students.¹³⁵

Fr. Francis Langhirt, S.M., a part-time faculty member in philosophy, attended the March 1966 Baltazar and Chrisman lecture on situation ethics. “It was so shocking that [he] felt bound in conscience to inform the Chancery. They wrote back and told [him] to inform the Provincial and the President of the University.”¹³⁶ Langhirt informed Provincial James Darby in a letter dated 10 April 1966. Langhirt closed his letter by saying, “I understand that the authorities at the university are aware of the questionable principles of these two men.”

In a letter dated 6 September 1966, Provost Fr. Charles Lees reported to Dean Leonard Mann that he had received many complaints about the Philosophy Department.

¹³⁴Bonnette, e-mail message to the author, 10 May 1999. Bonnette also recalls “Dieska once remarking that with the bad teaching our students were getting (situation ethics) they would be ‘mating like rats!’” Bonnette, e-mail message to the author, 3 June 1999.

¹³⁵Dombro, memo to Roesch, 1.

¹³⁶Francis S. Langhirt, S.M., letter to James Darby, S.M., 10 April 1966. AUD, Roesch file, 91-35, Box 6. Langhirt’s letter to the Chancery is the letter Bonnette refers to in his accusation letter to the archbishop.

The complaints were “not trivial– the Department [was] accused of teaching not only non-Catholic, but even, non-Christian doctrine.” Lees continued that a “delegation from the Department itself visited [him] to discuss whether or not they could continue to teach in a University where the administration permits its faculty to propagate such doctrine.”¹³⁷

This letter is additional support that some faculty members were concerned about teachings contrary to that of the Church, teachings which negatively impact souls including their own.

Less than six months after visiting Lees, seven of those faculty, in addition to Bonnette, signed the “Declaration of Conscience on the Doctrinal Crisis at the University of Dayton.” One point in the Declaration states that “it is readily evident that the University officials exhibited no sincere religious concern for the spiritual welfare of the students.” While the signers do not go on to say that they are concerned about the spiritual welfare of students, the statement as written implies such a concern.¹³⁸

In addition to discussing his concern for the spiritual welfare of students with his fellow faculty, Bonnette recalls consulting several times his pastor, Msgr. James E. Sherman of Immaculate Conception Catholic Church. Ultimately, Sherman joined with Msgr. James L. Krusling, the dean of the Dayton deanery, and a number of other local pastors to write to the archbishop about the “religious climate at the University generally.”¹³⁹

¹³⁷Charles Lees, S.M., letter to Leonard Mann, S.M., 6 September 1966. AUD, Roesch file. 91-35, Box 6.

¹³⁸“A Declaration of Conscience on the Doctrinal Crisis at the University of Dayton,” 5 December 1966, 1. Copy of the Declaration given to me by Bonnette.

¹³⁹“The ‘Heresy Affair,’” *The University of Dayton Alumnus*, March 1967, 1.

Some local pastors included the “conversion of UD”¹⁴⁰ and “the heretics at UD”¹⁴¹ as intentions in the prayer of the faithful at their Sunday masses and at least one pastor preached that “Beelzebub was behind the teachers at our local Catholic university.”¹⁴² Others such as Fr. Raymond Schroder of Sacred Heart Catholic Church in downtown Dayton and Fr. David J. Barlage of St. Helen Catholic Church were privately supportive of the University of Dayton.¹⁴³ The pastor of the University’s neighbor, Holy Angels Catholic Church, also was privately supportive.¹⁴⁴ At least one pastor was outwardly encouraging when he included the following in the 11 December 1966 Sunday bulletin for St. Charles Catholic Church:

A VOTE OF CONFIDENCE TO THE U OF D!

The University has been in the news lately. Having seen the great growth and advance of UD these past 13 years, we would like to line up with the friends of UD. “Ad Majora!”¹⁴⁵

Bonnette’s letter to Roesch, written after Bonnette’s letter to the archbishop, does not address concern for souls. Bonnette explains that, as requested by Roesch, his letter addressed what he thought was being taught against the magisterium. The negative pastoral impact, his reason for being concerned about those teachings, follows logically

¹⁴⁰Matthew Kohmescher, S.M. Interview with the author, 12 April 1997.

¹⁴¹Reported statement made by Marianist Brother Ralph A. Mravintz, Dean of Admission, to seventeen Girl Scouts and their four leaders from Immaculate Conception Parish. The scouts were touring campus at the time. Walter J. Portune, letter to Raymond A. Roesch, 3 May 1967. AUD, Roesch, 91-35, Box 5.

¹⁴²Ulrich, interview with the author, 14 April 1997.

¹⁴³Raymond Schroder, letter to Fr. Raymond A. Roesch, 9 February 1967. David J. Barlage, letter to Fr. Roesch, 23 December 1966. AUD, Roesch, 91-35, Box 5.

¹⁴⁴Cy Middendorf, S.M., telephone interview with the author, 12 March 1999. John Jansen, S.M., telephone interview with the author, 10 March 1999.

¹⁴⁵*The Spur*, St. Charles Catholic Church, Kettering, Ohio, 11 December 1966. Baltazar reports that Msgrs. Gilligan and McFarland (St. Charles and Holy Angels parishes, respectively) were open-minded.

from the theological errors.¹⁴⁶ Since Bonnette neither articulated his pastoral concerns in the Roesch accusation letter nor did he share his letter to the archbishop with the University administration or the accused, pastoral concerns were not addressed in the four responses of the accused.¹⁴⁷ We therefore do not know what the accused thought about pastoral issues related to students. One cannot make the case that the accused did not care about the souls of their students, although it is one possibility. Other possibilities include the accused not believing in the existence of souls, the accused not thinking their teaching was negatively impacting students (spiritually or in any other way), the accused thinking they were actually helping and liberating students to be more responsible, the accused focusing on academic and intellectual aspects of teaching, or the accused believing students were responsible for their own behavior which impacted their spiritual lives. Nevertheless, what is clear in this dispute is that pastoral concerns motivated Bonnette and his supporters. Since the archbishop has ultimate responsibility for the faith and morals of the Catholics in his territory, Bonnette involved the archbishop after efforts to get the University administration to intervene failed.

Perhaps the question to ask is why did Dennis Bonnette care enough about souls to write to the archbishop? Bonnette's response is that he was "just raised that way"¹⁴⁸ and indeed American Catholics educated in the 1950s were raised that way. Lesson One of the *Baltimore Catechism, Part Two* entitled "The End of Man," includes the question

¹⁴⁶Bonnette, letter to Roesch, 1, 4.

¹⁴⁷Even if Bonnette had mentioned his pastoral concerns, it is unlikely that the responses of the accused would have been other than along the lines of "of course, we do not want to negatively impact the students in any way, including spiritually."

¹⁴⁸Bonnette, e-mail message to the author, 9 July 1999. Bonnette attended Our Lady of Good Counsel School in Plymouth, Michigan in the 1950s.

“Of which must we take more care, our soul or our body?” and a followup question “Why must we take more care of our soul than of our body?” Generations of American Catholics memorized the response, “We must take more care of our soul than of our body, because in losing our soul we lose God and everlasting happiness.”¹⁴⁹

Scripturally, the Great Commission¹⁵⁰ supports that “we are responsible not only to save our own souls, but to try to influence as many others as possible to go to Heaven.”¹⁵¹ For Bonnette, “We have no choice. The souls of all who hear us are in our hands and on our consciences.”¹⁵²

In addition to Msgr. Sherman and other local pastors, Bonnette and his UD supporters had the backing of at least one well-known theologian, Fr. Francis J. Connell, C.Ss.R. Connell’s support came about as a result of a meeting in the summer of 1966 between some philosophy faculty and UD’s provost, Fr. Charles Lees, S.M. Lees suggested that they consult several well-known theologians and elicit their advice.¹⁵³ Bonnette wrote letters to Fr. John Courtney Murray, S.J. on 28 June 1966, and to Fr.

¹⁴⁹*The Baltimore Catechism*, Benziger Brothers 1891 and 1921; HTML translation, Catholic Information Center on Internet, Inc.; available from <http://www.catholic.net/RCC/Catechism/Doit.html>; Internet; accessed 6 April 2003.

¹⁵⁰Matthew 28:16-20. Now the eleven disciples went to Galilee, to the mountain to which Jesus had directed them. When they saw him, they worshiped him; but some doubted. And Jesus came and said to them, ‘All authority in heaven and on earth has been given to me. Go therefore and make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit, and teaching them to obey everything that I have commanded you. And remember, I am with you always, to the end of the age.’ Available from <http://www.devotions.net/bible/00bible.htm>; accessed on 6 April 2003.

¹⁵¹Bonnette, e-mail message to the author, 9 July 1999.

¹⁵²Bonnette, e-mail message to the author, 10 May 1999.

¹⁵³Bonnette, e-mail message to the author, 13 May 1999.

Joseph Gallen, S.J.¹⁵⁴ on 14 July 1966. He personally consulted Fr. René Laurentin¹⁵⁵ when he was on the Dayton campus for a summer program. Paul Seman visited Fr. Connell in Washington, DC and then wrote a follow-up letter on 21 July 1966.

While the particulars of the letters vary, the substance remains essentially the same, a “hypothetical” moral case is explored:

What is the moral responsibility of an American Catholic university administrator who has in his charge a Catholic teacher of philosophy who participates in public talks and discussions held on campus before students, faculty, and others and insists that his views, as given below, represent the positions that the Church either now holds or ought to hold in the future?

The views listed in the letters included defense of situation ethics, moral justification of abortion, disbelief in purgatory, belittlement of papal statements, and denial of the traditional concept of God. The letters closed with a request for general guidelines for administrative action regarding this type of problem.¹⁵⁶

Although a copy of the letter sent to John Courtney Murray no longer exists, Murray’s response indicates that it was similar in content to the other letters. Written on the letterhead of the John LaFarge Institute in New York City on 30 August 1966, Murray responded

¹⁵⁴Joseph Gallen, S.J. was a professor at Woodstock College in Woodstock, MD. Gonzalo Cartagenova, an instructor in philosophy at the University of Dayton, was a former student of Gallen’s. Gallen was the author of a column, “Questions and Answers,” in *Review for Religious*. A question in the May 1967 column resembled the situation at Dayton but was set in the context of what a religious superior should do about teachings contrary to the faith.

¹⁵⁵At the time, Fr. Laurentin was a professor at Catholic University, Angers, France. He is a renowned Mariologist and was a peritus at the Second Vatican Council. He was instrumental in forming the final chapter of *Lumen Gentium*. Brochure from Religion in Life 1966 Summer Lecture Series, AUD, Series 7JD, Box 23, Folder 6, “Religion in Life.”

¹⁵⁶Copies of the letters from Dennis Bonnette to Joseph Gallen, S.J., 14 July 1966, and from Paul I. Seman to Francis J. Connell, C.S.S.R. 21 July 1966 were given to me by Bonnette.

Do forgive my long delay in answering your letter of June 28th. Even at the moment I am afraid that I hardly know what to say about your “hypothetical” moral case. Your professor of philosophy does indeed seem to entertain some strange ideas. However, all the subjects mentioned in your letter are being discussed actively today and might indeed be called controversial in some sense. I should hesitate to say anything about his position unless it were more adequately described. It is always perilous to judge a man on such a brief account.

I fear this will not be useful to you and I am sorry. But it is about the best that I can do.¹⁵⁷

Murray’s response is obviously cautious. This response is understandable in light of his own previous difficulties with the Church hierarchy. Perhaps Murray was getting many requests for “expert” advice, following the adoption of his Declaration on Religious Liberty at the Second Vatican Council on 7 December 1965 and, therefore, graciously declined many of them. Nevertheless, since it was obvious that the example was not a hypothetical case, it is disappointing that Murray did not offer some advice.

There is no record of a response by Gallen nor does Bonnette recall how Laurentin responded. Laurentin does not recall being asked about the controversy.¹⁵⁸ Connell responded in writing and in a column in the *American Ecclesiastical Review*. In his letter, dated 25 July 1966, he states emphatically that any professor of philosophy in a Catholic university who proposes or defends such “doctrines” as described, should not be permitted to teach. Having such a person on the faculty is a “scandal.” Connell uses “scandal” in its technical sense, that is, the faculty member is a stumbling block to the faith of others.¹⁵⁹ He,

¹⁵⁷John Courtney Murray, S.J., letter to Dennis Bonnette, 30 August 1966. Original of the letter was given to me by Bonnette.

¹⁵⁸René Laurentin, letter to the author, 6 June 1999.

¹⁵⁹Daniel Kroger, *The HarperCollins Encyclopedia of Catholicism*, s.v., “Scandal.”

therefore, validated Bonnette's view that souls were at risk in the Dayton situation. Connell concluded his letter with the statement: "Stick to your Catholic principles."¹⁶⁰

Previously, we saw that three of Bonnette's UD supporters were Marianist priests, Fr. Dombro, Fr. Elbert, and Fr. Langhirt. Given the pastoral work of many priests, one might expect that priests would be concerned about the impact of teachings on the souls of students. The question then becomes, how did other priests at UD look at this situation? One possible response is provided by Marianist Father Cy Middendorf, University chaplain, who was called to meet with the archbishop's fact-finding commission. He recalls being asked "isn't this [situation] scandalizing the students?" and "are [the students] losing their faith?" When Middendorf replied, "the students could care less," he recalls that the commission members got angry.¹⁶¹

What about the priests serving in administrative capacities within the University, particularly Fr. Roesch and Fr. Lees? We have seen how Fr. Lees met with Bonnette and his supporters and encouraged them to write to theologians for advice. He also wrote to Chrisman at least two times—after the "Is God Dead?" presentation and after a presentation in February 1967 where Chrisman "pulled the traditional supports from the doctrine of papal infallibility." The latter letter is critical of Chrisman and describes the talks given by him as "sensationalism" and "demagoguery." Lees states, "[i]s it any wonder that our students question whether you have any faith at all—and some of them do question it." Lees goes on

¹⁶⁰Francis J. Connell, C.Ss.R., letter to Paul I. Seman, 25 July 1966. Copy of the letter was given to me by Bonnette. Connell discussed the "hypothetical" case in his column "Answers to Questions" in the November 1966 issue of *American Ecclesiastical Review*. He titled the question "Academic Freedom in a Catholic College" and restated his views presented above.

¹⁶¹Middendorf, telephone interview with the author, 12 March 1999.

to point out that “shocking for shock’s sake is not scholarship.” Although Lees is concerned about what Chrisman is teaching, he does not seem to know how to deal with Chrisman. For example, the beginning of the sentence where Lees says that “shocking for shock’s sake is not scholarship” is “I am sure that no one at the University wants to muzzle a scholar . . .”¹⁶² In other words, Lees is conscious of his position as an administrator and of Chrisman’s as a faculty member with academic freedom.

Perhaps Lees did not know what to do with Chrisman because previously Lees talked to Chrisman about his behavior with no apparent results. The “Is God Dead?” letter indicates that the day after the Chrisman’s presentation, Lees heard that Chrisman told his audience he did not believe in purgatory. In his letter to Chrisman, Lees says “Would you care to discuss the matter with me?” Although the question seems to give Chrisman a way out of talking to Lees, Chrisman says that both he and Lees interpreted the question as a command for Chrisman to meet with the Provost about the matter.¹⁶³ Chrisman did meet with Lees but does not recall the discussion. Chrisman suspects that he was less than honest about his actual position on purgatory.

Chrisman recalls Lees as being kind to him while also being “up-front with his opinions” which ran counter to Chrisman’s.¹⁶⁴ Lees’ challenge to Chrisman was “how to justify [Chrisman’s] position and be Christian.” To put it another way, Lees saw the

¹⁶²Charles J. Lees, S.M., letter to Chrisman, 20 February 1967. Copy of letter given to me by Chrisman.

¹⁶³The University of Dayton’s provost at the time was responsible for setting faculty salaries and for promotions. He was not a person to be ignored. John Chrisman, e-mail message to the author, 25 April 2003.

¹⁶⁴Chrisman, telephone interview with the author, 25 January 1999.

potential pastoral impact on Chrisman's own soul, that is, Chrisman's positions were moving him away from Christianity.

The position of Fr. Roesch on the pastoral issue can be ascertained from his 3 December 1966 letter to the University community. After declaring the four accused faculty members to be innocent, Roesch acknowledged that "confusion . . . may have arisen in the minds of some of the hearers of all these professors."¹⁶⁵ Roesch then noted that there is

a distinction to be made between (1) the pastoral mission of the Church in which she and her ministers seek to guide souls according to the truths of divine revelation, and (2) the role of the Church learning in which competent scholars seek by academic inquiry to further clarify the formulation and understanding of dogmas and doctrines.¹⁶⁶

Although Roesch seems to be saying that the role of a Catholic university is not part of the pastoral mission of the Church, he admits in a later paragraph that there is no "simple clear-cut solution" to the question of "how a scholar can resolve the tensions that sometimes exist between . . . faith and . . . reason." In summary, Roesch appears to emphasize academic issues while at the same time recognizing the existence of pastoral concerns. Such a viewpoint is not surprising given the troubled times and Roesch's position as president of the University of Dayton.

Conclusion: Situation Ethics and Traditional Catholic Morality

Throughout this chapter, the "Heresy Affair" escalated along the issues of conflicting viewpoints on the critical topic of ethics, of differing responses to Church

¹⁶⁵Raymond A. Roesch, letter to members of the UD faculty and staff, 3 December 1966, 1-2.

¹⁶⁶*Ibid.*, 2.

authority, and of two perspectives toward the laity and students. In all three issues, the opposing sides could hardly have been more juxtaposed.

The emotional tensions of the accusers escalated when stakes became higher; that is, when the discussion topic changed to ethics. Herein lies the heart of the “Heresy Affair.” For Bonnette and his supporters, the controversy was no longer an intellectual conflict. It became a “battle for souls.”¹⁶⁷ As followers of Christ, the accusers were conscience bound to fight this battle, regardless of the personal cost.

The question that follows is “did the accused and the University administrators realize what was happening at the time?” To put it another way, “did they realize the seriousness of pastoral concerns to the accusers?” Most likely, Fr. Roesch did not realize how the accusers felt about the escalating controversy. If he did, why did Roesch express surprise that Bonnette went to the archbishop?¹⁶⁸ On the other hand, the accused knew the pastoral issues were important to the accusers but the accused underestimated the seriousness with which Bonnette and his supporters accepted their responsibility for the souls of their students. After all, it does not happen very often that someone jeopardizes their physical livelihood for the spiritual life of others. Such an action is ridiculed or, at the very least, looked upon strangely by most people.

Since pastoral concern for souls was a motivating force for Bonnette and his supporters and since this concern was so misunderstood and/or misinterpreted, saving

¹⁶⁷Bonnette, e-mail message to the author, 8 February 1999.

¹⁶⁸Thomas A. Stanley, S.M., telephone interview with the author, 10 April 1999.

souls is a critical point in understanding the “Heresy Affair” at the University of Dayton.

A more revealing description of the controversy is therefore “Souls in the Balance.”

CHAPTER V

THE CHURCH LEARNING AND THE CHURCH TEACHING

The clashing views on philosophical and ethical issues tie in with different emphases in American Catholic higher education. On the one hand, the Thomists who supported the traditional moral teachings of the Church looked at Catholic universities as the Church teaching while the modern philosophers who supported situation ethics considered Catholic higher education to be the Church learning. In the case of the Church teaching, the Thomists emphasize the Catholicity of the university by upholding the teachings of the Church and passing them on to a new generation of students. The modern philosophers, however, emphasize that the Church learns through its universities and, therefore, the faculty and students should be free to question and explore all issues including Church teachings.

This chapter begins by examining the general historical background of Catholic higher education.¹ This examination is a necessarily short survey beginning with the founding of universities in the Middle Ages and continuing to the late 1960s. In the second part of the chapter, the narrative turns to the 1960s conflict between the modern philosophers and the Thomists at the University of Dayton. Materials written during this period are available from both sides in the controversy in addition to two reports from a

¹The concept of academic freedom will be covered in Chapter Six.

faculty committee representative of the entire faculty and materials written by the president of the University of Dayton, Fr. Raymond A. Roesch, S.M. These items are analyzed to show the differing viewpoints, the changing rhetoric of the president, and the connections to the general historical background in the first part of the chapter. The chapter concludes with a summary of the points of contention and a discussion of this conflict in relation to the overall “Heresy Affair.”

In analyzing this third component within the controversy, the most useful issues to consider are the notion of a university and of a Catholic university, and the roles of the Church in the Catholic university and of the Catholic university in the Church. It will become evident that several of these issues include themes that carry over from the previously described components. For example, the issue of Church authority is embedded in the roles of the Church and the Catholic university and views of the laity are encompassed in the notion of a Catholic university.

As this chapter unfolds, we will see that the issues discussed and the various views represented are not unique to the participants in the “Heresy Affair.” Both the issues and the views were found throughout the Church and in other American Catholic institutions of higher education. Also, since the issues are more general, we are able to consider the views of University of Dayton faculty who are not philosophers or theologians.

General Historical Background

The first universities to emerge in the Middle Ages—Bologna, Paris, Oxford—were Catholic universities. The universities formed when professors of theology, law, medicine, and arts (philosophy) associated together as a teaching body. They were Catholic because

everyone was Catholic in the Middle Ages and because of actions on the part of the Church such as the ecclesial appointment of the rector and/or chancellor, the financial support of universities by popes and monasteries, and the issuance of documents such as Gregory IX's statutes for the University of Paris in 1231 which guaranteed the freedom of scholars² and Gregory's Bull for Toulouse in 1233 which stated that "any master examined there and approved . . . shall everywhere have the right to teach without further examination."³

Three major historical events significantly impacted the development of universities. First, the Reformation led to the Church losing control of some universities, particularly in Germany and England, and civil authorities assuming control of education in those regions. The results, of course, varied in each country. Second, the French Revolution resulted in the closing of French universities. When they were reestablished, the Church was no longer powerful and theology was not included as a discipline. Rather, theology was allowed only in seminaries. Third, the Enlightenment led to the modern period with its skepticism, emphasis on human reason and the individual, and the development of the historical method resulting in an increased focus on research and specialization.

²Gregory IX's Statutes for the University of Paris, available from <http://www.fordham.edu/halsall/source/UParis-stats1231.html>; Internet; accessed 6 August 2003. In *Blueprint for the University*, Leo R. Ward referred to these statutes as Gregory IX's Magna Carta of the university. Leo R. Ward, *Blueprint for the University*, (St. Louis: B. Herder Book Co., 1949), 375. Ward was a faculty member at the University of Notre Dame.

³"Universities," 1908 *Catholic Encyclopedia*, available from <http://www.newadvent.org/cathen/15188a.htm>; Internet; accessed 1 August 2003.

Despite these events, the Church continued to develop and expand its higher education institutions around the world. For example, 118 Catholic institutions founded in the nineteenth century were still operating as Catholic institutions in 1990. Eighty-five of those institutions are in North America, the majority being in the United States.⁴

In addition to the founding of universities, the 19th century is particularly important to Catholic higher education because of the publication of John Henry Newman's *The Idea of a University* in 1852. Newman, in his attempt to establish a Catholic university in Dublin, raises issues still being discussed in Catholic institutions today: the need for a Catholic university, the need for liberal education, and the relationship of theology and the authority of the Church to secular subjects.⁵

In the United States, one of the institutions is the Catholic University of America, founded in 1889 as a pontifical university.⁶ Some of the other U.S. institutions founded in the nineteenth century were controlled by individual bishops, but most were founded by religious orders whose members had recently emigrated from Europe. The sponsoring communities provided governance, administration and instructional staff to the institutions. Typically, the religious order and the educational institution were one and the same legal entity.⁷

⁴IFCU History, Appendix 12, available from <http://www.fiuc.org/english/generalinfo/ap12.html>; Internet; accessed 25 June 2003.

⁵Frank M. Turner, ed. "Reading *The Idea of a University*" in John Henry Newman, *The Idea of a University* (New Haven: Yale University Press, 1996), xiv-xv.

⁶A university is a "pontifical" institution if it has particular approval from the Church, is governed by norms approved by the Holy See, and has the right to grant degrees approved by the Holy See. *The HarperCollins Encyclopedia of Catholicism*, 1012.

⁷In time, the two separated but the religious community generally maintained legal control of both. For example, the University of Dayton incorporated as a separate corporation from the Society of Mary in 1950.

Not surprisingly, the administration of early American Catholic colleges resembled that of European religious orders—monarchical, absolutist, and private. As recently as 1946, the Executive Committee of the College and University Department of the National Catholic Educational Association stated that the above administrative characteristic still “sets Catholic colleges apart from other collegiate institutions in the United States.”⁸

The historical period of particular relevance to this dissertation is that of the post-World War II period when all U.S. institutions of higher education, including Catholic institutions, experienced changes due to tremendous growth. Student enrollments grew, resulting in an overall shortage of faculty. Catholic colleges in particular were affected by the faculty shortage since they relied principally on members of their religious communities for staffing. In order to cover classes, an increasing number of lay faculty were hired which had its own impact on Catholic higher education. For example, lay faculty needed salaries while members of the religious order did not and, frequently, there were tensions between religious administrators and lay faculty who felt like second-class citizens.

In addition to faculty issues, Catholic institutions dealt with curricular changes relating to the overall climate of higher education in the United States. For example, the 1950s and 1960s saw increased emphasis on the sciences, engineering, and technology. A specifically Catholic issue was the criticism delivered by John Tracy Ellis at the 1955 annual meeting of the Catholic Commission on Intellectual and Cultural Affairs. Ellis pointed out the lack of intellectual leaders among American Catholics. Since Catholic

⁸Executive Committee, College and University Department, National Catholic Educational Association, *The Liberal College in a Democracy*, (1946), 73. Rev. John A. Elbert, S.M. was a member of the Executive Committee and of the Editorial Board.

institutions should be educating those leaders, Ellis' words were a challenge to Catholic colleges and universities to improve the quality of education in their institutions.

Ellis was not the first Catholic to criticize Catholic institutions. Previously, George N. Shuster and Leo R. Ward leveled their own criticisms.⁹ Shuster asked "Have We Any Scholars?" in a 1925 *America* article. He answered his own question with "possibly two or three chemists and seismologists . . . and one economist." He added

If we are honest, we must admit that during seventy-five years of almost feverish intellectual activity we have had no influence on the general culture of America other than . . . [spreading] to the four winds knowledge accumulated either by our ancestors or by sectarian scholars.¹⁰

In 1949, Holy Cross Father Leo R. Ward, in *Blueprint for a Catholic University*, warned that there was a "crisis in Catholic learning" and the "real problem of the Catholic schools comes from the fact that they have settled in many matters for the mediocre: merely trying to keep up, not to get behind, not to lapse from being accredited." Ward continues that "it is time now . . . for the Catholic college to find its essential business as college and Catholic" and not to just do what the "secularized schools" tell it to do.¹¹

Although both Shuster's and Ward's remarks caught the attention of Catholic educators, Ellis' remarks set off an intense period of self-criticism¹² which lasted for years

⁹An additional source of criticism can be found in John A. O'Brien, ed., *Catholics and Scholarship: A Symposium on the Development of Scholars*, (Huntington, Ind., Our Sunday Visitor, 1939).

¹⁰George N. Shuster, "Have We Any Scholars?" *America* (15 August 1925): 418.

¹¹Ward, 7.

¹²At least one author, Justus George Lawler, noticed that the criticism of Catholic universities was nearly all coming from administrators in Catholic schools. Justus George Lawler, "In Defense of the Catholic University," *Continuum* 4 (Summer 1966): 259. This editorial was reprinted in *Catholic Mind* (January 1967): 21-27.

and, in the words of Germain Grisez, “broadened to include almost every feature of Catholic higher education.”¹³ The main criticisms as summarized by Grisez are

- Catholic higher education is “not a system; there is no central authority in control of it; no one is in a position to organize the entire enterprise in a rational fashion.”
- Religious orders sponsoring the institutions do not “sufficiently distinguish the academic community from the religious community.”
- The “declared purposes” of Catholic universities are not formulated well and some of the “characteristic features” of Catholic higher education are the “means” to fulfill the purposes, that is, courses in Thomistic philosophy and required attendance at mass and retreats.¹⁴

During the time frame of the “Heresy Affair,” more than a decade later, the self-criticism had not abated. In fact, by the mid-1960s, some authors were questioning whether Catholic universities should even exist as evidenced by articles entitled “Should Catholic Colleges Be Abolished?”¹⁵ and “The Future of an Illusion.”¹⁶ Most authors believed that Catholic universities should exist but they differed as to the definition, identity, and purposes of Catholic higher education.

¹³Germain Grisez, “American Catholic Higher Education: The Experience Evaluated,” *Why Should the Catholic University Survive? A Study of the Character and Commitments of Catholic Higher Education*, ed. George A. Kelly (New York: St. John’s University Press, 1973), 43.

¹⁴*Ibid.*, 42-43.

¹⁵Paul Van K. Thomson, “Should Catholic Colleges Be Abolished?,” *Columbia College Today*, XIV (Fall 1966): 36-41.

¹⁶John Cogley, “The Future of an Illusion,” *Commonweal* (2 June 1967): 310-316.

Some such as John Mahoney thought that the purpose of the Catholic college was to “perpetuate and further Christian culture and tradition by drawing bright Christians to its warmth, by generating them as the leaders men have sought.”¹⁷ Mahoney addresses Ellis’ criticism when he says that Catholic colleges are not producing Catholic leaders because Catholic institutions do not measure up to secular institutions and so they lose the brightest students.¹⁸ Part of the reason the bright students are lost to non-Catholic institutions is “the disappearance of religion . . . as an academic constituent,” that is, theology is not taught as an academic subject, which makes integration with the rest of the curriculum “a sheer impossibility.”¹⁹ To put it another way, theology is not presented in a way that makes it an integral part of the intellectual life. Mahoney believes this leads bright students to reject Catholic education and, ultimately, the faith because of its “inapplicability.”²⁰

Jesuit Bernard Lonergan also focuses on integration within the Catholic university. He begins by stating that the “central function” of any university is the “communication of intellectual development.”²¹ He goes on to say that Catholic universities differ from secular universities because they are liberated through divine faith and feel “both the need for intellectual integration” and prepare the “way towards that integration.”²² Lonergan is

¹⁷John Mahoney, “The American Catholic College and the Faith,” *Thought: A Review of Culture and Idea* 39 (Spring 1964): 249.

¹⁸Ibid., 241.

¹⁹Ibid., 245.

²⁰Ibid., 250.

²¹Bernard J. F. Lonergan, S.J. “The Role of the Catholic University in the Modern World.” *Continuum* 4 (Summer 1966): 280. In the same article, Lonergan also defined the university as “a reproductive organ of cultural community.”

²²Ibid., 281.

aware that the move towards integration is difficult, in part because one is dealing with “man as the cooperative or uncooperative recipient of divine grace.” Hence, the need for theology as the integrator.²³

Justus George Lawler takes a different approach to integration. In a 1966 *Continuum* editorial, Lawler describes the “rationale” of a Catholic university as that of any other university: “a body which is organically unified by a common intellectual perspective.”²⁴ In other words, a “university is not a place where all subjects are explored; it is a place where all subjects are explored in the light of a single—however broadly conceived – ‘*principle*’: a word which is here used synonymously with ‘viewpoint,’ ‘perspective,’ ‘ambiance,’ ‘intellectual attitude,’ etc.”²⁵ Lawler is saying that a Catholic university will explore all subjects in light of Catholicism. “One cannot conceive of a university without this unifying principle, because the single mission of the university is to work towards the creation of some kind of synthesis among the various kinds of knowledge.” Lawler admits that his view has critics—those who say that there is no such thing as Catholic biology—but he believes that his view allows “the highest intellectual dialogue” to take place when the “distinct intellectual communities” each bring “the entire gamut of learning *as a whole* into confrontation” with other partners.

While Mahoney, Lonergan, and Lawler addressed the intellectual aspect of a Catholic university, Andrew Greeley recommended that one of the “most unique contributions” Catholic higher education can make is the “development of an authentic

²³Ibid., 282.

²⁴Lawler, “In Defense of the Catholic University,” 259-260.

²⁵Ibid., 260.

and exciting Christian community on each college campus.” For Greeley, the ideal Catholic higher educational environment is a place where “everything possible is done to create a climate which facilitates the free and spontaneous development of those talents and potentialities, religious, intellectual, and cultural which are unique in each child.”²⁶

Rt. Rev. Eugene Kevane, Dean of the School of Education at Catholic University of America, focused on the religious aspect when he described the objectives of a Catholic university. The roots of these objectives reside in “both the abiding, absolute and eternal truths taught by the Catholic Church, and in the contingent circumstances of a particular day and age.”²⁷ A Catholic university analyzing its objectives in the late sixties should see itself as “participating in its post-conciliar renewal, according to the mind and documents of Vatican II authentically interpreted by the Holy See.”²⁸ Notice that this wording is similar to Dennis Bonnette’s accusation that the four faculty charged with deviating from Catholic doctrine failed to be “in full agreement with the mind of the Holy See and of its legitimate organs of expression.”²⁹ Although Kevane goes on to describe the specific objectives of a pontifical Catholic university that are not relevant to the University of Dayton, his comments above indicate his understanding that a Catholic university is aligned with the Holy See and that the Holy See is the authentic interpreter of Church teachings.

²⁶ Andrew M. Greeley, “Catholic Higher Education: The Next 100 Years,” *NCEA Bulletin: The Role of Catholic Education in Contemporary Society* (August 1967): 81.

²⁷ Eugene Kevane, “A Note on Catholic University Objectives,” *The Catholic Educational Review* 66 (March 1968): 196.

²⁸ *Ibid.*, 198-199.

²⁹ Dennis Bonnette, letter to Rev. Raymond A. Roesch, S.M., 28 October 1966, 1.

Others invoked the Church, particularly Vatican II, but in a less rigid manner. For example, Theodore Hesburgh drew on Vatican II to define the Catholic university as the place to “seek out the relevance of the Christian message to all of the problems and opportunities that face modern man and his complex world.”³⁰ Similarly, Jesuit John T. Carmody stated that the Catholic university has a “primary responsibility . . . to shoulder a goodly part of [the Church’s] work of manifesting the relevance of the Gospel.” Vatican II is “something of a charter” for the work of “showing what God’s Word implies for the men and problems of today.”³¹

William Doane Kelly, who figures prominently in the aftermath of the “Heresy Affair,” states in *Commonweal* that the “purpose” of a Catholic college is “to be Catholic.” The Catholic college should be “formed the way any Christian community is. . . . [that is,] constituted by people who are called together by God’s Word, the Word spoken to us in Christ and still to be kept alive and spoken through the Church, Who is us.” Kelly goes on to say that the Catholic college must “unashamedly acknowledge” that it is “Biblically and liturgically oriented.”³²

What about Paul Van K. Thomson who questioned if Catholic colleges should be abolished? His response to the question which “ten years ago . . . would not have been asked” is a resounding “no,” although he does think there should be “very few

³⁰Theodore M. Hesburgh, C.S.C., “The Vision of a Great Catholic University in the World of Today,” *Thoughts IV: Five Addresses Delivered During 1967* (South Bend, Ind.: University of Notre Dame Press, 1968), 7.

³¹John T. Carmody, S.J., “An Academic Atmosphere,” *The Catholic Educational Review* 64 (February 1966): 94.

³²William Doane Kelly, “What is a Catholic College?,” *Commonweal* (28 January 1966): 494.

universities.”³³ Thomson, the first lay vice president of academic affairs of Providence College, believed a “new kind of Catholic college” was emerging where the “exchange of the most fundamental ideas, values, and approaches between the religious and secular worlds can take place—to the benefit of both.”³⁴

On the other hand, John Cogley makes it clear in “The Future of an Illusion” that he thinks there is no future for Catholic higher education as it existed in the mid-sixties. In his words, “Catholic universities face the fate of the papal states.”³⁵ His reasoning is that no university can be “uncritically committed as an institution to a particular philosophy, political system, to any one religion, or to anti-religion.”³⁶ For Cogley, theology belongs in every university but one particular theology should not be favored over others. Cogley goes on to say that he is not hinting that Catholic universities be “dismantled” or “secularized.” Rather, he “advocates” that they be “pluralized, ecumenized, and universalized in order to be transformed into genuine universities in a pluralistic, ecumenical and philosophical many-mansioned world.”³⁷

In summary, the views in the sixties on the identity and purposes of Catholic higher education indicate a range of opinions. All of them, with the possible exception of

³³Thomson, “Should Catholic Colleges Be Abolished?,” 40-41. Thomson believes that resources are limited and that Catholics should spend their resources on colleges since there is a growing need for a liberal arts education.

³⁴*Ibid.*, 41.

³⁵John Cogley, “The Future of an Illusion,” *Commonweal* (2 June 1967): 310.

³⁶*Ibid.*, 314.

³⁷*Ibid.*, 316. In January 1966, in the *Commonweal* article described above, William Doane Kelly stated that it would be an “excellent idea” if a “Catholic college were to appoint a man such as John Cogley president” (495). Kelly would not have been so enthusiastic about Cogley as a potential president if Cogley’s article had been published prior to his own.

Cogley's,³⁸ are within the thinking of the post-conciliar Church. All of them call for Catholic universities to be real universities. All of them see the university as a place of dialogue between the Church and the world. They differ, however, on the approaches they take and the involvement of the Church.

Since there is a range of views on identity and purposes, one would also expect to find a range of views on the relationship of the Church and the university, that is, the role of the Church in the university and the role of the university in the Church. We turn now to an analysis of each of those roles.

Role of the University in the Church. Nearly every article dealing with the purposes, objectives or rationale of the Catholic university mentioned in some way the role of the university in the Church. The most common role attributed to the university is “a place for the Church to think or learn.” For example, Jesuit Charles Donovan, academic vice president of Boston College, states that one of the reasons why Catholic universities should continue to exist is “to do the thinking of the Church, to be places where the sociology, theology, and movement of the Church get thrashed out openly, fully rationally, and sympathetically.”³⁹

Fellow Jesuit Michael P. Walsh, president of Boston College, echoes Donovan's comments about the university being the “place where the Church does its thinking” and

³⁸The only thing potentially problematic is Cogley's suggestion that no particular theology be favored. What does he mean by favored?

³⁹Charles Donovan, uncited source, quoted in “The Changing World of Catholic Education,” *Columbia College Today* 14 (Fall 1966): 24. Was the only Church thinking done in the university? One wonders how the Curia and seminaries reacted when they read Donovan's statement.

adds that this “should be and must be [the case] in the future, much more than it has been in the recent past.”⁴⁰

In a speech delivered at the NCEA Convention in 1967, another Jesuit, Timothy S. Healy, executive vice president of Fordham University and later president of Georgetown University, recognized that the Catholic university is a place where disciplines “clash openly” and that the faculty bring to the Church a “crossroads of skills and visions.” He continues, “No where else in the Church, not in Curia, Chancery, or Chapter, can all of man’s hard-earned skills be brought to the lifetime’s task of shucking what is only human and storing what is completely divine.”⁴¹ Healy’s metaphor implies that Catholic higher education can help the Church come into the modern world by getting rid of what is old and unnecessary for the life of the Church.

Others expressing similar sentiments were Jesuit William J. Richardson, a philosopher from Fordham University, who said that the Church through the university has access to the “data of the empirical sciences” and to “informed counsel”⁴² on all issues and Jesuit Superior General Pedro Arrupe who recognized the Catholic university as “a most appropriate organ of the Church’s perennial function of self-study and reflection.”⁴³

⁴⁰Michael P. Walsh, S.J., “The Role of the Catholic University,” *College Newsletter* 29 (December 1966): 3.

⁴¹Timothy S. Healy, S.J., “A Rationale for Catholic Higher Education,” Speech delivered at NCEA Convention, 28 March 1967, Atlantic City, N.J. CUA Archives, Box 58, Binder: Sent to NCEA Members, 1966-69. Also available in “A Rationale for Catholic Higher Education,” *NCEA Bulletin* (August 1967): 63-67.

⁴²William J. Richardson, S.J., “The ‘Competence’ of a Catholic University,” *Fordham* 1 (February 1967): 23. Also reprinted in “Pay Any Price? Break Any Mold?,” *America* 116 (29 April 1967): 624-642.

⁴³Pedro Arrupe, S.J., official text of remarks at closure of Fordham’s 125th anniversary celebration, 5 April 1966, quoted in William J. Richardson, S.J., “The ‘Competence’ of a Catholic University,” *Fordham* 1 (February 1967): 23.

Admittedly, this selection of comments, though limited, shows that the Jesuits were vocal about the university's role as a place for the Church to think. This is not surprising given that the Jesuits have the largest number of Catholic colleges and universities in the United States.

Robert G. Howes, associate professor and chairman of the City and Regional Planning Committee at Catholic University of America, listed practical ways the university community serves the Church. For example, Catholic college students teach CCD and provide other services in their local parishes; university theologians served as *periti* at Vatican II; conferences on topics of interest to the wider Church are held on college campuses; and universities perform studies for their local churches and dioceses. Howes suggests that the university could perform a "research and development" function for the Church by being a place to experiment, test, and refine strategies to be employed by the wider Church.⁴⁴

In addition to being a place for the Church to think, many authors state that Catholic universities are a place for the Church to meet the world and the world to meet the Church. Walsh quotes John Courtney Murray who says that the university has the "special responsibility of interpreting" both to each other.⁴⁵ Walsh adds that the Catholic university should "demonstrate in theory and in practice that the religious and secular

⁴⁴Robert G. Howes, "The Church University in Megalopolis," *The American Ecclesiastical Review* 65 (July 1966): 106-107.

⁴⁵Walsh, *College Newsletter*, 3.

orders can both prosper by mutual interaction and cooperation without either order sacrificing its own function and independence.”⁴⁶

Healy and Carmody approach this issue from the spiritual side. Healy, for example, talks about “working out the presence of Christ in a host of complex worlds”⁴⁷ while Carmody says the Catholic university must

shoulder a goodly part of this work of manifesting the relevance of the Gospel. If our Christian commitment is to mean anything at all, then we must seriously set ourselves to the grand task of showing what God’s Word implies for the men and problems of today. . . . [E]ach of us, in accordance with the special mode of proclaiming the gospel to which he has been called, has special appreciations both of that gospel and of this world in which it must be preached. . . . [T]he vital importance of each individual ought to be immediately apparent.⁴⁸

Healy—and only Healy—mentions one additional role for the Catholic university in the Church when he says that the university is the Church’s “open door into democracy and democratic process.” He says this for two reasons. First, the university is “the one place, the one forum, where [the Church’s] ideas and everyone else’s can be stated, attacked and defended, not by edict or fiat, but by the wear of time and of many minds.” Second, the university is “the only structure within the Church which has successfully declericalized functions—in other words, the only place where by intent and pattern, laity and clergy have learned to work together.” Healy goes on to say that the “mixing” of laity and clergy is “new and heady.”⁴⁹ Indeed, the Jesuits and other religious orders had only recently begun to turn over their institutions to lay boards of trustees and so this was an exciting time of

⁴⁶Ibid.

⁴⁷Ibid., 5.

⁴⁸John T. Carmody, S.J., “An Academic Atmosphere,” 94-95.

⁴⁹Healy, NCEA speech, 6.

university freedom in the relationship with the Church and from the oversight of religious superiors. Healy couldn't help mentioning that "in all humility, we are the pattern for the 'whole Church.'"⁵⁰

Perhaps the document that most represents the thinking of leading Catholic educators and administrators at that time is the "Land O'Lakes Statement: The Nature of the Contemporary Catholic University."⁵¹ The statement, prepared in summer 1967 for a meeting of the International Federation of Catholic Universities (IFCU), "attempts to call attention to some of [the] characteristics which seem particularly relevant to the current problems facing the Catholic universities of the world and more especially of the United States and Canada." The statement is "selectively and deliberately incomplete"⁵² in terms of a philosophy or description of the Catholic university. Point 5 of the statement addresses the role of the university in the Church. It states that the Catholic university has the "obligation" to serve as the "critical reflective intelligence" of the Church. This follows from every university serving as the "critical reflective intelligence of its society." What this means is that "the university should carry on a continual examination of all aspects and all activities of the Church and should objectively evaluate them." The "benefit" to the Church is "continual counsel." The writers of the statement point out that

⁵⁰Ibid.

⁵¹See footnote 54 in Chapter Two.

⁵²Neil G. McCluskey, S.J., "Preamble," *The Story of Notre Dame: The Idea of the Catholic University*, available from <http://archives1.archives.nd.edu/episodes/visitors/101/idea.htm>; Internet; accessed 11 August 2003.

universities have hardly performed this role in the “recent past” and it “may well be one of the most important functions” in the future.⁵³

Role of the Church in the University. While nearly every scholar above addressed the role of the university in the Church, it can also be said that nearly every author above ignored the role of the Church in the university. One assumes that the Church has roles in a Catholic university and that the roles are viewed in a positive fashion, else why would the authors be scholars at Catholic universities? Perhaps the authors took the roles of the Church for granted and therefore did not see any reason to elaborate on them. The few who did address the topic generally phrased the Church’s role in a negative fashion. For example, as mentioned above, Walsh talks about the university securing its independence from the Church. When he then says that the “Catholic university must be free,” the implication is that the Church must keep a “hands-off” approach.

The Land O’Lakes Statement also addressed the Catholic university’s autonomy and freedom “in the face of authority of whatever kind.”⁵⁴ On the other hand, Land O’Lakes also said that “Catholicism is perceptibly present and effectively operative” in a Catholic university. The ways that Catholicism is an “operative presence” are through the presence and academic excellence of scholars of theology and their participation in interdisciplinary dialogues with other faculty members, and through the social form of the

⁵³“Statement on the Nature of the Contemporary Catholic University,” *The Story of Notre Dame: The Idea of the Catholic University*, available from <http://archives1.archives.nd.edu/episodes/visitors/lo/idea.htm>; Internet; accessed 11 August 2003.

⁵⁴Ibid.

university, that is, liturgical functions and an environment where persons “can express [their] Christianity.” While Land O’Lakes does not specify the exact how-to of the role of the Church, clearly the document recognizes and values the positive contributions of the Church to the university.

In summary, the relationship of the Catholic university and the Church in the mid-sixties can be characterized—in the words of the times—as the university “coming of age.” American Catholic higher education is “tooting its own horn,” telling the “old” Church how the “new” university can assist it, and, in general, is distancing itself from the Church to gain academic legitimacy on the secular front. On the other hand, the articles and documents reviewed above generally indicate that the authors believe a Catholic atmosphere is valuable in higher education. Such a belief was not universal as shown in the second part of this chapter.

The distancing from the Church on the part of many Catholic institutions took the form of both words and actions. For example, in early 1967, Sister of Loretto Jacqueline Grennan, president of Webster College, stated that “the very nature of higher education is opposed to juridical control by the Church.”⁵⁵ In other words, Grennan felt that a choice had to be made—either Webster would be a university or it would be Catholic; it could not be both. Grennan’s choice, with the backing of the Sisters of Loretto and a newly-formed lay board of trustees, was to renounce the Catholic affiliation of Webster, thereby secularizing the college.

⁵⁵Anthony J. Dosen, C.M., “Webster College: Institutional Change in a Vatican II Milieu,” paper delivered at the American Catholic Historical Association, 29 April 2000. My thanks to Dr. Sandra Yocum Mize who gave me a copy of this paper.

Other university presidents in the 1960s felt the tensions between the Church and higher education but took a less radical approach than Grennan's. For example, many Catholic institutions turned over governance of the university to an independent board, a process known as laicization, since it put governance of the university in the hands of lay people rather than the sponsoring religious community. Lay people brought different perspectives to the boards, and provided business expertise and an enhanced level of professionalism. By laicizing the board, Catholic universities also positioned themselves to benefit from federal funds, a move which helped solve their financial woes.

The theory and apparently legal basis behind laicization was provided by canonist Fr. John McGrath from Catholic University of America who argued that the property of educational institutions that has been incorporated under American civil law is the property of the corporate entity and not the religious order. Canon law governs property that belongs to an "ecclesiastical moral person." Since the institution is not a juridic person, the property is not church property.⁵⁶ Although McGrath's thesis was "disowned" by the Vatican Congregations of Religious and of Catholic Education in 1974, it is nevertheless an important component of American Catholic higher education in the 1960s because many institutions took action based on it and these actions were not undone.⁵⁷

In addition to laicization, many institutions publicly endorsed academic freedom. The two concepts are linked in that both are ways the institution can distance itself from the

⁵⁶Alice Gallin, O.S.U., *Independence and a New Partnership in Catholic Higher Education* (Notre Dame, Ind.: University of Notre Dame Press, 1996), 109-110.

⁵⁷Philip R. Moots and Edward McGlynn Gaffney, Jr., *Church and Campus: Legal Issues in Religiously Affiliated Higher Education* (Notre Dame, Ind.: University of Notre Dame Press, 1979), 146.

Church and, ultimately, legitimate Catholic institutions in the secular world of academe. The history of academic freedom and its relationship to Catholic institutions and to the “Heresy Affair” will be discussed in Chapter Six.

In summary, the historical context of the “Heresy Affair” is one where Catholic institutions of higher education distanced themselves from the Church in both words and actions. They wanted to be accepted in the world of American secular education and yet they wanted to retain a relationship with the Church. Since the sixties were a time when Catholic higher education began to assert its independence from the Church, it was to be expected that some would err on the part of going too far away before an equilibrium position was established. What is noticeable at this point is discussion taking place as to what is a Catholic university and what are the roles of both the Church and the university in both institutions.

Issue One: What is a University?

Less than a year after sending his letter to the archbishop, Dennis Bonnette wrote an article entitled “The Doctrinal Crisis in Catholic Colleges and Universities and its Effect Upon Education.” The article, published in the November 1967 issue of *Social Justice Review*, has been described by Bonnette as “an apologia for [Dieska’s and my] position during the Dayton crisis.”⁵⁸ Since Bonnette’s focus is on Catholic universities, he does not give any attention to the features of a university in general.

In their responses to the accusations, the faculty accused by Bonnette provide a limited view of their understanding of a university. Baltazar, for example, describes a

⁵⁸Bonnette, e-mail message to the author, 27 June 2003.

university as “the place for the exploration of truth.” He uses this description in the context of faculty doing research.⁵⁹ Lumpp also focuses on the faculty when he talks about the “professional academic life” which “calls for constructive criticism by scholars of one another.”⁶⁰ Both are describing the research function of a university. In their brief comments, neither mention students in the educational process. Given the context for their comments, their focus on the faculty is not surprising.

Ulrich gives us a bit more information about how he views a university when he offers his “interpretation of his position” at the University of Dayton. Ulrich believes a philosopher must do more than discuss the history of philosophy. The philosopher must also “explore many different ideas in an attempt to adequately explain the human condition.”⁶¹ In other words, the philosopher must teach and do research.

In describing the “social role” of the philosopher, Ulrich states that “[i]deas must be discussed, questioned, and clarified . . . if the ideas are to be refined,” and that students “must have an important part in this function.” They must be “helped to think about vital issues and problems. . . . And if they should not learn this skill then . . . the university would have failed in the very purpose for which it is established.” As evidence that the University of Dayton is succeeding in this purpose, Ulrich points out that “discussion and questioning” are happening outside the classroom, that is, students are

⁵⁹Eulalio R. Baltazar, letter to Rev. Raymond A. Roesch, undated, 10. In his 1964 *UD Review* article, “Re-examination of the Philosophy Curriculum,” Baltazar elaborates that a university is “not merely a place where we learn truth, but more essentially a place for the discovery and search of truth.” Baltazar, 30.

⁶⁰Randolph F. Lumpp, letter to Rev. Raymond A. Roesch, 21 November 1966, 3.

⁶¹Lawrence P. Ulrich, letter to Rev. Raymond A. Roesch, 22 November 1966, 3.

thinking about vital issues and problems.⁶² In these few sentences, Ulrich gives us a view of the philosophy faculty member, of students, and of the purpose of a university.

Chrisman, the final accusee, describes the university as a place where questions are “raised and continually re-raised and answers are worked out and continually criticized.”

In other words, one does not necessarily arrive at the truth on one’s first attempt.

Chrisman agrees with Baltazar, Lumpp, and Ulrich in that a university has the “right to speculate.” While faculty must exercise “responsible scholarship and creativity,”

Chrisman, as does Ulrich, believes that students must be taught to think on their own.⁶³

The view of the University of Dayton as an institution is found in its official documents. For example, the 1952 Articles of Incorporation⁶⁴ state the purposes of the University of Dayton. Using the “somewhat archaic language” of the original corporate documents to emphasize the University’s “continuity of existence,”⁶⁵ its purposes include those of most institutions of higher education in the fifties: teaching, research, and service.⁶⁶

⁶²Ibid.

⁶³John M. Chrisman, letter to Rev. Raymond A. Roesch, undated, 4.

⁶⁴These Articles separated the University from the Marianists, Inc., the parent corporation.

⁶⁵Report to the Board of Trustees on the Purposes and Objectives of the University of Dayton, 19 February 1973. AUD, Barrett, Box 9, Folder 5.

⁶⁶The complete statement of UD’s purpose is: “The purpose or purposes for which said corporation is formed are establishing, maintaining and conducting, under the influence of religion, an institution of learning for the purpose of offering instructions in the arts and sciences; promoting education in all departments of learning and knowledge, and especially in those branches usually comprehended in academic, collegiate and university courses; promoting the work of education, religion, research, public service and charity; acquiring and holding for such purposes money, real estate, and other property necessary or proper to carry out said objects; and doing any and all things and engaging in such enterprises necessary or incident to the accomplishment of such purposes.” *Source Material Proposed for Faculty Seminar on Study of Purposes and Objectives of the University of Dayton*, Fall 1968, 3.

Although statements by University officials are not as binding as official documents, articles and letters under the president's name are very important in that they provide insight into what the president was thinking at the time of the "Heresy Affair." Fortunately, Fr. Roesch wrote a number of items on Catholic higher education during the period 1964 thru 1967. The publication entitled "Is a Catholic University a Contradiction in Terms" is the 1966 Report of the President, distributed to alumni and friends of the University of Dayton. The report will be considered throughout this chapter on Catholic higher education. Roesch's article was written after the crisis at St. John's University⁶⁷ and after the American Council on Education published "An Assessment of Quality in Graduate Education" which, "disturbingly,"⁶⁸ did not include any Catholic institutions in the two highest quality ratings. Roesch pondered whether "recognition for excellence [will] always exclude our colleges in the eyes of most of our colleagues in academia?"⁶⁹

Of particular importance to *Issue One* is Roesch's description of the nature and purpose of a university: "traditionally [a university] has been conceived as a community of scholars serving as a center of independent thought and learning."⁷⁰ Roesch describes collegiate education as "the search for truth." He goes on to say that college is a time

⁶⁷See footnote 52 in Chapter Two.

⁶⁸Roesch, "Is a Catholic University a Contradiction in Terms," *Report of the President 1966*, 1.

⁶⁹*Ibid.*

⁷⁰Roesch, *1966 Report*, 2.

when “instruction must cease” since most persons of college age are at the point where “mankind becomes capable of being improved by free and equal discussion.”⁷¹

In the 1966 report, Roesch also points out that all colleges and universities are “created and maintained by society to accomplish necessary social ends.” Roesch lists three social ends: “provid[ing] acculturation from youth into adult society, develop[ing] vocational skills needed by society, and transmit[ting] the values held by the supporting society.”⁷² In addition, universities have the “somewhat paradoxical and potentially dangerous” function of being critics of the same society that places demands on the universities. Roesch goes on to say that the “mandate of society” for universities to serve as critics and to “furnish guidelines for national development” is “increasingly urgent” in the context of the changing social conditions of the 1960s.⁷³

In summary, Roesch’s understanding of the purposes of a university are the typical teaching, research (in the sense of searching for truth), and service, along with being a critic of society. The role of critic of society is one that came to prominence in the

⁷¹Ibid. Roesch is quoting John Stuart Mill, *On Liberty*, 1859, available from <http://www.utilitarianism.com/ol/one.html>; Internet; accessed on 8 July 2003. The actual quotation is “Liberty, as a principle, has no application to any state of things anterior to the time when mankind have become capable of being improved by free and equal discussion.”

⁷²Roesch, *1966 Report*, 4.

⁷³Ibid.

sixties.⁷⁴ The University of Dayton's documents from 1950 do not mention this purpose. Although it is unspoken in Roesch's comments, the "society" the Catholic university finds itself in is not just civil society. One could also interpret "society" as being that of the Church.

The views of the University of Dayton faculty in 1965-66 are found in a committee report of the faculty forum, *Service Conditions Affecting the Life of the Mind*, published in August 1966. The committee began informally in academic year 1964-65 when about ten professors came together on their own initiative to "discuss matters pertinent to the welfare of the University." In the fall of 1965, when Rocco Donatelli, the chairman of the faculty forum, called for volunteers for a Committee on Service Conditions Affecting the Life of the Mind, most of the 1964-65 participants offered their services.

The committee, under the leadership of Ellis A. Joseph of the School of Education, described a university as a "community of scholars whose goals are the discovery (research), preservation, and the communication of truth."⁷⁵ Recognizing the importance of productive scholarship for determining the academic reputation of a

⁷⁴William J. Cole, S.M., wrote, in the "Working Paper Presented to the Faculty for Critical Consideration, Purposes of the University of Dayton" (1968), that the role of "criticism" is a "very recent phenomenon." Cole's source is Kenneth Keniston, "Responsibility for Criticism and Social Change," in *Whose Goals for American Higher Education?* (Washington, DC: American Council on Education, 1968), 145-163. In his paper presented at the 50th anniversary meeting of the ACE in October 1967, Kenniston argued that American universities were the "prime critic of our society" because of 1) "our awareness" that "unexamined and unguided . . . technological change has not automatically produced a humane, decent, beautiful, and just society; 2) the freedom of faculty to consider "long-range trends . . . in a broad and inclusive perspective"; 3) faculty being concerned about the "next generation" and "their welfare"; and 4) the inclination of academics toward skepticism, questioning, examination, and "toward faith in the powers of human intelligence to resolve human problems." (Kenniston, 159).

⁷⁵*Service Conditions Affecting the Life of the Mind: A Committee Report of the Faculty Forum*, University of Dayton, 1966. Preface. Members of the committee were Eulalio R. Baltazar, Sr. M. Audrey Bourgeois, C.Pp.S., Joseph J. Cooney, Donald R. Geiger, S.M., Joseph C. Kunkel, James A. McMahon, Raymond J. Maras, Michael H. Means, and Lawrence F. Cada, S.M., Consultant.

university, the committee explored issues impacting scholarship and offered recommendations for consideration by the university community.⁷⁶ The final report was issued as a “resource document” for the purpose of “encouraging on-campus discussion by mature scholars in cooperation with the responsible officials of the University for the purpose of improving both the image and the reality of the University of Dayton.”⁷⁷ Although the committee dealt with issues related to teaching and service, their focus clearly was on scholarship, that is, the research function of the university.

In looking at *Issue One*, we see the president of the University of Dayton recognizing the competing purposes of the university. At the same time, we see the accused faculty emphasizing the research–search for truth–function and the faculty committee recognizing the importance of scholarship and taking practical steps to improve the conditions impacting their academic lives. These views are common within higher education, then and now. Any disagreements are likely to arise over the degree to emphasize one purpose or another at a particular time.

Issue Two: What is a Catholic University?

As mentioned in *Issue One*, less than a year after his letter to the archbishop, Dennis Bonnette wrote an article entitled “The Doctrinal Crisis in Catholic Colleges and Universities and its Effect upon Education.” In the article, published in the November 1967 issue of *Social Justice Review*, Bonnette describes features of a Catholic university. He focuses primarily on the religious orientation of the Catholic university, doing so

⁷⁶Ibid., 10.

⁷⁷Ibid., cover letter from Rocco M. Donatelli to readers of the report.

within the framework of a pluralistic society. In essence, Bonnette believes that, to be reflective of a pluralistic society, there must be universities “truly representative of the moral and religious traditions which they represent—whether they be Jewish, Protestant, Catholic or Buddhist”⁷⁸ along with the “jack of all trades” universities committed to “no particular religious or philosophical outlook.”⁷⁹ Bonnette seems to be echoing part of Lawler’s argument in that a Catholic university is to represent a Catholic perspective. Bonnette goes on to argue that universities in the Catholic tradition are particularly important because of their “original impact on the development of education and because of [the Catholic tradition’s] clear anti-fideistic commitment to the alliance of faith and reason.”

Why is a religious orientation of worth in higher education? Bonnette names several reasons. First, a university with a religious orientation is “capable of preparing man for his last end” which is “to know God.” “The end must be known by all who wish to order their actions to the end.”⁸⁰ To put it another way, a university with a religious orientation helps save souls which we saw in the previous chapter is very important to Bonnette.

Second, a university with a religious orientation provides the “enlightenment of theological influence” on all disciplines. In other words, a religious “learning and research environment” is superior to the secular in that “man’s faculties can develop to the fullest”

⁷⁸Dennis Bonnette, “The Doctrinal Crisis in Catholic Colleges and Universities and Its Effect Upon Education,” *Social Justice Review* (November 1967): 223.

⁷⁹*Ibid.*, 222.

⁸⁰*Ibid.*, 230.

in the religious climate.⁸¹ In essence, Bonnette is discussing integration with theology as the integrator along the lines of Mahoney and Lonergan.

Third, such a university “communicates religious values, including respect for tradition and belief in faith” which are an “important ingredient in the nation’s character.”⁸² “Social degeneration”⁸³ will result “if America has a society with no regard whatsoever for religion.”⁸⁴ Bonnette states that an increasing crime rate is one indicator of the “corrosive effect of secular education on both public and private morality.”⁸⁵

Bonnette continues that Catholic education is a defender of “certain personal and political values essential to true human liberty and dignity, as well as national democracy.” Bonnette explains that Communist regimes suppress the educational systems of the Church and that in the United States, “state universities are permeated with the positive philosophy whose bed-fellow is Marxism.”⁸⁶ Bonnette wonders whether we Americans, “by secularization and its concomitant scientism, [shall] freely discard the greatest ideological bastion against Communism?”⁸⁷ If Americans take the course of “degeneration of morals” and the “ideological weakness of the Secular City,”⁸⁸ they will provide “Communism with unparalleled opportunity for victory.”⁸⁹

⁸¹Ibid.

⁸²Ibid., 222-223.

⁸³Ibid., 233.

⁸⁴Ibid., 231.

⁸⁵Ibid., 233.

⁸⁶Ibid.

⁸⁷Ibid.

⁸⁸Bonnette is referring to Harvey Cox’s widely successful book, *The Secular City*, published in 1966.

⁸⁹Bonnette, “The Doctrinal Crisis,” 233.

Bonnette believes his words may shock some. He says he is not “depicting the potential effect of secularization of Catholic education simply for its shock value.” Rather, he presents this view in hopes that American Catholic education may avoid “complete secularization.” Bonnette’s comments on secularization are not unrealistic given the secularization that had already occurred at Webster College in early 1967.

One would not be surprised at Bonnette’s use of Communism as a potential reality for the United States if he was writing in the fifties or early sixties. However, such a use of Communism in the mid- to late sixties seems to be atypical. Bonnette believes he was influenced on this point by Joseph Dieska who was driven out of his native Slovakia by Communists. Dieska, more than any of the others at Dayton, would have been aware of the dangers of Communism.⁹⁰

Although Bonnette’s concern with Communism may be atypical, it is not surprising in the late 1960s for Bonnette to describe Catholic schools as defenders of U.S. national values. Bonnette’s description is matter-of-fact rather than apologetic. Clearly, Catholics in the latter 1960s had “arrived” and felt they were contributing to America and did not have to prove themselves.

Again, a religious orientation is key to Bonnette’s concept of a Catholic university. For Bonnette, one trait determines whether a university is Catholic—its orthodoxy, minimally defined as “nothing is taught or allowed to happen that is in opposition to faith and good morals.”⁹¹ Here Bonnette’s view is similar to Kevane’s emphasis on a Catholic

⁹⁰Bonnette, e-mail message to the author, 28 June 2003.

⁹¹Here Bonnette quotes Canon 1381, ¶2.

university renewing itself according to “Vatican II authentically interpreted by the Holy See.”⁹²

Bonnette then explains what he does and does not mean by orthodoxy. For example, he does not intend to brainwash students, giving them only the Catholic side of the story. Rather, “good teaching demands that *all* [emphasis Bonnette’s] relevant positions be presented for the consideration of the student.”⁹³ What should not happen, however, is “open advocacy of doctrines opposed to definite Church teaching.” Nor should Catholic professors imply that positions opposed to Church teachings are compatible with the Catholic faith.⁹⁴

Bonnette does not intend to “hinder the scholar’s just contribution to the development of the ordinary teaching of the Church.” Rather, the scholar is “free to bring forth new data for consideration; new arguments for the attention of the Holy See.” In areas where the Church has taken no stand, a scholar is “free to speculate and teach in any manner which responsible scholarship allows.”⁹⁵

It follows from Bonnette’s view of Catholicity in higher education that Catholic colleges and universities must have “faculty whose preponderant membership is of Catholics whose personal commitments attest to the harmony of faith and scholarship, revelation and reason,” especially in the fields of theology and philosophy.⁹⁶

Finally, Bonnette points out that orthodoxy

⁹²Kevane, “A Note on Catholic University Objectives,” 198-199.

⁹³Bonnette, “A Doctrinal Crisis,” 225.

⁹⁴Ibid.

⁹⁵Ibid., 226.

⁹⁶Ibid.

must not be confused with the fact that some institution is conducted by members of the clergy—whether secular or religious. . . . [E]vents of recent history illustrate that ownership or conduct by clergy, or even their presence in the classroom, is no assurance that the magisterium will be honored.”⁹⁷

Here, as indicated by his footnote, Bonnette is referring to Webster College, the University of Dayton, and Catholic University of America.

In summary, Bonnette’s position is one that recognizes a Catholic university by its upholding of Church teachings. A university that calls itself Catholic but does not uphold Church teachings is not Catholic according to Bonnette and is even more “dangerous and divisive” than a secular university, since the so-called Catholic university’s “acceptance and respectability is greater.”⁹⁸

Presumably, Bonnette’s supporters agreed with his focus on the religious orientation of a Catholic university. The only hard evidence of such support, however, is found in Dieska’s *Social Justice Review* article, “Philosophy in Catholic Higher Education,” where Dieska states that “[t]he identity of Catholic education cannot be taken from anything more essential than is [*sic*] its theological and philosophical orientation.”⁹⁹

The faculty accused by Bonnette did not lay out their views on a Catholic university as clearly as did Bonnette. Their views, limited and incomplete, must be gleaned from their responses to Bonnette’s accusations. John Chrisman expresses his views on a Catholic university in greater depth than the other three accusees. Recall that

⁹⁷Ibid., 227.

⁹⁸Ibid.

⁹⁹Joseph Dieska, “Philosophy in Catholic Higher Education,” *Social Justice Review* (October 1967): 186.

Chrisman states that a university is a place where questions are to be raised. He goes on to say that some of the questions must be “ultimate questions,” especially in a Catholic university.¹⁰⁰ Notice on the point of the Catholic university appropriately being concerned about ultimate questions, Bonnette and Chrisman agree. However, Bonnette approaches the discussion with a belief that humans have a last end and ought to be working towards that end. Chrisman, on the other hand, would be open to the possibility that humans have no last end.

In reviewing the brief comments of the other three accusees, we find that none of them mention Catholicity as it relates to a university. Ulrich, however, attached to his response letter a 1964 papal statement “relating to the notion of the Magisterium.”¹⁰¹ For the most part, Paul VI focuses on the tensions “between the two magisteria, ecclesiastical and secular.” The identity of a Catholic university is addressed when the pope states that “the Catholic university solves [the problem of relations between the two magisteria] by ever experiencing anew and testifying to the profound, mutual, subjective correspondence of those two truths. Later in the same text, Paul VI says that this “dualism—the presence of two different fonts of wisdom in man—will always be characteristic of Catholic higher education.”¹⁰²

Fr. Roesch’s views on a Catholic university are found in four publications spanning 1964 thru 1967. All were intended for the faculty, although one was also written for

¹⁰⁰Chrisman, letter to Roesch, 1.

¹⁰¹Ulrich, letter to Roesch, 2.

¹⁰²Paul VI. From a sermon to faculty and students of Milan’s Catholic University of the Sacred Heart (5 April 1964). *The Pope Speaks* 10 (1964): 44-45. Copy attached to Ulrich, letter to Roesch, 22 November 1966.

alumni. By reviewing them in chronological order, we can see how the University president's thinking changed over time.

The first source is an excerpt from Fr. Roesch's remarks to the faculty at the term-opening faculty meeting in September 1964. Published in the *Monday Morning Memo*, a newsletter for the UD faculty and staff, Roesch "reassures" the faculty that the Marianists "welcome [them] in their role as associates . . . in carrying out the purposes of [the] Marianist institution." Roesch states that one of the reasons the Society of Mary was founded was for "the apostolic work of cooperating in the salvation of souls." To accomplish this goal, the Marianists engage in the work of education. Roesch goes on to say that the University of Dayton is "rightly characterized" as a "Catholic institution of higher education" and that each year "we strive . . . to make that phrase take on deeper and fuller meaning."¹⁰³ Roesch continues:

'Catholic' refers, of course, to our deep conviction regarding our relationship to Almighty God and to the moral code that governs that relationship. All of you are aware that whether you be of our religious faith or not, you have accepted the principle that no doctrine contrary to the Catholic faith may be taught or advocated publicly while you are in our employ. But such a negative restriction is simply not sufficient to characterize us as a Catholic institution of higher learning. Bringing our students to know and love virtue requires positive action on our part.

. . . [Our students] need the example and active support of persons whom they sincerely respect. . . . As cooperators with the marianists [*sic*], you are in a powerful position to influence the lives of these young men and women. We hope and trust that you will take this responsibility seriously, and that you will do all that you can to foster in these young adults a love for Christian virtue which will stand them in good stead for the rest of their lives. Under no conditions should you ever condone any action on the part

¹⁰³Rev. Raymond A. Roesch, S.M., "A Catholic Institution of Higher Learning," *Monday Morning Memo* (14 September 1964): 4. AUD, Series 3N(3).

of your students which is contrary to the ideals and objectives of the Christian education which the University proposes to profess.”¹⁰⁴

These remarks show that, in 1964, Roesch placed the emphasis on the religious dimension in the phrase “Catholic university.” Furthermore, Catholicity refers to both faith and morals. In fact, the emphasis in this speech seems to be on morality. Similar to Bonnette, Roesch indicates that saving souls is a goal for a Marianist. Notice, too, that for Roesch, all faculty have a role to play in passing on the Christian tradition to students. Dennis Bonnette would be in agreement with these remarks.

Roesch’s reminder to the faculty that they have previously accepted that they may not teach or publicly advocate any doctrine contrary to the Catholic faith refers to a clause in the faculty contract.¹⁰⁵ By signing the contract, each faculty member accepted the terms of the contract; terms which two years later, Bonnette wrote to the archbishop and accused four faculty of violating, that is, teaching and advocating positions contrary to the Church’s magisterium.

Roesch again spoke to the faculty at the beginning of academic year 1965-66. He reminded the faculty that the University of Dayton is a Catholic and Marianist university and told them that teachings in Paul VI’s 1964 encyclical *Ecclesiam Suam* must be their “guidelines” for keeping the university Catholic and Marianist. Specifically, Roesch quoted paragraphs 47-49 which warn that “many of the faithful” think that the way to

¹⁰⁴Ibid.

¹⁰⁵The statement in the *Faculty Handbook* reads: “The University of Dayton and its faculty understand and accept the agreement that a professor enjoying true academic freedom may not advocate and disseminate doctrines that are subversive of American political freedom and government or the aims and purposes of this Catholic institution which is committed to the upholding of the deposit of faith and Christian morality. This statement appears on all academic contracts.” *University of Dayton Faculty Handbook*, 1966, 31.

reform the Church is for the Church to adapt its “way of thinking and acting to the customs and temper of the modern secular world.” Those who are fascinated with worldly life, regard conformity to it as inescapable and a wise course of action. Paul VI points out that this “phenomenon of adaption is noticeable” in philosophy and ethics and that doctrines such as naturalism and relativism undermine Christianity. Roesch concluded his speech with “the fear of the Lord is the beginning of wisdom.”¹⁰⁶

Certainly, this speech is similar in tone to the previous year’s opening-of-the-year speech. However, I discovered this particular speech in the Philosophy Controversy file of the Provost. The fact that this speech was filed in this particular file is an indication that the Provost (or his secretary) thought this speech was connected to the controversy. One possible explanation is that Roesch wrote the speech with the philosophy faculty in mind and that this was known to the provost, Fr. Charles Lees, who assumed his position in summer 1965. The 1965-66 academic year began with Dr. Richard Baker assuming the chairmanship of the department¹⁰⁷ and five new faculty—including Dennis Bonnette—joining the philosophy department. John Chrisman also returned to the faculty after a year of doctoral work in Toronto. Bonnette recalls being asked “whose side are you on?” upon his arrival in the department.¹⁰⁸ Perhaps this speech was Roesch’s way of trying to put the brakes on the controversy before the academic year began.

¹⁰⁶Paul VI, *Ecclesiam Suam*; available from http://www.vatican.va/holy_father/paul_vi/encyclicals/documents/hf_p-vi_enc_06081964_ecclesiam_en.html; Internet; accessed 11 July 2003. Raymond A. Roesch, S.M., address to the faculty, 30 August 1965, Philosophy Controversy file in the Office of the Provost, University of Dayton. I reviewed this file in 1997 and took notes on its contents. In 2003, I requested permission to review the file again. Permission was granted but the file could not be located.

¹⁰⁷Previously, he served as interim chairman.

¹⁰⁸Bonnette, telephone interview with the author, April 1997.

By the end of the academic year, however, Roesch seemingly changed his view on the mission of a Catholic university as indicated by his 1966 annual president's report discussed previously. In this report, Roesch argues "no" to the title's question, "Is a Catholic University a Contradiction in Terms." The majority of the report deals with academic freedom which will be discussed in the next chapter. What is pertinent to *Issue Two* is Roesch's view of a Catholic university: "the Church learning." Roesch points out that "the first business of a university" is "genuine intellectual inquiry and research." As such, "[the Catholic university] is subject to all the demands and risks of the learning process, including free and open inquiry." Roesch goes on to state that "we¹⁰⁹ have accepted that [the Catholic university has] a duty to hand down a tradition of doctrine, morals and conduct to its students, but [that] is not its primary function." (Later in the report, Roesch calls this the "dispenser of apologetics" role of the Catholic college.) He explained that "the student must be given a commitment, but there comes a time when instruction must cease, and inquiry must begin."¹¹⁰

Given the 1965 opening-of-the-year speech, the tone of Roesch's annual report nine months later is strikingly different. He seems to encourage faculty to embrace the very same modern world he warned them about the previous fall. For example, Roesch states that the "Catholic college has a duty to maintain a critical independence"¹¹¹ from the Church and that Catholics

¹⁰⁹Presumably Roesch is referring to the Marianists at the University of Dayton.

¹¹⁰Roesch, *1966 Report*, 5.

¹¹¹*Ibid.*

have lost much by paying scant heed to truths and insights propounded by those whose point of view differs or is even antithetical to our own. Non-Catholic positions in theology and philosophy, put forward by some of the finest scholars of our day, contain much truth.¹¹²

The tone of the fall speech is one of alignment with the Church while the tone of the annual report indicates attachment to the Church, yet independence and a bit of distance.

What happened to change Roesch's approach with the faculty? There are several possibilities. First, there were "problems arising on the East Coast,"¹¹³ namely, the controversy at St. John's University in New York. After the Vincentians terminated thirty-one professors in December 1965, the faculty struck and students demonstrated, followed by the strongest censure ever by the AAUP. Second, recall that a committee of the University of Dayton's faculty forum met throughout 1965-66 to discuss service conditions at the university, conditions such as faculty pay and faculty inclusion in academic policy-making, issues similar to those involved in the St. John's case. Any Catholic college administrator would want to keep the situation at his/her own school from escalating into a confrontation like St. John's. Third, several reports issued in spring 1966 were critical of Catholic institutions, particularly, the Danforth Commission report on Church universities and the American Council on Education assessment of quality in graduate education. Catholic institutions of higher education were definitely on the hot-seat in spring 1966. Given these happenings in early 1966, it is not surprising that Roesch's annual report to faculty and alumni addressed the apparent contradiction of a university being Catholic.

¹¹²Ibid., 7.

¹¹³Ibid., 1.

The next written document to indicate Roesch's views of a Catholic university is his December 1966 letter to the faculty exonerating those faculty accused by Bonnette. In this letter, Roesch indicates that "much of the disturbance is due to an improper understanding of the proper role of a Catholic university and Catholic scholars."¹¹⁴

Roesch makes a distinction between

(1) the pastoral mission of the Church in which she and her ministers seek to guide souls according to the truths of divine revelation, and (2) the role of the Church learning in which competent scholars seek by academic inquiry to further clarify the formulation and understanding of dogmas and doctrines.¹¹⁵

Roesch quotes Pope Paul VI—the same text Ulrich attached to his response to the accusation—regarding tensions that sometimes exist "between the two magisteria, that based on divine thought and that based on human, that deriving from faith and that from reason."¹¹⁶ Paul VI goes on to say that

it is an age old question that a Catholic university does not attempt to solve by contesting the legitimacy of one to the exclusive profit of the other, that is, by contesting that there could exist any doctrinal authority extraneous, as well as superior, to that deriving solely from the powers of the human mind. It is an age-old question that a Catholic university solves by denying that there is any objective and irremediable opposition between the truths of faith and science.¹¹⁷

Roesch's address to the faculty on 1 March 1967 as reported in his 10 April 1967 "Statement Relative to the Controversy Touching Academic Freedom and the Church's Magisterium" contains a definition of the Catholic university that states what it is not.

¹¹⁴Roesch, letter to the faculty and staff, 3 December 1966, 2.

¹¹⁵Ibid.

¹¹⁶Paul VI, Milan sermon, 5 April 1964; quoted in Roesch, letter to faculty and staff, 2.

¹¹⁷Ibid.

The Catholic university is not the Catholic Church. Its *raison d'être* is not identical or coterminous with that of the Church. One deals with the sanctification of man through faith in Christ, and the other deals with the civilization of intelligence through a humanistic and scientific process. These processes can be related, but they must never be confused.¹¹⁸

In relating the processes, Roesch states that the Catholic university “must show to all that freedom in the academic realm is in the best service of the community of the faithful.” In other words, the Catholic university must not relegate its academic role to its pastoral function.¹¹⁹

Roesch’s statements from fall 1964 to early 1967 show that he began the period emphasizing the religious orientation of the University. We see that by mid-1966, Roesch is grappling with the tensions that exist between the religious and academic functions of the University. By the end of the nearly three-year period, Roesch, still struggling with the tensions, places more emphasis on the academic. His words relating to the religious orientation of the University are carefully selected and more nuanced. In other words, the 1967 Roesch would not be comfortable dusting off the fall 1964 speech and giving it to the faculty in fall 1967. Nor would the faculty be accepting of such a speech. One wonders whether the faculty accepted the first speech as well.

The purpose of the faculty forum committee examining service conditions at the University of Dayton in 1965-66 was to make recommendations to facilitate scholarship and academic excellence at the University. The closest the committee came to explaining their views on a Catholic university was their use of John Courtney Murray’s definition of

¹¹⁸Roesch, “Statement Relative to the Controversy,” 6.

¹¹⁹*Ibid.*

“the essential Christian school-ideal”– “a universal knowledge, founded on a broad basis of fact, integrated by a philosophic view, this view itself being then vitally related to the organic body of Christian truth.”¹²⁰ This definition is appropriate for the purposes of the committee because the definition “presupposes . . . continual acquisition of knowledge. . . [and] constant efforts at integrating this knowledge into a more meaningful, comprehensive, and accurate synthesis.” The committee points out that in actual practice, “particularly over the last century,” there existed a “general Catholic ambivalence toward the intellectual life” but that John Tracy Ellis’ article had “sparked a lively controversy which is already bearing fruit in the improvement of Catholic schools.”¹²¹ Rather than use Murray’s definition to explore what is meant by a Catholic education, the faculty forum committee accepts Murray’s definition and uses it as support to promote the life of the mind at the University of Dayton.

Different circumstances existed in spring 1967 when, immediately after the “Heresy Affair,” an *ad hoc* faculty committee was formed to study academic freedom at the University of Dayton. This committee’s final report, issued in July 1967, describes in more detail the committee’s understanding of what it means to be a Catholic university.

The report states that

The Catholic university should not be considered as an arm of indoctrination of the universal Church or of the local Church. . . . The concerns of the university are scholarship, learning, creating, and communicating in the secular. Her functions are not limited to being the

¹²⁰John Courtney Murray, S.J., “The Christian Idea of Education,” *The Christian Idea of Education*, ed. Edmund Fuller (New Haven, 1960), 162. Quoted in *Service Conditions Affecting the Life of the Mind*, 48.

¹²¹*Service Conditions*, 49.

transmitter for the official teachings of the Church (although this could occur in some disciplines). She envisions herself as investigating, probing, and searching for truth and the interpretation of reality and the mystery of life and existence. This should lead to the ultimate purpose—to discover the mystery of what is really before man, to keep man open to this mystery, to the future, and to an encounter with the other.¹²²

The negative mode of the first sentence is likely a response to the circumstances surrounding the “Heresy Affair,” as is the description of the concerns of the university being “in the secular.” The committee is making the point that the university must function outside the Church. The committee is not saying, however, that the only place the Catholic university functions is outside the Church. Later in the report, we find statements indicating that the Catholic university also functions within the Church rather than as the Church. For example, a Catholic university is described as “a manifestation of the Church learning” rather than “an organ of the official teaching Church.”¹²³

Additional evidence that the committee intends for the University of Dayton to remain Catholic is their understanding of the “mandate” of the faculty, administration, and staff: “to understand the tradition they have received [from the Society of Mary], develop it in the present, and give it a new direction for the future.” The tradition, described as the “Marian ideal,” is “summed up as ‘The most faithful imitation of Jesus Christ, Son of God, became Son of Mary for the Salvation of mankind.’”¹²⁴ Therefore,

the purpose of a Marianist university is to fulfill Mary’s role, that is, to create an environment of scholarship, a university, so that this same Word

¹²²President’s Ad Hoc Committee for the Study of Academic Freedom at the University of Dayton, Ellis A. Joseph, Chairman, *Academic Freedom at the University of Dayton*, July 1967, 25.

¹²³*Ibid.*, 26. The relationship of the university with the Church will be explored in more detail later in this chapter.

¹²⁴*Ibid.*, 24. This quote is taken directly from the Constitution of the Society of Mary, Art. 6.

may pass into present-day American and international culture. It is the Marianist function to translate this Word into the language and modes of thought and expression of the present century.¹²⁵

The committee goes on to explain that there are “two prerequisites required to function in the emerging Catholic university: (1) the acknowledgement of mystery . . . [and] (2) a light, a perception, a faith, a hope—all focused on the mystery of reality. . . .”¹²⁶

In summary, the answers to the question of “what is a Catholic university” range from Bonnette’s strict emphasis on orthodoxy to the *ad hoc* committee’s focus on the academic and recommendation to develop the Marianist tradition and give it a “new direction.” Of particular interest is Roesch’s transition from focusing on the University’s religious orientation to struggling with the tensions and, ultimately, emphasizing the academic. In this transition, Roesch joins other American Catholic educators so that, once again, the “Heresy Affair” mirrors the situation within American Catholic higher education.

Issue Three: What is the Role of the Church in its Relationship with the Catholic University?

Given the nature of the “Heresy Affair” and the controversial involvement of the archdiocese in the crisis, I expected to find extensive comments on the role of the Church in the university. I also expected that the accuser’s comments would be juridical¹²⁷ and that the accusees’ comments would be phrased negatively, that is, the Church should not do such-and-such. On all three points, my expectations were accurate.

¹²⁵Ibid.

¹²⁶Ibid.

¹²⁷My expectations were influenced by my recollection of Bonnette’s writings.

Dennis Bonnette, the accuser, makes a juridical argument for Church involvement in Catholic universities. Bonnette quotes canon law in a number of places, beginning with the first sentence of his letter to Archbishop Alter. There, he reminds the archbishop of his obligation—under Canon 1381, §2—of vigilance over all schools in his territory. Specifically, the “local ordinaries [are] to guard lest in any schools whatever located in their territory anything should be taught or should happen in opposition to faith and good morals.”¹²⁸ Carbon-copying the apostolic delegate contributes to the juridical tone of Bonnette’s letter.

In his “Doctrinal Crisis” article, Bonnette again cites canon law to explain the relationship of the Church to the Catholic university. For example, he cites Canon 1375 giving the Church the right “to establish schools for all subjects,” 1376 requiring that Catholic universities have their “statutes approved by the Apostolic See,” 1336 §2 stating that a bishop must guarantee “all education be in harmony with Christian principles,” 1381 §1 stating “the religious training of youth in all schools whatever is subject to the authority and the supervision of the Church,” 1381 §2 stating the bishop’s duty of vigilance, and 1382 giving the local ordinary the authorization to visit schools. All of these canons deal with maintaining orthodoxy in Catholic schools. Given the nature of the controversy and Bonnette’s role in it, it is not surprising that he takes a juridical approach and that he quotes as many canons as possible to solidify his case for going to the archbishop.

One would be mistaken to assume that maintaining orthodoxy is the only role Bonnette considers to be important for the Church in a Catholic university. Bonnette

¹²⁸Bonnette, “The Doctrinal Crisis,” 235.

highly values the Church's influence in education because of the "illumination and insights which pour forth from the light of faith."¹²⁹ Divine revelation and Church teachings are a source for wisdom. Contributions are made to education and the pursuit of knowledge by scholars struggling with the tensions between faith and reason.

The Church also contributes to a Catholic university by the inclusion of theology in the curriculum. Bonnette views theology in two ways. First, theology is "the highest of all sciences" in that it "takes its principle from revelation and aims at providing man with knowledge of his last end as well as knowledge of the means to attain it."¹³⁰ Without theology, man becomes "blinded to the supernatural" and "chained to scientism, materialism, relativism, subjectivism, and agnosticism." Second, theology is an integrating discipline. The "lower sciences" prosper by the presence of theology because they "contribute to man's search for ultimate Truth." When "lesser disciplines function in accord with principles which harmonize with sacred science, the complementarity of faith and reason assures their greater fruitfulness."¹³¹ To put it another way, the Church influences the University by offering a more complete perspective than one would find in a non-Church related institution. For Bonnette, a Catholic education is superior to its "secular counterpart" because it provides "a learning and research environment in which man's faculties can develop to the fullest."¹³²

¹²⁹Ibid., 226.

¹³⁰Ibid., 230. Bonnette footnotes Aquinas, *Summa Th.*, 1,a,1.c.

¹³¹Ibid.

¹³²Ibid.

In summary, Bonnette looks at the role of the Church in its relationship with the university from the standpoint of maintaining orthodoxy, providing wisdom through the insight of faith, and developing the whole person, whether it be the student or the faculty member. All three are key contributions from Bonnette's perspective.

Not surprisingly, the accused take a different perspective of the role of the Church in its relationship with the Catholic university. In their response letters, three of the accused—Chrisman, Ulrich, and Lumppp—discussed fear as a result of the accusations to church authorities. Chrisman related the fear to a “sad feature in our Catholic past” where members of the Church “feared to speak out or have been driven from the Church because they did speak out.”¹³³ Ulrich spoke to the same issue when he stated that “honest philosophical enquiry” cannot take place “if those making the enquiry must operate under [a] cloud of fear.”¹³⁴ The implication behind these comments is that the threat of interference by Church authorities would interfere in the academic life of the university.

Lumppp's comments on fear are in the context of positions being defended in “the open arena of academic life without recourse to the pressures of authority.” Although Lumppp's end result is the same as that of Chrisman and Ulrich's—the Church should not interfere in the life of the university—Lumppp expresses the problem from the view of a Christian scholar pursuing the truth. He states that it is “important that we do not look upon the Magisterium in a univocal and absolute manner” and that scholars should criticize one another “without recourse to the pressures of authority.” Lumppp believes

¹³³Chrisman, letter to Roesch, 2.

¹³⁴Ulrich, letter to Roesch, 4.

that the Dayton controversy came about because Bonnette looked at Church teachings in a “traditional”¹³⁵ way and looked to Church authorities to side with him in the controversy. Lumpp recognizes that the Church did not interfere in the Dayton situation on its own accord. Rather, the Dayton crisis was brought to the Church by a fellow faculty member looking to the Church to settle an issue.¹³⁶ Such behavior is “unscholarly, unprofessional and high-handed.”¹³⁷

In summary, the comments of the accused were negative in terms of the Church’s role in its relationship with the university. This is to be expected given the situation. After all, these four faculty are responding to accusations of wrongdoing. Due to the limited documentation available, there is no way of knowing what positive roles, if any, the accused saw the Church contributing in its relationship with the university. On the other hand, the critical comments coincide with the comments of the accused regarding the proper response to Church authority discussed in the previous two chapters. Recall that the accused looked on magisterial authority as guidelines, always a bit behind the times, and needing to be brought up to date by university scholars. For Baltazar, Chrisman, Ulrich, and Lumpp, the proper response to Church authority and of the role of the Church in its relationship with the university are harmonious. In both cases, the Church is to be “kept at a distance” from the scholar and the university, especially when compared to Bonnette’s views of both the proper response to Church authority and of the role of the Church in its relationship with the university.

¹³⁵Lumpp, letter to Roesch, 1.

¹³⁶Ibid., 3.

¹³⁷Ibid., 4.

Fr. Roesch, as University president during this controversy, comes down on both sides regarding the role of the Church. In his 1964 speech to the faculty, he stated that “no doctrine contrary to the Catholic faith may be taught or advocated publicly while you are in our employ.” This statement implies that the Church is, at the very least, setting the criteria for orthodoxy. Roesch goes on to state that the above “negative restriction” is not the only thing to characterize the institution as Catholic. The “positive action” required of faculty is “bringing our students to know and love virtue.” The implication is that the Church is involved in some way with Christian virtue prior to the university passing it on to its students.¹³⁸

In his 1965 opening speech to the faculty, Roesch quotes extensively from Paul VI’s 1964 encyclical *Ecclesiam Suam*. The passage warns leaders of the Church, “the clergy and the faithful of the entire world” and “all men of good will” of the dangers of the world.¹³⁹ Roesch’s use of the encyclical at a faculty meeting implies that what the Church says is important to the Catholic university or, to put it another way, the Church is a source of wisdom for the university.

Roesch offers another role for the Church in his 1966 annual report as president. There he states that the Church has much to offer a scholar. “Any researcher using [Church teaching] would uncover more of the truth, because he has exposed it doubly, both by the light of revelation and the light of human reason.”¹⁴⁰ Roesch states that “many non-Catholic educators” misunderstand “the role of the Church in the life of a Catholic

¹³⁸Roesch, *Monday Morning Memo*, 1964, 4.

¹³⁹*Ecclesiam Suam*, accessed on 11 July 2003.

¹⁴⁰Roesch, *1966 Report*, 3.

scholar.” They think that a Catholic scholar’s “studies must harmonize with a previously stated conclusion, issued by his Church.” Roesch blames this misunderstanding upon the *imprimatur* which is understood as “censorship of scholarship” rather than a “warning against dogmatic error.”

Although Roesch believes the Church has much to offer the university, he does not consider “the Church’s teaching office . . . empowered to control either the world of learning or the world of morality.” Roesch sees the university “as distinct from centers of institutional power” and “wielding a very different authority” than that of the Church.¹⁴¹

About six months after he wrote the 1966 Annual President’s Report, Roesch clarified a distinction between the pastoral mission of the Church and the role of the Church learning. In his opinion, “much of this disturbance”—now known as the “Heresy Affair”—is “due to an improper understanding of the proper role of a Catholic university and Catholic scholars.”¹⁴² A few months later, Roesch addressed this same issue when he told the faculty that “there is a recognized question today both by ecclesiastical and academic authorities regarding the proper role of the Church’s Magisterium on a university campus.”¹⁴³

Although Roesch states that the proper role of the Church to the Catholic university is being debated, he “acknowledges” that the University of Dayton has “an accountability to the local Ordinary in matters which pertain to the preservation and teaching of Catholic doctrine As a member of the hierarchy [the archbishop]

¹⁴¹Ibid., 5.

¹⁴²Roesch, letter to the faculty, 3 December 1966, 2.

¹⁴³Roesch, “Statement Relative to the Controversy,” 1.

rightfully demonstrates a pastoral concern for the spiritual welfare of the members of his Archdiocese” but the archbishop’s power is not unlimited. Roesch refers to Cardinal Lambertini, later Benedict XIV, in *De synodo diœcesana*, when Roesch says that the

standard authors . . . sum up this topic in two points: (1) the authentic Magisterium of a bishop is limited to . . . truths concerning faith and morals that have already been defined or declared by the universal Magisterium; and (2) individual bishops have not the authority to settle theological controversies.¹⁴⁴

In other words, Roesch says, on the one hand, that the archbishop (the Church) has a role in its relationship with the university but then Roesch points out the limitations of that role, limitations that seem to fit the Dayton controversy.

In summary, Fr. Roesch views the role of the Church in its relationship with the university in three ways: 1) instructing the university in Christian virtue, 2) contributing wisdom to scholarship by providing an alternate viewpoint, and 3) overseeing in a limited way the teaching of Catholic doctrine and morality. Roesch and Bonnette are in agreement in terms of the first two roles. On the third role, the Church’s oversight of teaching, Bonnette takes a less limited view of the Church’s role than does Roesch. These positions are both to be expected given that Bonnette wants the Church to intervene in the controversy and given that Roesch wants to maintain good relations with both the archdiocese and with academe. To put it another way, Roesch is walking a fine line between an acceptable-to-the-archbishop response to the authority of the Church and yet not appearing to be controlled by the Church, an acceptable-to-academe response.

¹⁴⁴Ibid., 5. John C. Ford, S.J. and Gerald Kelly, S.J., *Contemporary Moral Theology, Volume 1: Question in Fundamental Moral Theology*, (Westminster, Md: The Newman Press, 1958), 39-40.

The faculty forum at the University of Dayton indirectly addressed the role of the Church in the university in their 1966 committee report, *Service Conditions Affecting the Life of the Mind*. In Chapter VI, "Policies Relating to the Life of the Mind," the committee addressed obstacles to the intellectual life. The first obstacle identified is a "general Catholic ambivalence toward the intellectual life" over the "last century."¹⁴⁵ While such an ambivalence is not necessarily the official position of the Church, anything connected with the Church tends to be conflated with the Church's position. The faculty committee points to a related but "more specific obstacle" at the University of Dayton: the view of the founder and early Marianists that "their educational task" was "primarily one of spiritual formation and protection from the 'Philosophism' of the day."¹⁴⁶ Clearly, "to the extent that some Marianists may conceive of their role at the University of Dayton as one of protecting students from current ideas and modes of thought, the cause of intellectual growth is being done a disservice."¹⁴⁷ The reference to "protecting students from current ideas and modes of thought" fits with the views of the accusers discussed in the previous two chapters. They believed the students were not mature enough to handle some of the philosophical issues being debated in the "Heresy Affair"; on the other hand, the accused believed the students were being overprotected by the Thomists. Both views were common in the sixties. In support of Bonnette's view, one can refer to Andrew Greeley above who calls a student in Catholic higher education a "child." On the side of

¹⁴⁵*Service Conditions*, 49.

¹⁴⁶*Ibid.* The committee's source is Joseph J. Panzer, S.M., *Educational Traditions of the Society of Mary* (Dayton, 1965), 29-43.

¹⁴⁷*Ibid.*, 50.

the accused, more than one text indicates that the college students of the late sixties are different than their predecessors.¹⁴⁸ Lastly, although there is no way to be sure, the wording of the *Service Conditions* report seems to indicate that the escalating conflict in the philosophy department affected this report. This is not surprising given that two members of the philosophy department (Eulalio Baltazar and Joseph Kunkel) were on the committee that wrote the report.

Later in the report, the committee talks about Catholic universities being perceived in the past as “instruments of the Church’s apostolic activities” and about the “conflation of education with the Christian Apostolate.”¹⁴⁹ The committee felt that “reconciliation of this ‘ulterior’ apostolic motive with the strictly academic ideals” of the “twentieth century American university” was “certainly” a “key factor” in the “re-appraisal” of Catholic universities in the mid-1960s.¹⁵⁰

While the committee does not specify what the role of the Church is in relationship to the Catholic university, it is apparent that the faculty committee wants the University to focus more on its educational purpose than on the apostolic purpose. The practical recommendations that flow from this particular refocusing include governance items such as “substitution of the academic deans for the religious superiors and the Chaplain” on the

¹⁴⁸One source is Robert J. McNamara, S.J., who argued at the 1969 Jesuit Educational Association workshop at Regis College in Denver that students in the late sixties differed from previous generations in “their worldview, their distrust of authority, their general idealism, and their biological maturity.” Robert J. McNamara, S.J., “Today’s College Students in Sociological Perspective,” *Catholic Colleges and the Secular Mystique*, ed. Eugene E. Grollmes, S.J. (St. Louis, Mo.: B. Herder Book Company, 1970), 18-33.

¹⁴⁹*Service Conditions*, 57-58.

¹⁵⁰*Ibid.*, 58.

University's Administrative Council,¹⁵¹ faculty participation in setting educational policies and acting on promotions and tenure, and the "inauguration of a careful study" of "the method of, and the faculty's role in, appointing the highest University administrative and academic officials."¹⁵² The faculty forum committee recommended that the faculty participate in the governance of the University of Dayton rather than control remain in the hands of the founding religious order which could be and by some was viewed as control by the Church.¹⁵³

The 1967 report of the President's Ad Hoc Committee for the Study of Academic Freedom at the University of Dayton describes the relationship of the "Church's official Magisterium" to Catholic universities as "indirect, that is, the teaching Church speaks to the consciences of Catholic members of an academic community."¹⁵⁴ The committee rejects "any direct relationship" of the magisterium to the Catholic university in academic matters. "To say otherwise, is to make the university an organ of the official teaching Church."¹⁵⁵ The committee immediately goes on to say that the

Catholic university, like its secular counterparts, jealously maintains its independence of all outside authority, but unlike them, respects the apostolic concern of the local Bishop, including his authority to teach the faithful and his right to speak to situations anywhere which might be the occasion of moral and spiritual harm.¹⁵⁶

¹⁵¹Ibid., 65.

¹⁵²Ibid., 67.

¹⁵³Ibid., 58.

¹⁵⁴President's Ad Hoc Committee, *Academic Freedom at the University of Dayton* (July 1967),

27.

¹⁵⁵Ibid.

¹⁵⁶Ibid., 28.

The committee does not explain its understanding of the university as independent of the bishop and yet respecting his authority to “speak to situations anywhere.” Given the previous statement about the relationship of individuals to magisterial authority, one presumption is that the university respects the bishop’s authority to speak to individual Catholic faculty members. Or perhaps the bishop can “speak” to the university about a harmful situation, but since the university is independent, it is not juridically controlled by the bishop. Since the committee did not explain what they meant, all we can do is speculate. Perhaps the committee did not really know itself.

Later in their report, the committee addresses the issue of the Church “superimposing” its governance structures on the Catholic university in the form of the “structure of religious communities.” Given the “special vows” and “particular way of life” of the religious community, the contribution of the religious community to a particular university “may conflict with the nature of the university.” In particular, structures of religious communities “do not always reflect a democratic process.” Similar to the previous comments related to governance in the *Service Conditions* report, the *ad hoc* committee recommends that the faculty, “the heart and mind and soul of the university,” should determine its “future direction.”¹⁵⁷

One could view this negatively as the university attempting to distance itself from the Church or establish its independence from the Church. The committee, however, related the university turning to its own faculty “to determine and shape its future in a spirit of scholarly Catholic, Christian democracy” as the spirit of Vatican II’s *De*

¹⁵⁷Ibid., 29.

Ecclesia.¹⁵⁸ In other words, the “creation of proper University structures” for faculty participation is viewed positively as the university aligning itself with the Church as “the People of God.”¹⁵⁹ The committee emphasized that

If the University of Dayton were to pursue such a course immediately, it could very well become a type of Catholic university of the future and lead other American Catholic and non-catholic private universities to new patterns and perspectives. (Emphasis by committee.)¹⁶⁰

Why did the Ad Hoc Committee on Academic Freedom feel it could make such a recommendation to the Society of Mary? The answer is that this recommendation addresses the committee’s charge because, in the opinion of the committee, such a development would create an environment in which “controversies, difficulties, and problems will contribute to the growth of the University in full accord with the spirit of Vatican II – the Church moving forward as the People of God.”¹⁶¹

In summary, by late 1966, University of Dayton faculty—as indicated in two committee reports—and President Roesch both placed more emphasis on the academic function of the university which resulted in an apparent weakening of the role of the Church in its relationship with the university. On the other hand, Bonnette and his supporters viewed the Church as more integral to the Catholic university. Both views had their proponents in American Catholic higher education in 1966-67. In other words, as we have seen in previous chapters, this aspect of the controversy at Dayton was not unusual.

¹⁵⁸Ibid., 29. The pastoral constitution *De Ecclesia* is now known as *Gaudium et Spes*.

¹⁵⁹Ibid., 30.

¹⁶⁰Ibid., 29.

¹⁶¹Ibid., 30.

**Issue Four: What is the Role of the Catholic University
in its Relationship with the Church?**

Dennis Bonnette's "Doctrinal Crisis" article focuses on the right of the Church to conduct education, the requirement of orthodoxy, and the effects of secularization. Only indirectly does he address the role of the Catholic university in the Church. The first instance, where a contribution of the university to the Church is mentioned, is in a quotation from Pope John XXIII's 1959 letter to the International Office of Catholic Education. The passage describes the need for

children to acquire in good Catholic technical schools a specialized training and a truly Christian education which will enable them . . . to constitute the professional and moral elite of whom the world and the church have such great need.¹⁶²

This passage can be interpreted literally—Catholic universities train professionals to work within the Church—or more generally—Catholic universities train professionals to do the work of the Church within the world. Either one may be considered a contribution of Catholic universities to the Church.

In clarifying what he means by orthodoxy, Bonnette describes two ways the Catholic scholar can contribute to the development of Church teaching. First, the scholar is "free to bring forth new data for consideration; new arguments for the attention of the Holy See" and, second, where the "Church has taken no definite stand . . . one is free to speculate and teach in any manner which responsible scholarship allows."¹⁶³ Assuming the

¹⁶²Bonnette, "The Doctrinal Crisis," 224, n. 20.

¹⁶³Ibid., 226.

Catholic scholar is located within a Catholic university, the scholar's work would contribute to the university's relationship with the Church.

Three of the accused say very little about the role of the university in relationship with the Church. Lumpp, for example, does not address the university's function in the Church at all. Ulrich, in the closing sentence of his response to the accusation, says in a general way that the university should "help the Church and our students to learn and develop." Similar to Bonnette, Baltazar indirectly addresses the issue when he points out that Catholic philosophers and theologians¹⁶⁴ are "advisors of the Pope," helping through their research in the "formulation of an encyclical or the Church's position on a given question," and "ever seeking for more adequate formulation, ever probing the depth of Christian truth."¹⁶⁵

Of the four accused professors, Chrisman provides the most insight into his understanding of the role of the university with the Church. In his view, the Catholic university is "in an open market of ideas."¹⁶⁶ The Church must learn from and listen to the Catholic university. In other words, Catholic universities are good for the Church in that universities help the Church "maintain and enhance its relevance." Chrisman insists he has the "right and (in loyalty to the Church) the duty" to express his views and discuss them on campus. By doing so, Chrisman believes he helps the Church in its development of Catholic wisdom.¹⁶⁷

¹⁶⁴As mentioned previously, Catholic philosophers and theologians are not necessarily faculty members at Catholic universities.

¹⁶⁵Baltazar, letter to Roesch, 10.

¹⁶⁶Chrisman, letter to Roesch, 2.

¹⁶⁷Ibid., 1.

Fr. Roesch addresses the university's role in relationship with the Church in his 1966 president's report and in his 1967 speech to the faculty. In 1966, he quoted Frederick J. Crosson who said that "the college is the locus of the discursive examination of our commitments" including "commitments to the truths and values of the Holy, revealed by our faith and embodied pre-eminently in the sacred space of the Church (with all the built-in relativity of theological categories and cultural forms of worship.)"¹⁶⁸ In his 1967 speech, Roesch refers to the same service using his own words: "the Catholic theologian and philosopher today engages [*sic*] in theological inquiries, even if some of his [*sic*] conclusions challenge or reinterpret the apparent meaning of past conciliar statements or papal encyclicals."¹⁶⁹ Roesch, Bonnette, and Baltazar do not refer directly to the university performing this service for the Church, but clearly such a service is part of the university's role in relationship with the Church.

As mentioned previously, Roesch indicates that the university has a pastoral function—the "dispenser of apologetics" role. This role shows up in three of his four¹⁷⁰ written documents discussed in this chapter. For example, in his opening speech to the faculty in 1964, Roesch speaks about the responsibility of the faculty to "foster in these young adults a love for Christian virtue."¹⁷¹ In 1966, Roesch states that the university has accepted the "duty to hand down a tradition of doctrine, morals and conduct to its

¹⁶⁸Roesch, *1966 Report*, 2-3. The source for the Crosson text is not cited but Roesch indicates it is from a symposium on academic freedom at University of Notre Dame, April 22-23, 1966. Crosson's text was later published as "Personal Commitment as the Basis of Free Inquiry," in *Academic Freedom and the Catholic University*, eds., Edward Manier and John W. Houck, (Notre Dame, Ind.: Fides Publishers, 1967), 87-100. The quote used by Roesch is on page 89.

¹⁶⁹Roesch, "Statement Relative to the Controversy," 2.

¹⁷⁰The fourth document, the 1965 opening speech to the faculty, could not be located.

¹⁷¹Roesch, "A Catholic Institution of Higher Learning," 4.

students.” This duty does not translate into “telling people what to do.” Roesch points out that it is “impossible and even undesirable” for colleges to furnish a “code of action for every member of the Church and every situation.”¹⁷² By 1967, the president acknowledges the pastoral role of a Catholic university but he does so in the context of its “rendering suspicious” the academic freedom of the university.¹⁷³

Finally, Roesch mentions the university’s role of being a source of Catholic thought in American society. The Catholic university carries the teachings of the Church to the secular world. Roesch declared in this 1966 report that “the good health of American society demands that the Catholic voice be heard.”¹⁷⁴ Roesch also declares that the reverse role is true; the Catholic university carries the “truths and insights” of “those whose point of view differs or is even antithetical to our own” back to the Church.¹⁷⁵ This role coincides with the “Church learning” described above.

The faculty forum committee that drafted *Service Conditions Affecting the Life of the Mind* wrote the report for a specific purpose: to make recommendations for improving the intellectual life at the University of Dayton. The report does, however, contain several comments that indicate the faculty’s view of the role of the university in relationship with the Church. For example, the committee points out that Catholic universities historically have been “apostolic instruments” for the Church. This role is viewed negatively for an American Catholic university in the mid-sixties¹⁷⁶ and the committee wants the university

¹⁷²Roesch, *1966 Report*, 5.

¹⁷³Roesch, “Statement Relative to the Controversy,” 6.

¹⁷⁴Roesch, *1966 Report*, 5.

¹⁷⁵*Ibid.*, 7.

¹⁷⁶*Service Conditions*, 58-59.

to shift its emphasis to academic rather than apostolic roles. The committee acknowledges that one of the roles of the university in relationship with the Church is its academic contribution. The report states that “[a]lthough the life of the mind is clearly subordinate to the spiritual life for Christians, and is indeed unattainable to a great many, it has long served the Church, the community, and the individual.”¹⁷⁷

Summary

The third component of the “Heresy Affair” is the differing emphases in American Catholic higher education. Bonnette, representing the Thomists, focuses on the religious orientation of a university in assessing its Catholicity. His interpretation is typical in American Catholic higher education prior to the early sixties.

Baltazar, Chrisman, Lumpp, and Ulrich focus on the academic orientation of the university. In terms of the relationship between the university and the Church, the accused tend to distance the university from the Church. Their view was more typical than Bonnette’s in larger American Catholic universities in the mid- to late sixties.

Roesch’s views at various times are satisfactory to both Bonnette and the accused. For example, Roesch’s fall faculty speech in 1965 could have been written by Bonnette. On the other hand, Roesch’s statement to the faculty in spring 1967 was more to the liking of the accused. This change in Roesch’s views over time is the same adjustment made by other leaders in American Catholic higher education during the same time frame. For Roesch, the “Heresy Affair” helped to crystalize his thinking and led to his “Statement Relative to the Controversy.” In other words, the controversy was a flash point for the

¹⁷⁷*Service Conditions*, 50.

University of Dayton's shifting perspectives from an emphasis on religious to an emphasis on academic. The University of Dayton, as did other American Catholic universities, made this course correction in search of legitimacy within higher education.

Finally, this component of the controversy is primarily "confined to paper" so it is not as tension-filled and emotionally charged as were the prior components. Nevertheless, the two sides are adamant in their views. Bonnette, in particular, is concerned with truth-in-advertising, that is, parents sending their children to Catholic universities expecting the university to be Catholic. In Bonnette's eyes, a university should not say it is Catholic and then distance itself from the Church. Rather, a Catholic university should align itself with the teachings of the Church.

CHAPTER VI

CLASH OF CULTURES: THE FACULTY, THE PRESIDENT, AND THE WIDER CHURCH

The three previously explored components of the conflict took place among the faculty members, about specific content, in relatively private and informal settings, and within a familial, academic environment. The conflict takes on new dimensions when the wider Church community enters into the controversy. The parties involved now include faculty, university administrators, the Marianist provincial, local pastors, the archbishop, the apostolic delegate, and the Vatican. In addition to content, procedural matters become points of conflict. Furthermore, the relative privacy and informal setting of the academic environment is replaced by a more formal setting in an organizational, ecclesiastical environment under the glare of the media's scrutiny.

This chapter begins by examining the general historical background related to academic freedom, particularly in the context of American Catholic higher education. The second part of the chapter combines narrative and analysis of elements of the controversy involving the wider Church community. Beginning with the University of Dayton's investigation and reactions to it, the elements analyzed include the archbishop's dilemma, the investigation by the archbishop's fact-finding commission, the deliberations and report of the University president's *ad hoc* committee, and the Vatican inquiry. This chapter

shows the interaction of the academic and ecclesiastical cultures as an American Catholic university struggles to gain legitimacy in the secular academy of the 1960s. As a case study, the “Heresy Affair” reflects the untold story of other American Catholic institutions of higher education.

Historical Context

In order to understand this chapter, one needs some knowledge of the history of academic freedom, particularly as it pertains to American Catholic higher education. The general definition of academic or intellectual freedom used in this dissertation is the freedom of an individual to “express novel or critical ideas without the threat of formal or informal punishment of any serious kind.”¹ Hofstadter and Metzger recognize two aspects to academic freedom: objective and subjective. This dissertation deals with the objective aspect, that is, the context within which an individual works. The individual’s own self-restraints—the subjective aspect—are discussed minimally.

Since the historical context for Catholic higher education began with the medieval universities, this chapter’s exploration of academic freedom begins with the Middle Ages. Hofstadter points out that the medieval academic community “assumed the right of some authority to exercise censorship and proscription in theology and on such conclusions of philosophy as were deemed to encroach upon theology.” Limitations included “a hard core of accepted doctrine, authoritatively established, which was defined and enforced,

¹Richard Hofstadter and Walter P. Metzger, *The Development of Academic Freedom in the United States*, (New York: Columbia University Press, 1955), 16. In writing the historical context of academic freedom, I also used the essay “Academic Freedom and the Catholic University” by James L. Heft, S.M., *Current Issues in Catholic Higher Education* 9 (Summer 1988), 26-38.

made obligatory on all thinkers at the risk of . . . their worldly position, . . . their spiritual privileges and possibly even their eternal souls.” The underlying assumption of the medieval system was the “desirability . . . of a single system of truth, anchored in God, and elaborated by man.”² While this description sounds as if medieval intellectuals were without intellectual freedom, Hofstadter says that, in practice, freedom of inquiry existed because theologians disagreed over what was in the core of the faith, and over who had the authority to condemn. Moreover, the Church chose not to suppress some scholars for a variety of reasons. “Very often the Church intervened in intellectual life only because the disputes in the university led to insistent charges of heresy by some group of scholars that could not be ignored.”³

While the Church at times intervened and, therefore, limited academic freedom, frequently the pope supported and protected scholars against the interventions of both civil and ecclesiastical rulers. For example, the “first known mention of academic freedom in Western history” occurs in an official document of Pope Honorius III in a 1220 dispute between the University of Bologna and the local civil government.⁴ Hoye points out that

²Ibid., 16-17. Notice that this language—“made obligatory on all thinkers” and so forth—is that of a secular historian.

³Ibid., 18. For an interesting and informative look at academic condemnations in medieval universities and the type and extent of ecclesiastical control in these issues, see William J. Courtenay, “Inquiry and Inquisition: Academic Freedom in Medieval Universities,” *Church History* 58 (1989): 168-181. Courtenay concludes that the “right of the masters of theology to evaluate and censure the opinions of members of the university community was ultimately more durable than either episcopal or papal control” (181).

⁴William J. Hoye, “The Religious Roots of Academic Freedom,” *Theological Studies* 58 (September 1997), 414. John Tracy Ellis states that popes (Innocent III and Gregory IX) intervened at the University of Paris in 1215 and 1231, respectively, to prevent the local bishop from meddling in the affairs of students and faculty. John T. Ellis, “A Tradition of Autonomy?” *The Catholic University: A Modern Appraisal*, ed., Neil G. McCluskey, S.J. (Notre Dame: University of Notre Dame Press, 1970), 266-267.

in this dispute, the pope did not regard academic freedom as a privilege to be granted to scholars. Rather, the pope “presupposed its existence and value, as being grounded in the very nature of academic life, arising from within and not from without.”⁵

After the Reformation, the principle of *cujus regio, ejus universitas* prevailed and universities became confessional institutions. Threats to academic freedom, however, still came from civil authorities. The earliest European university to “follow an intentional and consistent policy of academic freedom”⁶ was the University of Leiden, founded in 1575. Jews, Catholic and Protestants were admitted as students and teachers. A key component of modern academic freedom is “freedom of religion.”⁷

The colonial colleges in the United States were founded for the purpose of training clergy. The president, a cleric, was the most important person at the university while the faculty were tutors who frequently left academe and moved on to more desirable and lucrative careers. The first recorded U. S. instance involving academic freedom was the resignation of Henry Dunster, the first president of Harvard, who denied the scriptural validity of infant baptism, a belief held by his Congregationalist Church.⁸

For students, “freedom of religion” emerged as a practical measure. In an effort to maintain enrollment, the early colleges accepted students regardless of their religious

⁵Ibid., 415.

⁶Robert B. Sutton, “European and American Backgrounds of the American Concept of Academic Freedom, 1500-1914” (Ph.D. dissertation, University of Missouri, 1950), 41-42, quoted in Hofstadter and Metzger, 71.

⁷Hofstadter and Metzger, 71.

⁸Ibid., 86.

beliefs. In accepting such students, the colleges guaranteed their religious freedom which opened the door to freedom of religion for faculty.⁹

Secularization of the curricula was a major change in the 19th century. Students began to take more commercial and science courses and fewer theology courses. Over time, ideas from business and science began to dominate the academy. For example, Hofstadter says the “concept of a free competition among ideas” came from commerce while the search for truths “verified by objective processes, and judged by those who are competent” came from modern science.¹⁰

U.S. students returning from studying in Germany during the 1880s also influenced American higher education. As American professors, they adopted German ideas such as the creation of new knowledge (*Wissenschaft*) rather than handing on a tradition. They also adopted freedom of inquiry for the professor within the academic institution (*Lehrfreiheit*). As these concepts were adopted, they were transformed to fit the American situation.¹¹

The controversy over Darwinism brought together a number of the concepts related to academic freedom. While previously the standard of reliability was religious doctrine, the emphasis on science and research led to a change in the understanding of truth. Since the new knowledge was not religious doctrine, clergy were thought to be incompetent to make any judgements. Values implicit in science, that is, tolerance (particularly of error), honesty, publicity, reliability, and universalism, became practices for

⁹Ibid., 152-153.

¹⁰Ibid., 61.

¹¹Ibid., 386-387.

higher education.¹² Finally, after a number of well-publicized cases of faculty dismissals or forced resignations in the late 19th and early 20th centuries, a number of influential professors came together and wrote a report on academic freedom which was the basis for the formation of the American Association of University Professors (AAUP).

Founded in 1915 as an organization to “ensure academic freedom for faculty members,”¹³ the AAUP helped to “shape American higher education by developing . . . standards and procedures” of “sound academic practice and in working for the acceptance of these standards by the community of higher education.” The association is typically viewed as the “voice of the academic profession” concerning academic freedom.¹⁴ The AAUP is available as a resource for helping individual faculty members resolve their differences with their administrations. When a situation involves a “major departure from AAUP-supported standards,” the AAUP “considers initiating a process that may result in censure of the institutions’s administration.”¹⁵ Between 1930 and 2002, over 180 administrations were censured, some of them more than once.¹⁶

The AAUP issued several statements that are important for understanding the historical context of Catholic higher education in the sixties. The first statement is the

¹²Ibid., 363-366.

¹³“About AAUP,” available from <http://www.aaup.org/aboutaaup/hist.HTM>; Internet; accessed 15 July 2003. Until 1940, academic administrators such as presidents and deans were denied membership in the AAUP.

¹⁴“Academic Freedom and Tenure,” available from <http://www.aaup.org/Com-a/index.htm>; Internet; accessed 21 September 2003.

¹⁵“What is Censure?” available from <http://www.aaup.org/Com-a/prcenback.htm>; Internet; accessed 21 September 2003.

¹⁶Jonathan Knight, “The AAUP’s Censure List,” available from <http://www.aaup.org/publications/Academe/03jf/03jfkni.htm>; Internet; accessed 21 September 2003.

1940 Statement of Principles on Academic Freedom and Tenure which restates a 1925 statement. The 1940s version, a joint project of the AAUP and the Association of American Colleges, assumes that higher education is conducted for the common good of society, not to further the interests of the individual faculty member or the institution. “The common good depends upon the free search for truth and its free exposition.”¹⁷ In general, the statement supports the freedom of the faculty to teach, research, and to publish and speak extramurally. The AAUP also issued a 1940 statement concerning church-related institutions. This statement recognized that such institutions may limit academic freedom if those limitations are stated in the faculty contract. In other words, if faculty are aware of the limitations on their freedom prior to their accepting an academic position, the limitations are recognized as acceptable by the AAUP. However, the AAUP assumed that such church-related institutions were inferior. In 1970, following “extensive discussions” on the *1940 Statement*, a decision was made to add interpretations of the Statement based on “the experience gained in implementing and applying the *Statement* for over thirty years and of adapting it to current needs.”¹⁸ The 1970 interpretive comments say that “most church-related institutions no longer need or desire the departure from the principle of academic freedom implied in the *1940 Statement*, and [the AAUP does] not now endorse such a departure.”¹⁹ In addition, the 1970 comments emphasize the AAUP’s

¹⁷“1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments,” available from <http://www.aaup.org/statements/Redbook/1940stat.htm>; Internet; accessed 21 September 2003.

¹⁸*Ibid.*

¹⁹*Ibid.*

1966 *Statement on Professional Ethics* that lists “general standards . . . [of] responsibilities assumed by all members of the [academic] profession.”²⁰

American Catholic colleges in the early 1900s were based on the European model of a secondary-lower collegiate program. They aimed to prepare liberally educated men. As the 20th century advanced, Catholic colleges gradually changed to the American system of collegiate education which required standardization, adoption of elective and vocational courses, and professionalization. As enrollment increased, the number of lay professors in Catholic institutions increased. Many of the lay professors received their graduate education at secular institutions and they expected to receive tenure and academic freedom.²¹ Also, the increased emphasis on research as Catholic universities began offering their own graduate programs, mainly after World War II, led to an increased call for academic freedom.

The most prominent Catholic to comment on academic freedom in the first half of the 20th century was Msgr. John A. Ryan, Catholic University of America professor and director of the National Catholic Welfare Council's Social Action Department. Ryan's comments stem from his 1935²² resignation from the ACLU and its national committee. In *Social Doctrine in Action: A Personal History*, Ryan says he resigned from the ACLU

²⁰Ibid.

²¹“By 1958, laymen constituted over 80 percent of the faculties of six medium to large-size Catholic institutions.” Edward Manier and John Houck, “All Encompassing Dimensions,” *Notre Dame Alumnus*, May-June 1967, 16. Lay faculty also asked for a role in university governance, better working conditions such as number of classes per term and the number of students in each class, better pay and benefits, and so forth. Since the primary topic in this chapter deals with academic freedom, I am focusing on academic freedom in this historical context section.

²²Ryan's book says he resigned in 1935 but his resignation letter is dated 1934. John A. Ryan, letter to Roger Baldwin, 10 August 1934. ACUA, John A. Ryan Papers, Special Collection, Box 3, Folder 17 (Baldwin, Roger 1934-45).

“simply and solely because the organization had gone into the field of ‘academic freedom.’” He recalls pointing out to ACLU director, Roger N. Baldwin, that academic freedom was

none of our business, that we should confine our activities to cases involving *civil* liberties and that violations of academic freedom might safely be left to the Committee of University Professors [the early AAUP] which had been set up to deal with the latter subject. I called attention to the absurdity, for example, of my membership on the national committee of an organization which might undertake to defend a professor at the Catholic University who has been dismissed for teaching heresy!”²³

Ryan’s example of a professor teaching heresy may have been used in a verbal communication with Baldwin, but it was not used in his resignation letter. Rather, Ryan writes that

several facts and reasons have impelled me to this course but the principal factor is the attitude of the organization toward academic freedom. . . . I do not agree that laws prohibiting the teaching of evolution in the public schools should be opposed [by the ACLU] for the simple reason that in almost all cases, the Evolution that is taught is materialistic, involving a denial of the existence of the human soul and, therefore, opposed to the religious beliefs of a very large proportion of the pupils in the schools, and of their parents.²⁴

²³John A. Ryan, *Social Doctrine in Action: A Personal History*, (New York: Harper and Brothers Publishers, 1941), 175-176. Baldwin responded saying he regrets Ryan’s resignation “more than these words can say, after all our years of close association, when your influence counted heavily in circles which were not always responsive.” Roger Baldwin, letter to John A. Ryan, 15 August, 1934. ACUA, John A. Ryan Papers, Special Collection, Box 3, Folder 17 (Baldwin, Roger 1934-45).

²⁴Ryan to Baldwin. In a letter to Fr. Floyd Begin on the same date, Ryan says that “once before I sent in my resignation on this account, but was persuaded to leave the matter in abeyance. Now I expect to resign definitely and positively.” John A. Ryan, letter to Rev. Floyd L. Begin, 10 August 1934. ACUA, John A. Ryan Papers, Special Collection, Box 3, Folder 17 (Baldwin, Roger 1934-45). The real reasons for Ryan’s resignation are muddied further by a short history of the ACLU, found on the Internet site of the ACLU Archives, which claims that Ryan resigned because the “ACLU opposed Catholic efforts to censor printed works, movies and information on contraception.” “American Civil Liberties Union: The Roger Baldwin years, 1917-1950, A Microfilm Edition,” available from http://libweb.princeton.edu/libraries/firestone/rbsc/finding_aids/aclu1920/#foreword; Internet; accessed 29 August 2001.

Ryan gives the example of the ACLU's defense of Professor Turner,²⁵ dismissed by the University of Pittsburgh. Although Ryan thinks that the reason for dismissal may be Turner's "liberal economic views," he was "quite certain that [Turner's] attitude toward religion in the class room was amply sufficient to require that he should not be permitted to teach in any institution receiving public money."²⁶

For Ryan, consideration of religious beliefs was an important qualifier in his understanding of academic freedom. Ryan expands on this qualifier in *Catholic Principles of Politics* under the topic of "liberty of teaching," where he writes that "nothing but the truth should be taught" and so this liberty "must be kept within certain limits, lest the office of teaching be turned . . . into an instrument of corruption." Since truth is both natural and supernatural, Ryan states that "human teaching has to be controlled" by the "just and necessary restraint of laws" formed "in the judgment of the Church and of Reason itself." Ryan notes that the "followers of Liberalism . . . advocate and proclaim" liberty "for themselves and for the State" but "hamper the Church . . . restricting her liberty within narrowest limits."²⁷ Assuming Ryan saw the ACLU supporting restrictions on the liberty of the Church, it is clearer why he resigned from its national committee.

Professor Charles Donahue from Fordham University's English department was, according to Philip Gleason, "a frequent and penetrating commentator on academic

²⁵Ryan refers to Ralph E. Turner. For additional information see pages 148-156 of Robert C. Alberts, *Pitt: The Story of the University of Pittsburgh, 1787-1987* (Pittsburgh, Pa.: University of Pittsburgh Press, 1986). My thanks to Debora A. Rougeux, Reference Archivist/Cataloger at the Archives Service Center of the University of Pittsburgh for her assistance in identifying Professor Turner.

²⁶Ryan, letter to Baldwin, 1.

²⁷John A. Ryan and Francis J. Boland, C.S.C., *Catholic Principles of Politics: Revised Edition of "The State and the Church,"* (New York: The Macmillan Company, 1940), 175-178.

freedom in the 1950s.”²⁸ Most of Donahue’s articles were published in *Thought*. Two, however, were published in *America*. In “Freedom on the Campus,” Donahue accepts the premise that “the idea of a Catholic college implies restrictions not found in the non-committed colleges.” He argues that “restrictions on human freedom” are justified if they are “necessary to assure greater human freedom”—an argument he attributes to John Courtney Murray, S.J.²⁹

The question that follows is “what freedoms, for teaching and learning, do the restrictions involved in the idea of a Catholic college make possible?”³⁰ Donahue says there are two such freedoms. First, there is the “freedom of the Catholic student to receive an education suited to his personal needs.” Here Donahue is arguing for respecting the “ethical and religious formation” of the entering student rather than the process of “stripping the student of the prejudices which he acquired during his life among the ‘booboise.’”³¹ The second freedom is that of the “Catholic scholar to work in an atmosphere where his total experience and total personality will count most for his students.”³² Or, to put it another way, both “scholar and student” are given an opportunity to participate in an “intelligently integrated plan of studies”³³ through the inclusion of theology in the curriculum, and the atmosphere is one which Donahue calls

²⁸Philip Gleason, “Academic Freedom and the Crisis in Catholic Universities,” *Academic Freedom and the Catholic University*, eds. Edward Manier and John Houck, (Notre Dame: Fides Publishers, Inc., 1967), 54, fn 2.

²⁹Charles Donahue, “Freedom on the Campus,” *America*, 27 April 1957, 104.

³⁰*Ibid.*, 105.

³¹*Ibid.*, 106. Donahue attributes the word “booboise” to H. L. Mencken and, for the purposes of this article, defines it as “outside the influence of the university.” *Ibid.*, 105. Bonnette would be supportive of this understanding of academic freedom.

³²*Ibid.*, 108.

³³*Ibid.*, 105.

“personalist,” that is, “the person formed as a Catholic can grow more in the four years we allot to liberal education than he could in an atmosphere less well suited to his personal needs.”³⁴

Donahue focuses on the religious conviction of students. He indicates that non-Catholics students are welcome but Catholic colleges will not be able to meet the “felt needs [of non-Catholic students] . . . as adequately as they do those of the Catholic student.”³⁵ Donahue’s focus on the religious conviction of students also creates space for teaching and witnessing to Catholicism on the part of professors. Throughout the article, Donahue refers to “Catholic scholars” with no indication that some scholars in Catholic universities might not be Catholic.

By the mid-sixties, Catholic higher education was at a point regarding academic freedom that Philip Gleason described as Newman’s “time of confusion, when conceptions and misconceptions are in conflict.” Gleason went on to say that the issue is so “muddled that it would be a major achievement to bring the discussion to the point where clear-cut disagreement were possible.”³⁶ There was no shortage of conversation on the topic. In fact, everyone seemed to be “talking” at once, weighing in with their reflections and comments. In the following paragraphs, I review a few representative essays from the time period of the “Heresy Affair” in an effort to understand what scholars thought about academic freedom and its relationship to a Catholic university.

³⁴Ibid., 108.

³⁵Ibid.

³⁶Gleason, 34.

Edward Manier and John Houck from the University of Notre Dame edited *Academic Freedom and the Catholic University*, a text based on a symposium held at Notre Dame in April 1966.³⁷ In the text, Manier points out that academic freedom has many different meanings before he says the “most prevalent usage”³⁸ is that of A. O. Lovejoy³⁹:

Academic freedom is the freedom of the teacher or research worker in higher institutions of learning to investigate and discuss the problems of his science and to express his conclusions whether through publications or in the instruction of students, without interference from political or ecclesiastical authority, or from the administrative officials of the institution in which he is employed, unless his methods are found by qualified bodies of his own profession to be clearly incompetent or contrary to professional ethics.⁴⁰

Manier goes on to clarify that “the exercise of the right of free association to constitute a university is not equivalent to the exercise of academic freedom.”⁴¹

³⁷Later *Notre Dame Alumnus* devoted its May/June 1967 issue to academic freedom. Entitled “Academic Freedom: Can it be Realized at a Catholic University?”, the magazine contained reprinted, edited versions of three articles from *Academic Freedom and the Catholic University* and an introduction by Manier and Houck.

³⁸A. O. Lovejoy, “Academic Freedom,” *Encyclopedia of the Social Sciences*, vol. I, eds. E. Seligman and A. Johnson (New York: Macmillan Co., 1930), 384-388, quoted in Edward Manier, “Introduction,” *Academic Freedom and the Catholic University*, eds. Edward Manier and John Houck, (Notre Dame: Fides Publishers, Inc., 1967), 20.

³⁹Arthur Onken Lovejoy was a philosophy professor at Stanford in 1900 when Edward A. Ross, an economics professor, was forced to resign over political and economic issues. Seven Stanford professors, including Lovejoy, resigned in protest. Hired as a philosophy professor by Johns Hopkins University in 1910, Lovejoy and John Dewey organized a 1915 meeting at Johns Hopkins which ultimately led to the formation of the AAUP. He is described as “the Association’s leading figure in its formative years.” His most famous work is *The Great Chain of Being: A Study of the History of an Idea*. Mary Burgan, “Faithful and Free: A Call for Academic Freedom,” available from <http://www.aaup.org/publications/Academe/01jf/jf01burg.htm>; Internet; accessed 04 October 2003.

⁴⁰*Ibid.*, 14.

⁴¹*Ibid.*

In a separate essay for *Notre Dame Alumnus*, Manier and Houck explain that

the operative commitment which underlies true scholarship and teaching can never be an uncritical or inflexible commitment to a specific thesis or theory. It is best described as commitment to the meaningfulness of an area of inquiry; a commitment to search and investigate.⁴²

It follows for Manier and Houck that “the faculty of a Catholic university cannot be asked to function as an instrument of the *magisterium* of the Church . . . A Catholic university can only represent the Church learning and not the Church teaching.”⁴³

As we saw in Chapter V, Manier and Houck are not alone in their understanding of a Catholic university as the Church learning. Recall that Chrisman and the president’s *ad hoc* committee articulated such an understanding of a Catholic university.

George N. Shuster had a different viewpoint when he wrote the academic freedom entry in the 1967 *New Catholic Encyclopedia*. In the section labeled “Freedom of Inquiry,” he writes that Catholic higher education has been justifiably criticized because there were limits on freedom of inquiry which were not “in consonance with the purposes of a contemporary university.” He acknowledged that improvements need to be made but he also went on to say:

Obviously the faculty of an educational institution under Catholic auspices will profess respect for, though on the part of its Jewish and Protestant members not acceptance of, Catholic teaching. This will include recognition of the right of the Church to use spiritual sanctions to oppose ideas considered to be injurious to faith and morals.⁴⁴

⁴²Edward Manier and John Houck, “All Encompassing Dimensions,” *Notre Dame Alumnus*, May-June 1967, 16-17.

⁴³*Ibid.*

⁴⁴George N. Shuster, “Academic Freedom,” in *New Catholic Encyclopedia*, 1967.

By the time Shuster's article appeared, some Catholic faculty did not necessarily respect and accept Catholic teaching. Furthermore, many Catholic faculty would argue against the right of the Church to intervene in any way, shape, or form.

In April 1967, then-auxiliary bishop James P. Shannon of the Archdiocese of St. Paul and Minneapolis wrote about academic freedom in his column in the *St. Paul Catholic Bulletin* which was reprinted in *Catholic Mind*. Shannon wrote the column shortly after Clark Kerr was dismissed as president of the University of California. Among other things, Kerr was criticized for "his past liberal attitude toward academic freedom." Shannon took this opportunity to "say a few things about what academic freedom is and what it is not."⁴⁵

Shannon defines academic freedom as

a guarantee made by a university or by society to a scholar or a writer that he will not be molested or punished for faithfully following the rules of his art or science or for publishing and teaching such findings. This guarantee presupposes that persons enjoying it are serious and responsible scholars. It presumes that they are skilled in their craft and that they will function according to its professional standards.

Shannon explains the rules that go into play when a scholar does not live up to his responsibilities and he points out that "academic freedom, properly understood, does not allow a teacher to say that he endorses concepts or doctrines which in reality he does not accept." To put it another way, the assumption must be that the "individual professor . . .

⁴⁵Bishop James P. Shannon, "The Code of Academic Freedom," *Catholic Mind* (April 1967), 11. Shannon resigned as bishop and left the priesthood in November 1968 after the publication of *Humanae Vitae*, a document he knew he could not defend. He died on 28 August 2003 reconciled to the Church.

is telling the truth and acting honestly.” Shannon concedes that academic freedom has been abused but “in every age it has also been the means whereby truth triumphed over error.” It is interesting that Shannon used his column in the archdiocesan newspaper to comment on academic freedom without saying anything at all about academic freedom and the Catholic university or the Church. Rather, he talked about the concept in general terms that fit “any college or university worthy of the name.”⁴⁶

In “Academic Freedom: An Analysis,” Charles H. Kegel⁴⁷ looks at “concepts” which justify “freedom of expression, academic or otherwise.”⁴⁸ He argues that “we are concerned with the freedom to do something only when and in proportion to the restrictions which are placed upon our doing that thing.” Kegel gives the example of teaching an uncontested fact versus teaching something that is an “area of controversy.” Academic freedom has no meaning when an uncontested fact is concerned. On the other hand, with a controversial subject there is a possibility of being challenged and, therefore, academic freedom takes on meaning.⁴⁹

Kegel argues that academic freedom “possesses meaning and validity only in terms of its limitations.” Obviously, some limitations are “desirable, others are not.” Kegel

⁴⁶Ibid., 12.

⁴⁷In the mid-sixties, Charles H. Kegel was a professor of English at Idaho State University. He served as dean of liberal arts, dean of faculties, academic vice president and, in the mid-seventies, acting president of Idaho State University. He is deceased. My thanks to Karen Kearns, Head, Special Collections and Archives at the Idaho State University Library in Pocatello, Idaho, for her assistance in identifying Kegel.

⁴⁸Charles H. Kegel, “Academic Freedom: An Analysis,” undated. Typed, duplicated, and multi-copied essay found in Fr. Roesch’s files related to the University of Dayton controversy. This article was published in *Liberal Education* (December 1966): 448-453. The introductory paragraph indicates that Kegel was asked to give a speech in defense of academic freedom four times over the “past year.” AUD, Series 91-35.

⁴⁹Ibid., 1-2.

considers two desirable limitations: 1) the “concept of academic freedom is [not] worth defending unless it is accompanied by an equally demanding concept of responsibility”; and 2) “the freedom to teach and the freedom to learn should be tolerated to that point where further license would destroy or seriously jeopardize the continued existence of that freedom.”

Kegel explains both limitations with practical examples. In the first case, the faculty member “can be expected to speak responsibly” about the area he or she is qualified to teach.⁵⁰ Any limits are determined on a case-by-case basis so Kegel provides questions for “university administrators and boards of trustees . . . [to] ask themselves . . . concerning any specific incident in which a faculty member is charged with having gone beyond the limits of academic freedom.” Kegel then looks at possible answers and at whether such an instance is a violation of academic freedom.

Since Roesch thought Kegel’s article important enough to duplicate and distribute, Kegel’s questions and answers are worth pursuing in more detail. First, “where and under what circumstances, [*sic*] did the faculty member perform the action or utter the statements which precipitated the investigation?”⁵¹ If the circumstances are “clearly divorced” from “assigned academic duties,” the professor has the same rights as any citizen. It follows that an administrator has “no jurisdiction over the private off-campus activities of a faculty member” unless “contractual restrictions are violated.” In terms of

⁵⁰Ibid., 2.

⁵¹Ibid., 3.

on-campus activities, an administrator will have to distinguish between activities that are part of assigned duties and those that are not.⁵²

The next question is “whether or not the faculty member against whom charges have been made is dealing responsibly within the academic discipline he represents.”⁵³ In order to determine the answer to this question, Kegel suggests asking “if his colleagues, without necessarily agreeing with him, defend his opinion as a responsible inquiry into the subject matter of his discipline, or his action as a logical manifestation of that responsible inquiry.” If colleagues defend a professor, administrators who accuse the professor “impugn the professional responsibility of colleagues as well.”

To explain Kegel’s second case—where freedom should be tolerated to the point where it jeopardizes that freedom—Kegel gives an example of a faculty member being responsible in terms of inquiry but then taking action which “will not allow further debate,” thus limiting other faculty in the “exercise [of] their freedom of inquiry.” Such action on the part of the first faculty member jeopardizes the academic freedom of others.⁵⁴

Kegel concludes by reflecting on the willingness of society to sacrifice freedom in “moments of passion and crisis.” It is up to those closest to academic freedom—students, faculty and administrators—to defend it. “Preservation rests upon recognition of the fact” that academic freedom “possesses meaning and validity only in terms of its limitations.”⁵⁵

⁵²Ibid., 3.

⁵³Ibid., 4.

⁵⁴Ibid., 4.

⁵⁵Ibid.

Andrew Greeley emphasized responsible behavior when he discussed academic freedom. He saw “no reason why Catholic higher educational institutions cannot accept [the AAUP’s] statement of academic freedom as it stands.” Furthermore, he sees “no reason why even the teaching of theology cannot be covered by these principles.” He explains that the problem is

some Catholic teachers have been inclined to inject their own personal doctrinal and ethical opinions into the academic environment. The theological classroom is no more a place for personal religious opinion than any other classroom, and some of the behavior which I have been informed is taking place at Catholic colleges and universities would not be tolerated at a university like the one with which I am affiliated.⁵⁶ Repeated departure in the theology room [*sic*] from the responsible presentation of the subject matter to engage in attacks on the Catholic Church and ecclesiastical organization or to present own personal religious opinion on controversial matters is irresponsible academic behavior.⁵⁷

While Greeley’s approach focuses on responsible behavior regardless of whether the faculty member agrees or disagrees with Church teachings, others such as Thomas Molnar from Brooklyn College argued that “professors who disagree with established Catholic dogmas, doctrine, morality, discipline, etc. have no place in a Catholic university.” Molnar’s reasoning is based on the concept that academic freedom includes the “right of any group to found an institution promoting and safeguarding the objectives of that group.”⁵⁸ Furthermore, “freedom in a Catholic university does not consist in

⁵⁶Greeley was a sociologist with the National Opinion Research Center at the University of Chicago when he wrote his comments.

⁵⁷Andrew Greeley, “Zeroing in on Freedom,” *Commonweal* (2 June 1967): 317.

⁵⁸Thomas Molnar, “Zeroing in on Freedom,” *Commonweal* (2 June 1967): 320.

offering youth a one-way ticket to the supermarket of ideas but in leading this youth to at least a correct understanding of the Catholic position on all matters.”⁵⁹

I began this section on Catholic institutions and academic freedom in the mid-sixties by quoting historian Philip Gleason saying the issue was very “muddled.” In an effort to clarify the situation, Gleason proposed “three levels of meaning of the term academic freedom.” The first level is “operational precision” which deals with policies and procedures to safeguard the professor’s position. This level includes “academic due process.”⁶⁰

The second level is that of “vague abstraction.” Gleason points out that academic freedom can be “so general a notion that it can mean almost anything. . . . [and] be applied in one way or another to practically any concrete situation.” Gleason warns against “needlessly injecting” academic freedom into the disputes that happen during times of change such as the mid-1960s. Once academic freedom is raised, a principle is at stake, and “it is only a step to the conclusion . . . that academic freedom and the Catholic university are mutually exclusive terms.”⁶¹

Gleason’s third level of meaning of academic freedom is the ideological dimension. By this he means that academic freedom is part of the secular tradition “associated with a world view that leaves little room for revealed religion.” In fact, the worldview is “actively hostile” to religion. What concerns Gleason is that there are “Catholic scholars

⁵⁹Ibid., 321.

⁶⁰Philip Gleason, “Academic Freedom,” *America* 115 (16 July 1966): 61.

⁶¹Ibid., 62.

who do not believe that ideological academic freedom poses any real difficulty for Catholic institutions.”⁶² He suggests that as a starting point, we accept the practical conclusions as to how academic freedom functions without accepting the theory underlying it. From there, the challenge for Catholic institutions to work out is how to understand academic freedom in Catholic universities, determine its applications and explore its theoretical grounding.⁶³ We are still challenged by the same tasks.

Introduction to the Narrative

The narrative in this chapter is particularly complex given the events covered, the people involved, the overlapping time frames, and the documents generated. In some cases, the narrative overlaps with Chapter Two. This is intentional. Chapter Two told the story of the “Heresy Affair” in a general way. This chapter retells the narrative in a more detailed fashion and analyzes the events.

In an effort to aid the reader, the following table is provided. The items in the “Events” column coincide with the centered headings in the remainder of the chapter. The indented items in the “Events” column coincide with the subheadings in the text.

⁶²Ibid.

⁶³Ibid., 63.

Table I: The "Heresy Affair" Escalates to the Wider Church Community

	Event	Time Frame	People	Documents
1	Consultation with a canonist	20-Nov-66	Rev. James O'Connor, S.J.	Letter to Roesch
2	The University's investigation	Ended 5-Dec-66	Rev. Raymond A Roesch, S.M.	Letter to faculty and staff
3	Reactions to the University's investigation	6-Dec-66	Rev. James Sherman + others	Letter to Archbishop
	Declaration of Conscience			
	Local pastors come together			
4	Archbishop's dilemma: four possibilities		Archbishop Karl J. Alter	
5	Archbishop's fact-finding commission	15-Dec-66 to 13-Feb-67	Msgr. Robert Tensing, chair	Report to Archbishop
	Commission hearings			
	Baltazar challenges competency			
	The AAUP reacts			
	Student Council resolution			
	Commission report			
6	President's <i>ad hoc</i> committee	13-Jan-67 to Sep-67	Dr. Ellis A. Joseph, chair	Report of the <i>ad hoc</i> committee
	<i>Ad hoc</i> hearing speakers	Jan-67 to Mar-67		
	Dr. Rosemary Lauer			
	Dr. William Doane Kelly			Statement relative to the controversy
	Rev. Raymond A. Roesch, S.M.			
	Rev. Neil McCluskey, S.J.			
	Dr. Leslie Dewart			
	<i>Ad hoc</i> committee report	Sep-67 to May-69		<i>Ad hoc</i> committee report
7	Vatican inquiry	6-Feb-67 to Apr-67	Fr. Pierre Humbertclaude, S.M.	

Consultation with a Canonist

Marianist Fathers Roesch, George Barrett⁶⁴ and Charles Lees met with Archbishop Karl J. Alter on 29 October 1966, nine days after the archbishop received Bonnette's letter. At that time, Alter stated that he was only concerned with the areas that "touched doctrine," that is, denial of purgatory and advocating abortion. Apparently in response to Roesch's question about a statement by Bonnette, Alter also stated that he had not used the words "due inquiry" in a technical sense.⁶⁵ The archbishop supported Fr. Roesch's recommendation to consult with a canonist to determine "whether or not an actual ecclesiastically legal charge had been made."⁶⁶ Alter advised that the canonist should understand both the "theological and academic sides" of the controversy.⁶⁷ Alter's recognition early in the investigation that there were two components to this controversy—theological and academic—is crucial to understanding his involvement in the conflict. By limiting his involvement to the theological component, the archbishop could limit his involvement in the controversy.

⁶⁴Fr. Barrett was Vice President of the University of Dayton from 1958-1974.

⁶⁵Raymond A. Roesch, "Chronology," personal notes. AUD, Series 91-35, Box 5.

⁶⁶Raymond A. Roesch, letter to James I. O'Connor, S.J., 13 October 1966. AUD, Series 91-35, Box 5. I believe this letter is incorrectly dated. Bonnette's letter to the archbishop is dated 15 October. Most likely the date the letter was written was 13 November 1966.

⁶⁷Roesch, "Chronology." Bonnette had told Roesch in a meeting on 28 October 1966 that Alter had written to him—Roesch never saw the letter—and said that Roesch should "conduct due inquiry."

Roesch consulted canonist Fr. James I. O'Connor, S.J. from the Bellarmine School of Theology of Loyola University in North Aurora, Illinois.⁶⁸ He provided O'Connor with the accusation letters Bonnette wrote to the archbishop and to himself. Roesch asked O'Connor:

- 1) Does Bonnette make a "formal ecclesiastical charge?" If so, what action is indicated to resolve the case?
- 2) If there is a formal ecclesiastical charge, what must Bonnette do to substantiate it?
- 3) If the case does not come before an ecclesiastical court, how do we clear the professors of the charges?⁶⁹

The third question is the most interesting. Roesch does not ask how to go about an investigation to determine whether the accused taught things contrary to the magisterium. Rather, he asks "how do we clear the professors?" Roesch and his administrative council wrote in the letter to O'Connor that Bonnette had not

proved anything which could lead us to conclude that any of the four accused had wilfully or knowingly advocated or disseminated any doctrine contrary to the magisterium of the Church, though pedagogically they evidently had not made clear to their hearers the distinction between the Church teaching under its pastoral aspect and the academic aspect of the Church learning, in which scholars are free to probe or question the human understanding and formulation of divine mysteries found in the deposit of Faith or moral directives imposed by the Church in discharge of her

⁶⁸O'Connor was recommended by Fr. Victor Nieporte of Xavier University. (Roesch, personal notes on follow-up to Alter visit on 29 October 1966, AUD, Series 91-35, Box 5.) With T. Lincoln Bouscaren, SJ, O'Connor was editor of *Canon Law Digest*, Volumes IV, V, and VI from 1958-69 and of *Canon Law Digest for Religious*, Vol. 1 and supplements, 1964-67. He was the sole author of *Canon Law Digest*, Volume VII. O'Connor's degrees are: Xavier University, Litt.B., 1934, M.A., 1935; West Baden College, Ph.L., 1938, S.T.L., 1944; Catholic University of America, J.C.B., 1946; Pontifical Gregorian University, Rome, J.C.L., 1948, J.C.D., 1950. *Contemporary Authors Database*, available at <http://galenet.galegroup.com>; Internet; accessed on 25 August 2003.

⁶⁹Roesch, letter to James O'Connor.

pastoral obligation to guide souls in the observance of the divine and natural law.⁷⁰

O'Connor responded to Roesch in a letter dated 20 November 1966. He stated that a formal charge had been made to the proper ecclesiastical authority against the four faculty and indirectly against the University and its administration. Since a charge had been made to the archbishop, a response to the charge should come from the archbishop which, O'Connor observes, occurred when Alter asked Roesch to investigate. O'Connor went on to suggest that Alter should appoint someone outside the University of Dayton and Society of Mary to look at the charges.⁷¹ (This is ultimately the action the archbishop took when he appointed the fact-finding commission.) O'Connor makes this suggestion because he believes that an internal investigation clearing the accused would not be satisfactory to the accuser.⁷² As the case unfolds, it becomes clear that O'Connor is correct in his assessment of Bonnette, that is, the University's exoneration of the accused leads to charges of a whitewash.

In terms of what Bonnette must do to substantiate the charges, O'Connor observes that Bonnette cites Canon 1325, §2⁷³ against Chrisman. O'Conner interprets this to mean that Bonnette is accusing Chrisman of being a heretic since that is the class of person treated in the canon. O'Connor states that a heretic is a person who acts with "conscious

⁷⁰Ibid.

⁷¹James E. O'Connor, S.J., letter to Raymond A. Roesch, 20 November 1966. AUD, Series 91-35, Box 5.

⁷²Ibid.

⁷³Canon 1325, §2 under the 1917 code defines the heretic as a baptized person who retains the name of Christian and pertinaciously denies or doubts any of the truths that one is under obligation of divine and Catholic faith to believe. "Sin of Heresy," *New Catholic Encyclopedia*, Vol. VI (Palatine, Ill.: Jack Heraty & Associates, Inc., 1981), 1069.

and intentional resistance to the authority of God and the Church, or, in fuller form, he must deny or call into doubt some article of faith which he knows has been proposed by the Church as a truth to be believed as divinely revealed.” Bonnette must therefore prove that Chrisman pertinaciously denies the existence of purgatory. O’Connor offers his opinion that this will be difficult to prove in ecclesiastical court.⁷⁴ Furthermore, even if Chrisman holds to his belief with Bonnette, he could acquiesce in front of an ecclesiastical court, resulting in a declaration of innocence.

As to whether purgatory is a dogma, O’Connor says the dogma is *de fide definita*⁷⁵ and lists nine references which he says Baltazar should read.⁷⁶ On the other hand, since Chrisman said he did not believe in the “fire” of purgatory, O’Connor states

Mr. Bonnette must show that the Church has defined as a truth to be believed by reason of divine revelation that there is real fire in purgatory. . . . As it happens, it is Mr. Bonnette who is mistaken about the Church’s teaching on the fire of purgatory.⁷⁷

⁷⁴O’Connor, letter to Roesch.

⁷⁵“If Truths are defined by a solemn judgment of faith (definition) of the Pope or of a General Council, they are ‘de fide definita.’” Ludwig Ott, *Fundamentals of Catholic Dogma*, (St. Louis: B. Herder Book Company, 1962), 9. The highest level is reserved for “immediately revealed truths.” Belief based on the authority of God Revealing is *fides divina*. If the Church vouches for the fact that a truth is in Revelation, it is *fides catholica*. *De fide definita* is third. Purgatory is *de fide definita* which means it is a revealed truth defined by a solemn judgment of faith of a general council.

⁷⁶Recall that, according to Bonnette, Baltazar said he never heard that Purgatory was a dogma. (Bonnette, letter to Roesch, 28 October 1966, 3.) The references—all of which are in the University of Dayton library with the exception of Otten—are: Biblioteca de autores cristianos. *Sacrae theologiae summa*, ed. 2, vol. 4, n. 226; Louis Billot, *Quaestiones de novissimis*, ed. 8, p. 86, thesis V; Reginald Garrigou-Lagrange, *Life Everlasting*, p. 158; J. M. Herve, *Manuale theologiae dogmaticae*, ed. 16, vol. 4, p. 611: Assertio; Heinrich Lennerz, *De novissimis*, ed. 4, n. 245; Ludwig Lercher, *Institutiones theologiae dogmaticae*, ed. 3, vol 4/2, n. 849.1; Bernard J. Otten, *Institutiones dogmaticae*, Vol. 2, n. 460; Joseph Pohle, *Eschatology*, adapted and edited by Arthur Preuss, p. 78; Ralph Bastian, “Purgatory,” *New Catholic Encyclopedia*, January 1967. O’Connor, 2.

⁷⁷O’Connor, 2.

O'Connor suggests that Bonnette consult *The Teaching of the Catholic Church, Volume II*, regarding "purifying fire."⁷⁸ O'Connor also wonders how Bonnette is able to "reconcile his attitude" toward unchanging formulations of Church teachings with the Second Vatican Council's Decree on Ecumenism, n.11 which allows for more profound and precise explanations of Church teachings.⁷⁹ Indeed, if Bonnette's "apparent [emphasis mine] position that no aspect of Catholic doctrine or practice can ever be questioned in any way, were pushed to its limit, he would . . . find it very difficult, if not impossible, to defend some of the things done at Vatican II."⁸⁰

In addition to the resources above, O'Connor provides Roesch with sources related to situation ethics and reviews of Baltazar's article in *Contraception and Holiness*. O'Connor calls the latter a "startling book if it is taken at face value only." Given its purpose "to bring out in a striking way the problems in the area . . . and the need for some form of clarification," its "overemphasis" is "to be expected."⁸¹

⁷⁸*The Teaching of the Catholic Church*, arr. and ed. by George D. Smith (New York: Macmillan, 1949) vol. 2, pp 1153-1154. O'Connor, 2.

⁷⁹"Decree on Ecumenism," *Vatican Council II: The Conciliar and Post Conciliar Documents*, ed. Austin Flannery, O.P., (Jove Publications, Inc., 4th printing, 1979), 462. Paragraph 11 reads: "The manner and order in which Catholic belief is expressed should in no way become an obstacle to dialogue with our brethren. It is, of course, essential that the doctrine be clearly presented in its entirety. Nothing is so foreign to the spirit of ecumenism as a false irenicism which harms the purity of Catholic doctrine and obscures its genuine and certain meaning.

At the same time, Catholic belief must be explained more profoundly and precisely, in such a way and in such terms that our separated brethren can also really understand it.

Furthermore, in ecumenical dialogue, Catholic theologians, standing fast by the teaching of the Church yet searching together with separated brethren into the divine mysteries, should do so with love for the truth, with charity, and with humility. When comparing doctrines with one another, they should remember that in Catholic doctrine there exists an order or 'hierarchy' of truths, since they vary in their relation to the foundation of the Christian faith. Thus the way will be opened whereby this kind of 'fraternal rivalry' will incite all to a deeper realization and a clearer expression of the unfathomable riches of Christ."

⁸⁰O'Connor, 4.

⁸¹Ibid.

In summary, canonist James O'Connor states that ecclesiastical charges have been made, interprets Bonnette's reference to Canon 1325, §2 as an accusation of heresy against Chrisman, and states that Bonnette will need to prove that Chrisman denies the existence of purgatory and holds to his denial pertinaciously. O'Connor thinks that Bonnette "could be made to look quite silly in some of his affirmations" if the case were brought to court. To put it another way, Bonnette would be shown to be "super-orthodox or . . . more Catholic than the Catholic Church."⁸² O'Connor therefore suggests that Bonnette write the archbishop and apostolic delegate and "admit the initial accusations are, as he now finds out, exaggerated, and as a result, he wishes to withdraw his original accusations." If the formal charges are retracted, O'Connor believes the case can be settled at the University of Dayton. O'Connor thinks that "all the accused professors need some alerting about their manner of expressing their views" while Bonnette "needs a correlative type of alerting since he seems inclined to 'sin' on the side of orthodoxy."⁸³ O'Connor ends his letter by calling "attention to all in the present case" to Paul VI's statement that

care must be taken to avoid disturbance of mind and to avoid a species of scandal, or, at least, wonderment on the part of the ordinary man and woman because of the way or/and the occasion in which one of [*sic*] other Catholic tenet, dogma or practice may be subjected to academic examination and discussion.⁸⁴

⁸²Ibid., 3.

⁸³Ibid.

⁸⁴Ibid., 4.

In hindsight, a number of items in O'Connor's letter are problematic. First, O'Connor said that a "formal ecclesiastical charge" had been made, and he focused on Canon 1325. However, the actual charges against the accused, that is, teaching and advocating doctrines contrary to the Church are not covered under Canon 1325. If O'Connor focused on the actual charges, would he have decided that Bonnette had made a formal ecclesiastical charge? Second, since O'Connor concluded that the heresy charges against Chrisman would not stand up in ecclesiastical court and since he did not address the actual charges except by providing sources, in effect he dismissed all the charges against not just Chrisman but against all four of the accused. O'Connor acted like the only ecclesiastical charge is heresy against Chrisman. Bonnette believed he accused four professors of teachings contrary to the Church. Third, O'Connor did not address any options other than ecclesiastical court and Bonnette withdrawing his charges. Surely, there were some options in between these two extremes, for example, a fact-finding commission. Finally, O'Connor did not answer Roesch's question of how to clear the accused faculty if the matter did not go to an ecclesiastical court. Perhaps he did not think it was his place to say how to clear the accused without going to court, or perhaps he thought Bonnette would follow O'Connor's recommendation, retract his accusation, and thereby clear the accused, or perhaps O'Connor believed they should not be cleared in the sense of being declared innocent of all the accusations.

Investigation by the University

Armed with O'Connor's letter and with the responses from the four accused, Roesch called a special meeting of his administrative council for 28 November 1966.⁸⁵ Focusing on O'Connor's statements that Bonnette had "no case in a legal sense" and that both sides needed to be alerted to their own particular issues, the Council decided to ask Bonnette to retract. Assuming Bonnette retracted, an *ad hoc* committee of faculty would be created "to settle the academic issue." And if Bonnette did not retract? Roesch's "worksheet" for the meeting indicates "then we must inform the Archbishop and await his decision whether an ecclesiastical court and judge-delegate should be set up."⁸⁶ The minutes of the meeting reflect that the Council agreed to accept Roesch's action plan.⁸⁷

Roesch, Barrett, and Lees met with Bonnette the next day, Tuesday, 29 November 1966. They did not show Bonnette the canonist's letter because of "1) embarrassment, 2) [he] would just pick holes, and 3) desire to safeguard [the] anonymity of [the] canonist."⁸⁸ The administrators asked Bonnette to consider a retraction of the charges so that the ecclesiastical portion of the investigation could be completed. Then they explained their plan to set up an *ad hoc* committee to deal with the academic charges. Bonnette asked for

⁸⁵Administrative Council Minutes, 28 November 1966. AUD, Series 87-3, Box 3. The minutes indicate that the following were present at the meeting: Fr. Raymond Roesch, Fr. George Barrett, Fr. Charles Lees, Fr. Norbert Burns, Fr. Thomas Stanley, Fr. Paul Wagner, Bro. Elmer Lackner, Bro. Joseph Mervar, and Bro. Stephen Sheehy.

⁸⁶Roesch, "Worksheet for Meeting of Administrative Council," 28 November 1966. AUD, Series 91-35, Box 5.

⁸⁷Administrative Council Minutes, 28 November 1966.

⁸⁸Roesch, handwritten note. AUD, Series 91-35, Box 5. Roesch apparently thought Bonnette would be embarrassed at some of the things the canonist said such as Bonnette being wrong about the fire of purgatory and that Bonnette was "more Catholic than the Catholic Church."

time to consider the retraction and “seemed willing” to go along.⁸⁹ A day later, Roesch received a letter from Bonnette saying he “could never retract.”⁹⁰

As discussed above, if Bonnette did not retract, Roesch intended to inform the archbishop and await his decision regarding an ecclesiastical court. Instead, Roesch called a meeting of his administrative council for 1 December 1966.⁹¹ Invited to the meeting were Bonnette, the four accused, their chairs Baker and Kohmescher, and faculty leaders Donatelli and Steiner. Roesch announced the decision of the council:

Although Mr. Bonnette remains adamant in his charges, . . . on the basis of expert opinion and of written explanations submitted by the four accused professors on what they said and taught, the University authorities are satisfied that [the four accused] are innocent of the charges as made by Mr. Bonnette.⁹²

Roesch goes on to explain that the University is “well aware of the confusion which may have arisen in the minds of some of the hearers of all these professors. . . . Much of this disturbance is due to an improper understanding of the proper role of a Catholic university and Catholic scholars.”⁹³ The University “holds with many of its colleagues in Catholic higher education that there is a distinction” to be made between the

⁸⁹Bonnette does not recall any details about this meeting but believes Roesch may have thought Bonnette seemed willing to go along because Bonnette nodded his head during the meeting. Bonnette, however, was nodding his head in understanding of what Roesch was saying, not in agreement with Roesch. “At that time,” Bonnette’s “personal tendency [was] not to reveal my intentions until forced to do so by circumstances.” Bonnette, e-mail message to the author, 16 August 2003.

⁹⁰Roesch, “Chronology.”

⁹¹The minutes of the meeting reflect that the following Marianists were present: Roesch, Barrett, Lees, Burns, Stanley, Rev. Charles L. Collins (Assistant to the President), Rev. Paul J. Wagner (Chaplain), Bro. Joseph J. Mervar (UD Business Manager), Bro. Stephen I. Sheehy (Dean of Men). Absent: Bro. Elmer C. Lackner (VP for Public Relations and Development). AUD, Series 87-3, Box 3.

⁹²Roesch, “Proposed Release from UD Administration,” 1 December 1966, 1. Copy of proposed release was given to me by Dennis Bonnette.

⁹³Roesch, Letter to UD Faculty and Staff, 3 December 1966, 1.

“pastoral mission of the Church” and the “role of the Church learning,” a distinction “known and appreciated for centuries. . . . In a sincere effort to clarify for all concerned a proper understanding of the role of a Catholic university and the responsibility of a Catholic scholar . . . an *ad hoc* committee will proceed immediately to conduct an open discussion directed toward establishing clear directives for the pursuit of truth in academic debate on the UD campus.”⁹⁴

How did Roesch get from the point of “asking Bonnette to retract/convening an *ad hoc* investigation committee/letting the archbishop decide about ecclesiastical court” to the point of “declaring the accused innocent/convening an *ad hoc* discussion committee?” To put it another way, what happened to change Roesch’s approach in the approximately forty-eight hours that elapsed between asking Bonnette to retract and opening the administrative council meeting on 1 December?⁹⁵ One can only speculate. Perhaps, since the archbishop was concerned only with purgatory and abortion, Roesch believed he could reassure Alter so that an ecclesiastical court could be avoided. With Alter reassured, Roesch could then deal with the pedagogical issue through the *ad hoc* discussion committee. Or perhaps Roesch wanted to maintain control as much as possible rather

⁹⁴Ibid., 2.

⁹⁵Christopher J. Kauffman states, in *Education and Transformation: Marianist Ministries in America Since 1849*, that Roesch held several meetings of the “Ad Hoc Committee” prior to 2 December 1966 and that the “Ad Hoc Committee” decided the four accused faculty were innocent (256). These statements are incorrect because no “Ad Hoc Committee” was formed to investigate the controversy. Rather, Roesch “investigated” with members of his Administrative Council and the canonist. Perhaps Kauffman did not realize that Roesch’s intended action plan was not what actually occurred. The *Ad Hoc* Committee that was formed after the declaration of innocence conducted campus discussions on the pursuit of truth in academic debate. Roger Fortin used Kauffman’s text as a source for *Faith and Action: A History of the Archdiocese of Cincinnati, 1821-1996* and he, too, picks up the incorrect “Ad Hoc Committee” investigation terminology (352).

than risk leaving the decision regarding an ecclesiastical court to Alter. Such a view is not unreasonable given the unfolding situation in late 1966 between Alter and the Glenmary Sisters.⁹⁶ *Commonweal* stated that “it appears as though the Archbishop . . . responded to [the Glenmary situation] in the old pre-Council fashion”⁹⁷ Given the post-St. John’s University⁹⁸ climate in higher education, the last thing Roesch needed was for Alter to respond in a “pre-Council fashion.” Or, finally, perhaps Roesch simply stood up for what he and his administrative council believed was correct, that the four accused faculty were innocent ecclesiastically and the pedagogical issues should be handled by the university.

In the 1 December 1966 administrative council discussion, “no questions [put to Bonnette] could elicit an unqualified statement from Bonnette.”⁹⁹ Bonnette read a now-unknown statement by the apostolic delegate when the papal representative visited Barry

⁹⁶The Glenmary Sisters, devoted to the Church’s mission in Appalachia since 1941, were established in 1952 in the Archdiocese of Cincinnati under the responsibility and jurisdiction of Archbishop Alter. In 1965 Alter placed the order under restrictions after a group of five to seven sisters complained to Alter that they believed the order was “too liberally interpreting the new role of sisters” (Fortin, 350). The restrictions included being in the convent by 10 p.m., not inviting laity to eat with the religious community, not establishing new houses, and not accepting new members. (Alter, “Correspondence,” *Commonweal*, 28 October 1966, 93ff.) Although the restrictions were placed in 1965, publicity about them did not occur until October 1966 when *Commonweal* published two editorials entitled “Shackling the Sisters” (7 October 1966, 5-6) and “The Archbishop and the Sisters” (14 October 1966, 47). In 1967, fifty-one women left the convent to form FOCIS, Federation of Communities in Service, and to continue their ministry as lay persons. See Marie Tedesco, “The Women of Glenmary and FOCIS: A Modern Day Version of ‘Fotched-On’ Women?” available from [http://www.marshall.edu/csega/research/documents/fociswomen .pdf](http://www.marshall.edu/csega/research/documents/fociswomen.pdf), accessed 23 August 2003.

⁹⁷“Shackling the Sisters,” *Commonweal*, 7 October 1966, 6.

⁹⁸See footnote 53 in Chapter Two.

⁹⁹Roesch, “Chronology,” *ibid*.

College in 1960.¹⁰⁰ The Council meeting ended with an agreement on a statement to be released to the press after the University's decision was accepted by the archbishop.¹⁰¹

The statement includes a concession from Bonnette: the addition of "in my judgment" as a preface to Bonnette's statement "it is public knowledge that doctrines contrary to the teaching magisterium of the Church have been taught at the University of Dayton."¹⁰²

Obviously, this addition qualifies his statement considerably.¹⁰³

Archbishop Karl J. Alter accepted the decision of innocent in a personal interview with Roesch on Friday, 2 December 1966. Roesch spent the weekend preparing a letter to the UD faculty and staff and fine-tuning the press release—a less detailed version of the letter. Both were released around noon on Monday, 5 December 1966. In hindsight, their release turns out to be crucial to the controversy.

¹⁰⁰Bonnette has no recollection of the statement. It appears the apostolic delegate made remarks of some sort at Barry College when he visited there on 13 January 1960. The Barry College connection appears to be through Paul Seman, one of Bonnette's supporters in the philosophy department. Seman, who died in 1997, was a friend and former student (CUA) of Sr. Marie Carolyn Klinkhammer, O.P. Klinkhammer became Director of the Graduate School at Barry College, 1964-1967, and then president of St. Dominic College, St. Charles, Illinois. Seman's wife, Gail Earman, indicated to me in a telephone interview on 5 April 1999 that Seman was in contact with Klinkhammer regarding the controversy. Inquiries regarding the apostolic delegate's remarks were made to the apostolic delegation in Washington, D.C. and to Dorothy Jehle, O.P., archivist at Barry University. No statement was found in either location. The author also inquired about publications of Klinkhammer, in particular, her lecture in Barry College's Coleman F. Carroll series on 12 October 1965, entitled "Controversial Issues and the Classroom." Neither Jehle nor Carol Bollin, O.P. at the Adrian, Michigan motherhouse were able to find a copy of the lecture. Periodical searches for Vagnozzi's remarks at Barry College and for publications by Klinkhammer in the 1960s did not turn up any results.

¹⁰¹Roesch, "Chronology."

¹⁰²Roesch, "Proposed Release."

¹⁰³Bonnette recalls at one meeting that "about 17 of them pushed me into agreeing that all that I had said could be prefaced by the propositional [*sic*] phrase, 'In my judgment....' I did this because, as a philosopher, I knew that every truth is held in someone's 'judgment!' I did not reflect on any legal implications of making such a minor change in wording, but I could see they were delighted to have extracted that great concession from me! That got me out of that meeting in what I thought was one piece. Later they announced with great fanfare that I had conceded that all that I had said was merely 'in my judgment.'" Bonnette, e-mail message to the author, 16 August 2003.

The letter sent to the faculty and staff and the press release are crucial because they caused an escalation of the “Affair” to a new level. Other philosophy faculty members saw the letter as a “whitewash” and proceeded to support publicly Bonnette in the form of a Declaration of Conscience on Phil Donahue’s radio talk show, *Conversation Piece*. The press release and later reporting by the news media led to local pastors appealing to the archbishop the University’s decision and handling of the situation. Alter took both actions into consideration when he formed the archbishop’s fact-finding commission. It is important, therefore, to review Fr. Roesch’s letter in detail.

Fr. Roesch began by explaining that the University waited six weeks to make a public statement because without “complete knowledge of the situation,” they “did not feel free to make any public statements or decisions, even to ward off the embarrassing public allegations.”¹⁰⁴ Roesch then summarizes the charges against the four faculty and against the “University authorities,” using the qualifier, “in Bonnette’s judgement.” In particular, Bonnette charged the administrators with being “aware of the harm which was being done to souls” and refusing to “do anything to correct the dangers which [Bonnette] saw as a fact.”¹⁰⁵ Roesch also explains the procedures followed in the University’s investigation: 1) obtaining written responses from the four accused faculty, and 2) submitting the “charges” to a non-Marianist, non-archdiocesan “competent canonist” and to “other consultants among whom were several theologians with the STD degree.” A careful reading of Roesch’s procedures suggests that the canonist read the charges but did

¹⁰⁴Roesch, S.M., “Letter to the UD Faculty and Staff,” 3 December 1966, 1.

¹⁰⁵*Ibid.*

not read the responses of the accused,¹⁰⁶ and that the other consultants could have been Marianist and/or archdiocesan. Given the makeup of Roesch's administrative council and the lack of archival sources to indicate the existence of non-Marianist "other consultants," it is likely that the "other consultants" were all Marianists associated with the University of Dayton.¹⁰⁷ Such an internal investigation appears to be a bit risky given the serious charges not only against the faculty but also against the University administrators. On the other hand, such a move on the part of Roesch might also be viewed as alternately, bold or stupid.

Roesch pronounced the verdict of innocent based on a "study of the written statements of the four professors and on the impartial expert opinion which was sought."

¹⁰⁶Further indicators that the canonist did not read the responses of the accused are 1) the canonist's letter to Roesch only refers to Bonnette's letters to Alter and Roesch and to Roesch's letter to the canonist; and 2) the letter from the canonist is dated 20 November 1966 and two of the response letters of the accused are dated 20 and 21 November. The other two response letters are undated.

¹⁰⁷Roesch, letter to UD faculty and staff, 1. Darby's handwritten notes on a copy of an Ellis A. Joseph letter to Roesch (20 February 1967) indicate that the consultation was with UD theologians in the administration, the canonist, and later the four experts from Cincinnati. (ASM(E), "Statements," University of Dayton Philosophy Controversy 1966.) Marianist theologians with S.T.D. degrees and at UD during this time were Fr. Norbert C. Burns, Fr. William J. Cole, Fr. Matthew F. Kohmescher, and Fr. Thomas A. Stanley. Marianist theologians with other degrees include Fr. John J. Kelley, Ph.D. and Fr. Edwin M. Leimkuhler, M.A. Kohmescher said he was one of the consultants (Kohmescher, conversation with the author, 20 August 2003). Stanley states that he does not know what Fr. Roesch meant in his letter by "consulting"; Stanley did have conversations with Roesch about the controversy but did not read any "explanations" by the accused (e-mail message to the author, 15 August 2003). Fr. Burns remembers being on the "inner council" at the time but does not "recall any 'consultation.'" (Burns, e-mail message to the author, 26 August 2003). Circumstantial evidence that the investigation was internal is found in Harkenrider's mimeographed letter of 5 January 1967 to his "friends." Harkenrider informs them that he has left UD and explains why he left. The letter details (over 3-1/2 single-spaced pages) what happened in the conflict. Harkenrider says that three theologians at UD were "appointed as a 'tribunal.'" One was "Fr. Stanley who had actually encouraged and urged [*sic*] the accused in their activities; another is known to defend birth control and is reported by local pastors to give permission freely to those who wish to use the pill and for the slightest reasons." Harkenrider, letter to friends, 5 January 1967, 2. Finally, in a 7 March 2002 conversation, Kohmescher indicated to Fr. Jack McGrath, S.M., that the committee to investigate the complaints was headed by University vice president, Fr. George Barrett, S.M., and included Kohmescher and Richard Baker, philosophy department chair. If the latter is the case, the only theologian was Kohmescher (S.T.D.). Barrett had a Ph.D. in education and Baker had a Ph.D. in philosophy.

Bonnette had alleged that the University's administrators were aware of the actions of the accused and did nothing to stop them. It is likely that, as a consequence of Bonnette's charges against the University administration, Roesch acknowledges that two provosts, Fr. Lees and Fr. Stanley, had been aware of the statements of the faculty in question and that the provosts discussed the content of the statements with the faculty who made them. The purpose of discussing the content was to "assure [the provosts] that the intent of the [University's] academic freedom privilege was not being violated or abused."¹⁰⁸ UD's academic freedom privilege states that

a professor, enjoying true academic freedom, may not advocate and disseminate doctrines that are subversive of American political freedom and government or the aims and purpose of this Catholic institution which is committed to the upholding of the deposit of faith and Christian morality.¹⁰⁹

According to Roesch's interpretation, violation of the academic freedom statement requires the intent on the part of a faculty member to do precisely that. Since the provosts talked to the faculty in question about their intent in making questionable statements, and since their intent was not to "advocate and disseminate" doctrines contrary to the Church, the provosts did not consider the faculty to be in violation of the University's academic freedom privilege. In other words, Roesch is refuting Bonnette's charge that University authorities did nothing by responding that University authorities investigated over a

¹⁰⁸Roesch, letter to UD faculty and staff, 1.

¹⁰⁹"Academic Freedom," *University of Dayton Faculty Handbook*, 1966, 31. Although the *Handbook* states that this statement appeared on all faculty contracts, in 1966-67, the contracts did not contain this statement unless it was attached to the contracts on a separate sheet of paper.

number of years and determined that the accused did not intend to “advocate and disseminate” doctrines contrary to the Church.

Roesch said he did not want to “give the impression that nothing at all has been remiss.” Using the same wording in the press release described earlier, Roesch recognizes the confusion that resulted in the minds of some of the hearers of “all these professors.” He states his “opinion” that the “disturbance” is due to an improper understanding of the role of a Catholic university and Catholic scholars, that is, the lack of a distinction between the Church teaching (the pastoral mission) and the Church learning. In an effort to clarify the distinction for all, Roesch announces the establishment of an *ad hoc* committee to “conduct an open discussion directed toward establishing clear directives for the pursuit of truth in academic debate on the University of Dayton campus.” The committee will be “composed of seven full-time faculty members to be nominated by the faculty forum and by the five professors involved in the present case.”¹¹⁰

Roesch recalls that the archbishop expressed his “satisfaction” with the appointment of the committee and that Alter “called our attention to the care that must be taken to avoid disturbance of mind and a species of scandal, or at least, wonderment on the part of the ordinary student or hearer” when a Catholic subject is discussed or examined in an academic manner.¹¹¹

Roesch recognized, in conclusion, the “sharp cleavage in the opposing opinions” held on campus. The “question of how a scholar can resolve the tensions that sometimes

¹¹⁰Roesch, letter to faculty and staff, 2.

¹¹¹*Ibid.*

exist” between faith and reason is not a “simple question with all the right answers on one side.” Roesch “trusts” that each member of the faculty and staff will “endorse and contribute” to the discussion of “this current problem facing every Catholic institution of higher learning.” He hopes that the University’s “search for the correct understanding of [its] role in the world of education” will be characterized by “charity, prudence and wisdom,”¹¹² and that all parties “will be thoroughly open-minded in listening carefully and critically to the expositions of both sides with true Christian charity and wise academic restraint.” Roesch predicts that the “results of [the] study will have long-reaching effects” on the University and he hopes the University can be “proud of how [the effects] are brought about.”¹¹³

Reactions to the University’s Investigation

Roesch’s hopes for open-mindedness, charity, and restraint were short-lived. The day after the public announcement of innocence, Roesch received a letter from Bonnette saying he could “find no Catholic who follows the magisterium of the Church and who is willing to sit on [the] *ad hoc* committee for the purpose of ‘liberalizing’ [the university’s] notion of academic freedom.” Bonnette refused to participate in the formation of the *ad hoc* committee, thereby putting the matter back into Roesch’s hands.¹¹⁴

¹¹²Ibid.

¹¹³Ibid., 3.

¹¹⁴Roesch, “Chronology.”

“Declaration of Conscience”

Also on the day after the announcement, Professor Thomas J. Casaletto and Bonnette read a “Declaration of Conscience on the Doctrinal Crisis at the University of Dayton” on Phil Donahue’s local radio program, *Conversation Piece*. The Declaration, signed by Bonnette, Casaletto, and seven supporters¹¹⁵ called into question the University’s method of investigating the charges. They objected to the lack of witnesses being called and stated their conviction that Bonnette’s public charge was “essentially correct” since they had “heard such public talks in which teachings contrary to the Magisterium have been defended” at the University. They noted that members of the administration “did not attend those lectures in question” and to “imply that we do not understand the meaning of the statements made, or the positions defended is to impune [*sic*] our competence as professionally trained philosophers.”¹¹⁶

Roesch was “stunned” at the faculty appearance on the radio show.¹¹⁷ Fr. Stanley reports that the administration did not think Bonnette had exhausted “internal efforts” to resolve the controversy. Therefore, they did not understand why Bonnette went on the radio rather than come to the UD administrators. But, given the catalogued actions of the accusers, it is not surprising that they did not go to the administration. In their eyes, the administration was part of the problem. In addition, we see here a clash of cultures.

¹¹⁵“Declaration of Conscience on the Doctrinal Crisis at the University of Dayton” was read on *Conversation Piece* (6 December 1966). Signed by Fr. Richard J. Dombro, S.M., Dr. Edward W. Harkenrider, Prof. Hugo A. Barbic, Prof. Thomas J. Casaletto, Fr. Francis Langhirt, S.M., Dr. Joseph Dieska, Prof. Paul I. Seman, Prof. Allen V. Rinderly, and Prof. Dennis Bonnette. With the exception of Langhirt, all were faculty members in the University of Dayton’s philosophy department.

¹¹⁶*Ibid.*

¹¹⁷Thomas Stanley, S.M., telephone conversation with the author, 10 April 1999.

Roesch and the other administrators are all Marianists used to handling issues privately and informally within a religious community; that is, within a family. Bonnette and Casaletto, the orchestrators of the Declaration of Conscience, are laymen who believe they tried to solve the problem internally. They believe their only option is to “go public.”

If Roesch read the local evening newspaper on the day after the announcement, it is likely he saw the page one headline: “At UD: Prof Cries Whitewash.” In the article, Bonnette, critical of the University’s investigation, announced the formation of a “committee for the defense of Catholic doctrine . . . which will attempt to reflect truth at the university.” The committee is “defending with the greatest vigor the purposes of the university.” The article continues: “The administration, obviously irked by Bonnette, is in the tricky position of opposing a person who is defending the Catholic faith at a Catholic university.”¹¹⁸

The article described the four professors cleared by the investigation as “jubilant.”

Baltazar is quoted as saying

Our names have been cleared. I’m very satisfied. We’re free to discuss birth control, abortion and other subjects. . . . We intend to invite Catholic scholars from different schools to discuss their views. This is a victory for free discussion. We’re not priests. . . . We’re Catholic scholars and have a purely academic viewpoint, not pastoral.¹¹⁹

¹¹⁸Doug Walker, “At UD: Prof Cries Whitewash,” *Dayton Daily News*, 6 December 1966, 1.

¹¹⁹*Ibid.*

Local Pastors Come Together

The cleared professors may not have been concerned about pastoral issues, but the pastors of local Catholic parishes were. In fact, they were so concerned about the developments at the University of Dayton that nearly all the local pastors met to decide what to do.¹²⁰ They decided that local pastors would sign a letter to Fr. Roesch and Archbishop Alter stating that the investigation “did not go far enough” in that an “insufficient number of witnesses were heard.” The pastors continued: “We condemn the alleged errors of these professors” and “base our conclusions on well founded convictions derived from our spiritual ministry.”¹²¹ The pastors, including Msgr. James L. Krusling, the dean of the Dayton deanery and pastor of St. Helen parish, and Msgr. James E. Sherman, pastor of Immaculate Conception parish, expressed dissatisfaction with “the religious climate at the University generally.”¹²²

The leader of the pastors was Msgr. Sherman who previously taught Thomistic philosophy at the archdiocesan seminary.¹²³ A strict Thomist who was staunch in his

¹²⁰Msgr. Lawrence Breslin, interview with the author, 25 September 2003. The meeting was held at Immaculate Conception Church in Dayton. Not invited to the meeting were Msgrs. Gilligan (St. Charles Church) and McFarland (Holy Angels Church). Both were friendly with the UD community. McFarland and Holy Angels are neighbors to the UD campus. Breslin, an assistant pastor under Gilligan, recalls going to the Immaculate Conception rectory to pick up a book and, inadvertently, walking into the meeting of all the pastors.

¹²¹Letter from Pastors to UD, 5 December 1966. ASM(E), University of Dayton Philosophy Controversy 1966. The letter was signed by the pastors of Immaculate Conception, Corpus Christi, St. Rita, St. Anthony, St. Helen, and St. Luke parishes. Assistant pastors from St. Helen and Our Lady of Mercy parishes also signed the letter for a total of eight signers.

¹²²“The ‘Heresy’ Affair,” *The University of Dayton Alumnus*, March 1967, 1.

¹²³Sherman taught under Cincinnati’s fifth archbishop, John T. McNicholas, a Dominican, who was archbishop from 1925-1950. Described as “outspoken, forceful, and at time controversial,” McNicholas was “considered one of the more influential and preeminent American churchmen of his time and was widely regarded as the leading theologian in the American hierarchy.” He was known for “defending traditional morals.” Roger Fortin, *Faith and Action*, (Columbus, The Ohio State University Press, 2002), 259 and 255.

philosophy, Sherman had an S.T.D. degree from the University of Fribourg, a Dominican university in Switzerland. The other local pastors looked up to Sherman, in part because of his background in philosophy.¹²⁴

The pastors' dissatisfaction with the University of Dayton occurred on several levels. First, a source of tension was the typical division between diocesan clergy and religious, another example of clashing cultures. The pastors were conservative and intimidated by "intellectuals." They perceived the Marianists to be "liberals."¹²⁵

Second, the pastors listened to their parishioners and heard complaints about what their young people were learning at the University of Dayton. Perhaps, the concerns for the young people were on both the academic and spiritual levels since Roesch indicated in a letter to Marianist Provincial James Darby that there is "ire against the [Marianist] retreat masters."¹²⁶

Third, the pastors also heard from the accusers who were their parishioners, too. The accusers sought the counsel of their pastors about what to do about the situation in the philosophy department. In particular, Msgr. Sherman was Bonnette's pastor during his first year in Dayton. When Bonnette moved into a different parish in his second year at Dayton, he stayed in touch with Sherman.¹²⁷

¹²⁴Breslin, interview with the author. Sherman was also a good fundraiser.

¹²⁵Ibid.

¹²⁶Roesch, letter to Darby, 20 December 1966. ASM(E), University of Dayton Philosophy Controversy 1966. Roesch is referring to the Marianists who ran the local retreat house at Mt. St. John's.

¹²⁷Bonnette, e-mail message to the author, 4 October 2003. Bonnette was unaware of Sherman's philosophical background until 2003.

Four, Edward Harkenrider's letter to his friends on the occasion of his resignation from the University of Dayton indicates another possible source of tension: one unnamed Marianist priest at UD was "known to defend birth control and is reported by local pastors to give permission freely to those who wish to use the [P]ill and for the slightest reasons."¹²⁸ This situation possibly contributed to the Marianists' reputation for being liberal.

The obvious question is: why didn't the two sides just get together? In a letter to Alter written on the 20 December 1966, Roesch indicated that "none of the local priests had previously written to us to express his concern." Prior to learning of the fact-finding commission, Roesch planned to hold a meeting with the pastors on 28 December. He invited Marianists Fr. Norbert Burns and Fr. James Donnelly to attend.¹²⁹ The invitation letter to Burns indicates Roesch wanted Burns to "help assure [the local pastors] that our commitment to Catholic education is a real one." There is no evidence that the meeting ever happened. Presumably, the planning ceased upon the formation of the fact-finding commission. In hindsight, it might have helped if all along the Marianists had been more active in the local Catholic community.

Archbishop's Dilemma: Four Possibilities

Members of the Church hierarchy receive complaints on a regular basis, as do administrators at every level and in every type of institution. Resolution of a complaint

¹²⁸Harkenrider, letter to friends, 5 January 1967, 2.

¹²⁹Burns was the director of the Marianist community on campus. He was also a regular and popular speaker at the retreat house and on the radio. Donnelly was an assistant professor of English at the University of Dayton.

depends in part on what the complaint is about and who makes it. For example, in the 1960s, changes in theological studies and spiritual formation in seminaries were “stoutly resisted by many and ‘non-negotiably’ demanded by others. . . . Although only a few incidents came to public attention, . . . virtually all seminaries experienced some unrest and dissent.”¹³⁰ Since the seminary is under the jurisdiction of the archbishop, he received the complaint and had the authority to deal with it. Archbishop Alter, for example, dealt with such a situation in May 1967 when 77% of the students at the Athenaeum signed a letter to their bishops and faculty that “acknowledged that progress had been made in seminary renewal on a structural level but that underlying key issues also needed discussion.” Alter—after telling the students that they had done “serious harm” to the seminary, inflicted “deepest hurt” on those looking after their best interest, and “humiliated” him before his “suffragans”—accepted the resignation of the rector/president and appointed a new rector.¹³¹

A second type of complaint might involve a member of a religious order who complains to the archbishop about a Catholic university sponsored by the same religious order and located in the archbishop’s territory. Such a complaint could be handled rather informally, that is, the archbishop would likely refer the complainant to his/her religious superior and/or the president of the university. Such was the case when Marianist Fr. Francis Langhirt, a former part-time faculty member in the UD philosophy department, attended the presentation on situation ethics given by Baltazar and Chrisman on 29 March

¹³⁰M. Edmund Hussey, *A History of the Seminaries of the Archdiocese of Cincinnati, 1829-1979*, (Norwood, Ohio: Mt. St. Mary’s Seminary of the West, 1979), 60.

¹³¹*Ibid.*, 57.

1966. Langhirt found the presentation “so shocking” that he “felt bound in conscience to inform the chancery.”¹³² The chancery wrote back and told him to inform his provincial and the president of the University. Since Langhirt was a member of the clergy and of the order, the matter could be handled internally and rather informally.

In a 10 April 1966 letter to the provincial, Langhirt detailed the teachings he found objectionable¹³³ and stated his understanding that “the authorities at the university are aware of the questionable principles of these two men.” One can only imagine the reaction of the provincial when he found out one of his own had made such a report to the chancery.

The minutes of the 15 April 1966 meeting reflect the reaction of the University’s administrative council to Langhirt’s letter. The minutes indicate that Langhirt’s letter “goes so far as to accuse certain [philosophy] department members of heresy.” The council believes the unrest in the department is the result of a “clash between old and new ideas.” After unrecorded discussion, they decide that “academic freedom and search for truth must be allowed.” They are not in favor of the administration placing “specific regulations or limitations” on members of the department.¹³⁴ There are no records to indicate whether Darby or Roesch followed up with Langhirt and/or the archbishop after they became aware of Langhirt’s letter to the chancery.

¹³²Francis Langhirt, S.M., letter to Provincial James Darby, S.M., 10 April 1966. ASM(E), University of Dayton Philosophy Controversy, 1966.

¹³³Langhirt’s account of the situation ethics presentation is very similar to Bonnette’s. See Chapter Four.

¹³⁴Minutes, Administrative Council, 15 April 1966. AUD, Series 87-3, Box 3.

A third type of complaint an archbishop might get is one like Bonnette's—a complaint from a layperson about a Catholic university which is sponsored by a religious order and located in the archbishop's territory. Recognizing the "serious implications" of Bonnette's letter, Alter referred the matter to the university president for investigation into the allegations.¹³⁵ He also responded to Bonnette so that he would know what action was being taken. In his final sentence, the archbishop listed the process for dealing with the allegations: "The problem is first that of the Administration, secondly, that of the Academic Senate,¹³⁶ and, finally it comes to the direct attention of the authorities who are responsible for Pontifically-established religious communities."¹³⁷

The final sentence seems to indicate that the archbishop was not involved in the process at all. Rather, the authorities over religious communities had jurisdiction—presumably because of the University's Marianist affiliation—if it could not be handled internally. If the procedure described by the archbishop was followed, the case would go to the Vatican to the Sacred Congregation for Religious and Secular Institutes.¹³⁸ As indicated earlier, this process described by Alter to Bonnette is not the process that unfolded.

Apparently, there is confusion over who has jurisdiction. This is not surprising when one considers that, depending on the issue, different Church bodies were involved.

¹³⁵This section is based on my master's thesis, pages 170-172.

¹³⁶The University of Dayton did not have an academic senate at the time. Most likely the archbishop was referring to the University's faculty forum.

¹³⁷Karl J. Alter, letter to Dennis Bonnette, 22 October 1966, 1. Copy given to me by Bonnette.

¹³⁸Bonnette recalls that he found the archbishop's response "rather puzzling." He "did not know at the time what [the archbishop] meant and still [does] not." Bonnette, electronic mail message to the author, 5 June 1999.

For example, Alter seemed to think that the Sacred Congregation for Religious and Secular Institutes had authority since they oversaw the Marianists. Six years earlier, the department of theological studies minutes for 19 May 1961 indicate that the Sacred Congregation for Seminaries and Universities was “attempting to control all schools and universities which teach theology.”¹³⁹ A third example occurred on 30 October 1963 when the apostolic delegate sent a letter to Alter stating that any honorary degree in sacred or ecclesiastical disciplines to be issued by a Catholic university in his territory required a *nihil obstat* from the Sacred Congregation for Seminaries and Universities. Any other honorary degrees needed only the *nihil obstat* from the archbishop.¹⁴⁰ Then in December 1963 the University was notified¹⁴¹ that the archbishop needed to approve only the “ecclesiastics” as candidates for honorary degrees but that the others are to be submitted as a matter of courtesy.¹⁴² This change led to a discussion by the university’s board of trustees of the diocesan authority over the school. The board wondered what the proper line of authority was, that is, through the president or through the chair of the board, the Marianist provincial? They remarked that “in time, there should be some clarification.” In a final example, the approval of the archbishop was needed in order for

¹³⁹Department of Theological Studies minutes, 19 May 1961, 1, AUD, Series 1DC(17), Box 38, Folder 5. For further information on the University of Dayton situation see my master’s thesis, pages 54-5 and for information on the Congregation’s efforts to supervise all universities operated by clergy or religious orders, see James Tunstead Burtchaell, C.S.C., *The Dying of the Light: The Disengagement of Colleges and Universities from their Christian Churches*, Grand Rapids, Mich.: William B. Eerdmans Publishing Co., 1998, 587-589.

¹⁴⁰AUD, Series 4BB(1) Provost’s Office, Box 6, Folder 5, Fr. Stanley Correspondence.

¹⁴¹The apostolic delegate notified the archbishop who passed the information on to the University. Egidio Vagnozzi, letter to Karl J. Alter, 30 October 1963. AUD, Series 4BB(1), Box 6, Folder 5, Fr. Stanley Correspondence.

¹⁴²Board of Trustees, Minutes of 4 December 1963, AUD, Series 2BA(1), Box 2, Folder 5.

the University of Dayton to offer courses in Judaic studies taught by Jewish scholars. This “unprecedented” program, a “departure from the traditional attitude,” began on an experimental basis in January 1965.¹⁴³ With such complex interactions between the university and Church bodies, it is not surprising that the issue of jurisdiction arose, especially given that a situation such as the “Heresy Affair” had never happened at UD before. Some of the confusion is also due to clashing cultures. The university was run rather informally while the organizational structure of the Church led to more formal interactions on various levels.

A fourth type of complaint an archbishop might receive is one from a member of the secular clergy concerning a Catholic university in his territory and sponsored by a religious order. In other words, the complainant is a direct report to the archbishop. The archbishop of Cincinnati received such a complaint from a group of Dayton pastors.¹⁴⁴ Although the archbishop had already accepted Roesch’s judgment that the accused were innocent, in part because of the protest on the part of the pastors, the archbishop formed

¹⁴³*Dayton Journal-Herald*, 29 October 1964. See also the *Catholic Telegraph Register*, 30 October 1964.

¹⁴⁴The letter is described on page 252 of this dissertation. The 20 December 1966 minutes of the University’s Administrative Council indicate that six pastors and two assistants sent a letter to Roesch expressing their “strong disagreement with the University’s handling of the Bonnette case.” Minutes, Administrative Council, 20 December 1966, AUD, Series 87-3, Box 3.

his own fact-finding commission to look into the matter and “reach definite conclusions” relating to the charge of teachings contrary to the magisterium.¹⁴⁵

Archbishop’s Fact-Finding Commission

In a letter dated 15 December 1966, Archbishop Alter appointed Msgr. Robert H. Tensing, S.T.D., chairman of the commission. Alter writes that since he “accepted” Fr. Roesch’s judgement of innocence, “additional material has been brought to my attention and I have received a protest signed by a number of pastors of Catholic churches in Dayton.” The archbishop is required by Canon 1381 to respond.¹⁴⁶ The commission’s duty is to interview the faculty who made the charges, the faculty so charged, and others who might assist the commission in “reaching definite conclusions.”¹⁴⁷ Appointed to the

¹⁴⁵Karl J. Alter, letter to Tensing, 15 December 1966. AUD, Roesch, Box 5. An archbishop might receive various types of complaints related to educational institutions. Depending on the type of institution and the complainant, the response of the archbishop will vary. For example, if a university is diocesan or pontifical, the archbishop may have a different role with the institution than his role with an institution run by a religious order. If laity are complaining, the response may be different than a faculty member or pastor complaining. In fact, if Bonnette had not copied the Apostolic Delegate, Alter’s response may have been different.

¹⁴⁶Bonnette also invoked Canon 1381 in his October letter to the archbishop.

¹⁴⁷Alter, letter to Tensing. Alter’s appointment letter states that Tensing is chair of the “committee.” However, the final report is from the fact-finding “commission.” Throughout this dissertation I use “commission.”

commission to assist Tensing were: Rev. Donald G. McCarthy, Ph.D., Rev. Robert L. Hagedorn, S.T.D., and Rev. W. Henry Kenney, S.J., Ph.D.¹⁴⁸

The archbishop informed Fr. Roesch of the formation of the fact-finding commission in a letter also dated 15 December 1966. Roesch reported to Darby that the commission's formation was "quite a shock." Roesch told Darby that he had asked the archbishop to investigate in October and, in return, the archbishop "asked us to look into two of the charges which disturbed him." The University did as requested, and yet, Alter formed the commission.

Roesch cooperated with the investigation. In response to a request from Tensing, Roesch sent to the commission the University's *Faculty Handbook*, which included statements on academic freedom and tenure. Roesch also suggested to Tensing that he contact Thomas Stanley, Charles Lees, Matthew Kohmescher, Richard Baker, and Edward Harkenrider if the commission wanted to know the "efforts made by the University to remain cognizant of the lectures and writings of instructors in philosophy and theology."¹⁴⁹ Tensing responded on 22 December 1966 that he had received Roesch's

¹⁴⁸All four members of the archbishop's commission were from the Archdiocese of Cincinnati. Tensing was vice rector and McCarthy and Hagedorn faculty members at Mt. St. Mary's of the West Seminary in Cincinnati. In addition, McCarthy was chaplain of the Newman Center at the University of Cincinnati and is the brother of then-auxiliary bishop of Cincinnati, and currently archbishop emeritus of Miami, Florida, Edward A. McCarthy. Donald McCarthy recently retired as pastor of St. Antoninus Parish in Cincinnati. Hagedorn is currently the chaplain at Western Hills Retirement Center in Cincinnati, and a member of the Archdiocese's Council of Vigilance and a Censor of Books. Tensing is deceased. Kenney was chair of the Department of Philosophy at Xavier University, Cincinnati, and is presently a spiritual director associated with the Bluegrass Spirituality Center in Lexington, Kentucky. Lawrence Ulrich, one of the accused faculty, was personally acquainted with Hagedorn, Tensing, and McCarthy.

¹⁴⁹Roesch, handwritten notes of letter to Tensing. AUD, Series 91-35, Box 5.

letter and had already interviewed the eight signers of the “Declaration of Conscience.” Tensing expected to interview soon the accused faculty members.¹⁵⁰

Commission Hearings

Roesch’s handwritten notes indicate that eleven lay persons and twelve Marianists were asked to appear voluntarily before the commission.¹⁵¹ Because Marianists were asked to appear, Darby visited the archbishop sometime in late December. Darby inquired as to the purpose of the interviews and asked that the commission’s report be sent to him as provincial. Alter declined this request and said the report would come to Darby as chair of the board of trustees of the university. Roesch interpreted the provincial’s request as “telling the Archbishop he does not hold a formal position in the organization chart” of the university.¹⁵² Following through on this interpretation, Alter appears to correct Darby and indicate that he does have a formal role in this controversy, that is, vigilance over the schools in his territory, Canon 1381, §2. Such an interpretation likely was unsettling to Darby and Roesch.

Roesch indicates that some persons whom the commission asked to appear before them did not do so. Those who did were questioned on whether there were teachings contrary to the magisterium at the University of Dayton, if the magisterium was

¹⁵⁰Tensing, letter to Raymond A. Roesch, AUD, Series 91-35, Box 5.

¹⁵¹The eleven lay people called are likely the six signers of the Declaration of Conscience, four accused, and Richard Baker, chair of philosophy. The Marianists include Dombro and Langhirt as signers of the Declaration of Conscience, Norbert Burns, Cy Middendorf, and Matthew Kohmescher. Thomas Stanley recalls visiting Auxiliary Bishop McCarthy during the period the fact-finding commission was meeting; however, the commission did not interview Stanley.

¹⁵²Roesch, “Chronology.”

held in due honor, and what effect the teachings had on the student body.¹⁵³ Their interviews were recorded on a reel-to-reel tape recorder.

Marianist Fr. Cy Middendorf, then University chaplain, recalls his appearance before the commission. The commission asked about purgatory and wondered if the “goings-on in [the Department of] Philosophy were harmful to student life?” Specifically, they asked: “Isn’t this scandalizing the kids? Are they losing their faith?” Middendorf recalls that when he replied that “the students could care less,” the members of the commission got angry.¹⁵⁴

Chrisman recalls being apprehensive of the outcome of the investigation since he wanted to keep teaching at Dayton. He admits today to not being honest about his beliefs. For example, in his interview with the commission, he held to not believing in the “notion of fire” in purgatory when, in reality, he questioned whether purgatory existed at all. Chrisman recollects that the commission “was not particularly aggressive.”¹⁵⁵

Ulrich’s views on his interview with the commission are found in a 23 February 1967 letter to Tensing, written after the release of the commission’s report. Ulrich’s tone was argumentative as he challenged the report, point-by-point, throughout the first six pages of the letter.¹⁵⁶ Ulrich indicated he had a “serious struggle with conscience” as to whether he should appear before the commission. He “questioned its right to exist in the first place” and continued to do so even after he appeared before it. Ulrich indicates he

¹⁵³Roesch, handwritten notes, AUD, Series 91-35, Box 5.

¹⁵⁴Cy Middendorf, S.M., telephone interview with the author, 12 March 1999.

¹⁵⁵John Chrisman, telephone interview with the author, 25 January 1999.

¹⁵⁶Ulrich’s comments regarding the report will be reviewed later.

wanted to “cooperate as much as possible” and so he appeared before the commission “in good faith.”¹⁵⁷

Ulrich’s comments on his interview are also argumentative. As a result, we get a glimpse into the things to which Ulrich took a disliking. According to Ulrich, the interview began with introductory remarks from Tensing. He described the right of the bishop to “investigate teachers of religion in his diocese” and stated that the commission was “not constituted to investigate [Ulrich’s] personal orthodoxy.” Ulrich challenged both statements. First, Ulrich asked if Tensing “identified philosophy with religion,” and Tensing replied that he did not, which led Ulrich to wonder why he appeared before the commission. Ulrich then relates that after saying the commission is not investigating his personal orthodoxy, he was asked “immediately” about “what I would advise someone in a matter of divorce and remarriage.” Ulrich indicates that “perhaps [he] should have objected to this line of inquiry” but he knew that “one of [his] colleagues had posed a similar objection but it proved ineffectual.”¹⁵⁸

Ulrich concludes his comments about the interview by stating his belief that he was judged despite Tensing’s statement that the commission was not established to judge the accused. As evidence, Ulrich cites Tensing’s statements at the end of two hours of questioning: Ulrich is not a “safe teacher of ethics on a Catholic campus” and Ulrich does

¹⁵⁷Lawrence Ulrich, letter to Tensing, 23 February 1967, 6.

¹⁵⁸*Ibid.*, 7.

not have “proper respect for the Magisterium.” Ulrich then reminds Tensing that “all of this is on the tape” of his interview.¹⁵⁹

Lumpp recalls Tensing calling him just before Christmas. Lumpp had plane reservations to go home for the holiday and so he told Tensing that the interview with the commission would have to wait until he returned. In the meantime, one member of UD’s theology department told Lumpp that he and possibly others would resign if Lumpp appeared before the commission since the faculty member considered it a violation of academic freedom. By the time Lumpp returned, he heard how the interviews went with the others. Lumpp’s impression was the commission was “basically in over their heads and they had to do something.” When Tensing called him, Lumpp said he “could not in conscience” appear. Tensing responded along the lines of “Well God bless you, my son.”¹⁶⁰

The commission hoped that they could finish their work and report to the archbishop “without notifying the newspapers or other communications media.”¹⁶¹ The archbishop’s involvement, however, became public knowledge on 9 January 1967 when a front-page, banner headlined article appeared in the *Dayton Daily News*: “Alter Probing Teaching at UD: Group Seeks More Facts After Profs’ Hassle.”¹⁶² The archbishop,

¹⁵⁹Ibid.

¹⁶⁰Randolph Lumpp, e-mail message to the author, 8 March 1999.

¹⁶¹Robert M. Tensing, letter to Lawrence Ulrich, 1 March 1967, 1. Letter given to the author by Ulrich.

¹⁶²Doug Walker, “Alter Probing Teaching at UD: Group Seeks More Facts After Profs’ Hassle,” *Dayton Daily News*, 9 January 1967, 1.

apparently in response to media pressure,¹⁶³ issued a statement about the commission. Msgr. Earl L. Whalen, director of the archdiocesan bureau of information, said, “The church is responsible for the sound teaching of her doctrine to guide her members. Evidently, there is a concern in the Catholic community of Dayton that the discussions on the campus are creating confusion about the certain teaching of the church on moral situations.”

Baltazar Challenges Competency

Once the existence of the commission was public knowledge, Eulalio Baltazar publicly challenged the competence of three of the four members of the commission. Baltazar exempted Kenney from his criticism because Kenney was a scholar—apparently referring to Kenney’s status as a university professor—and because Kenney did not attend Baltazar’s interview with the commission.¹⁶⁴ This is a clash of cultures between the university and the seminary. Baltazar, a university faculty member, expects to be judged by his peers. In his judgement, seminary professors who are not familiar with his area of expertise are not his peers.

Baltazar also complained that the commission’s questions were “prearranged” and that he did not have adequate time for a proper explanation of his views. Kenney,

¹⁶³In his 1 March 1967 letter to Ulrich, Tensing indicates that he received calls from the two Dayton newspapers and from the UD student newspaper. Tensing, letter to Ulrich, 1.

¹⁶⁴Henry Saemen, “UD Prof Questions Board’s Competence,” *Dayton Daily News*, 16 January 1967. Baltazar is also quoted as saying “the pastors of Dayton and the archdiocese are terribly conservative. They are not leaders. They are followers.”

however, listened to the tape of Baltazar's presentation and said that Baltazar "sounded as if he was very much in possession of himself."¹⁶⁵

AAUP Reacts

Shortly after Baltazar commented on the commission, the university's newly-formed local chapter of the AAUP weighed in with their comments. In a motion presented by Dr. Joseph J. Cooney of the biology department, the AAUP denounced the creation of the fact-finding commission, calling it a "flagrant breach of academic freedom."¹⁶⁶ The resolution claimed that the commission "lecture[d] certain members of the university faculty about 'imprudence' and did clearly state to them that faculty members could be removed by the hierarchy."¹⁶⁷ The very existence of the commission "constitutes severe pressure on and intimidation of the . . . entire faculty membership."¹⁶⁸ This resolution illustrates the clash of academic and ecclesiastical cultures particularly in relation to the issue of faculty removal. Assuming a commission member from the seminary made such a statement, it could also illustrate the clash of cultures between the university and the seminary.

¹⁶⁵U.D. Dispute Still Simmers," *Catholic Telegraph Register*, 27 January 1967, 2.

¹⁶⁶Ibid. The vote on this motion was the very first action taken by the 80 members of the University of Dayton chapter of the AAUP. Details about the first actions of the AAUP can also be found in Henry Saemen, "New Prof Group Plunges into UD Teaching Muddle," *Dayton Daily News*, 19 January 1967, 6.

¹⁶⁷Ibid. Neither Chrisman nor Bonnette recall hearing any statement like this one. Nor does Ulrich mention it in his letter to Tensing discussed previously. Chrisman and Bonnette, e-mail messages to the author, 6 October 2003.

¹⁶⁸Ibid.

Student Council Resolution

Nearly a month after the public announcement of the existence of the fact-finding commission, UD's Student Council took action in the form of Resolution 16A dealing with five issues. First, the students supported academic freedom as a university policy and recognized the "rejuvenation prompted by the courage of certain men, and inherent in the temperament of Vatican II." The council requested that the academic council "formally acknowledge the endeavors of these pioneers by publicly and explicitly stating" the university's academic freedom policy.¹⁶⁹

Second, the students called the establishment of the archbishop's commission "an unnecessary seizure of authority and an undesirable precedent for future intrusion" and recommended that "all parties involved in the current philosophy dispute . . . discourage any adherence to or compliance with the reports and rulings of this superfluous body." The students also took issue with the "intervention" by local clergy, calling the clergy's actions "irrelevant" in any "ultimate University decisions."¹⁷⁰

¹⁶⁹"UD SC Resolution 16A," *FN*, 10 February 1967, 3. Bonnette was a member of the University's academic council in 1966-67. Ironically, if the academic council took up the issue as requested by the student council, Bonnette would have been called on to "acknowledge the endeavors" of the accused.

¹⁷⁰*Ibid.* As part of the resolution dealing with the establishment of the archbishop's commission, the Student Council called canon law "antiquated" and in need of a "more liberal interpretation." Roesch responded that although a revision is being prepared, the "current code . . . still remains in force." "U.D. President Scores Student Protest," *Catholic Telegraph Register*, 17 February 1967.

Third, the Council commended Fr. Roesch for his “courageous actions in the face of interference from remote authorities . . . [and] congratulated him on his progressive approach to the philosophy dispute.”¹⁷¹

Fourth, the Council “respectfully suggested” that

the administration undertake a serious and open study of its policy in screening and hiring practices for incoming faculty, so that we can hope to attract more young and challenging instructors, keeping in mind that young men and women of high caliber have stirred a new interest in academic achievement.¹⁷²

Fifth, the Council resolved that the above actions and “other progressive measures” be enacted “as a renewal of the role of the American Catholic educator, so that this University can earn the academic esteem of which it is capable, and for which it has so long waited.”¹⁷³

In summary, the students recognized the importance of academic freedom and the leadership of Father Roesch. They expressed their appreciation for the accused faculty who, by their teaching abilities, challenged the students to new levels. Finally, the students recognized that the issue at stake in the controversy was gaining legitimacy in the academy. In gaining such “academic esteem,” the university would move to a new level.¹⁷⁴

¹⁷¹“UD SC Resolution,” *FN*.

¹⁷²*Ibid.*

¹⁷³*Ibid.*

¹⁷⁴*Ibid.*

Fr. Roesch's response to the students was swift and characterized by the *Dayton Journal Herald* as a "presidential slap" and a "box on the ears."¹⁷⁵ After stating his appreciation for student concerns related to the campus controversy, Roesch said "their immaturity [was] glaringly evident" in their resolution.¹⁷⁶ Roesch defended the university's then-current academic freedom policy based on the AAUP's statement for church-related institutions which was not as broad as called for by the students. Roesch also upheld the archbishop's actions saying Alter was acting completely within his rights and responsibilities for the "spiritual welfare of [the Church's] members."¹⁷⁷

Commission Report

The fact-finding commission submitted their report to the archbishop on February 13, 1967. It consisted of two copies of seventy-five pages of testimony and a three-page summary¹⁷⁸ which began by stating "the right of this appeal to be heard . . . based on Church law and on the stated objectives of the University" as "committed to the upholding of the deposit of faith and Christian morality."¹⁷⁹

The findings of the commission were: 1) "there [has] been on some specified occasions teaching contrary to Catholic faith and morals, which teachings may not have

¹⁷⁵Mary Ellen Wolfe, "UD Students Get Presidential Slap," *Dayton Journal Herald*, 9 February 1967.

¹⁷⁶Aggie Taormina, "Fr. Roesch Issues Statement, Declares Students 'Immature,'" *FN*, 10 February 1967.

¹⁷⁷Wolfe, "Presidential Slap."

¹⁷⁸Both Hagedorn and McCarthy indicate that Tensing was the contact with the archbishop. Hagedorn also indicates that Tensing wrote the summary report. Rev. Donald McCarthy, telephone interview with the author, 23 September 2003. Rev. Robert Hagedorn, telephone interview with the author, 24 September 2003.

¹⁷⁹Rev. Robert Tensing, "Summary Statement from Fact-Finding Commission" (13 February 1967), 1.

been contrary to defined doctrines but which were opposed to the teaching of the Magisterium”; 2) in some lectures, a lack of respect was shown for the magisterium¹⁸⁰; 3) the commission found it “disturbing” that there was a “tendency to reduce the Magisterium . . . to a mere consensus of individuals each teaching primarily in the light of his own insights”¹⁸¹; and 4) the situation at Dayton is “more than a dispute between individual faculty members; the difficulty extends further into the University community.”¹⁸² All four findings support the accusations made by Bonnette and his supporters.

In the closing paragraph of the summary report, the commission indicated the importance to the Church of “theological and philosophical research in a high level graduate department, . . . particularly when done by qualified persons . . . [in] debate with their peers in a strictly academic setting.” Since the University of Dayton is Catholic, “the discussion should include all the data taken both from Tradition and the Magisterium.” The commission continued, however, by recognizing that the University of Dayton is “for the most part . . . conducted as an undergraduate institution.” With this statement, the commission appears to be siding with Bonnette’s assumptions about students.¹⁸³

The commission concluded by commending the University for creating the *ad hoc* committee to develop guidelines for the future and noted that the commission made no

¹⁸⁰Ibid., 2.

¹⁸¹Ibid., 3.

¹⁸²Ibid.

¹⁸³Ibid.

suggestions about dismissals of involved faculty members. Perhaps the reference to dismissals is in response to the AAUP's resolution mentioned previously.

The university's response to the commission report took the form of a press release issued by Fr. James M. Darby, the chair of the university's board of trustees and the Marianist provincial. Darby reported that the commission report "reinforced the decision of the University in so far as it clear[ed] the accused professors of any charge of heresy."¹⁸⁴ This was correct as far as it went, but Darby's response gave an "unfortunate and wrong interpretation" to the report. The readers of early press reports were therefore given the mistaken impression that the university and its faculty were cleared of all wrongdoing.¹⁸⁵ Darby's interpretation will be reviewed in more detail later in this chapter.

The findings of the fact-finding commission likely pleased the Dayton pastors but they were not happy with Darby's interpretation of it. A number of them wrote to Darby and copied the archbishop on 23 February 1967. Particularly, the priests were upset over Darby's emphasis on "no guilt," leading to a "popular misunderstanding that the professors were exonerated completely." The pastors objected to Darby focusing on heresy rather than "errors against the ordinary magisterium." They pointed out that the committee's release shows the "difficulty extends further into the University community" and not just those "first indicted." The implication in this latter statement appears to be that Darby is part of the problem. The pastors asked Darby to "restore our faith in the

¹⁸⁴Rev. James M. Darby, S.M., "Statement Relative to Report of Archbishop Alter's Fact-Finding Committee" (17 February 1967).

¹⁸⁵John Reedy, C.S.C. and James F. Andrews, "The Troubled University of Dayton," *Ave Maria* (1 April 1967), 8, 20.

University by a total, unequivocal, and certain rectification of the matter.” Specifically, the pastors disagreed with the appointment of outspoken theology professor William Doane Kelly to the University’s *ad hoc* committee.¹⁸⁶ The next section illustrates why the pastors objected to Kelly and why they thought the difficulties were more widespread within the university.

**President’s Ad Hoc Committee for the Study of Academic Freedom
at the University of Dayton**

Fr. Roesch formed the President’s Ad Hoc Committee for the Study of Academic Freedom at the University of Dayton on 13 January 1967. The members of the committee were Richard R. Baker, chair of department of philosophy; Marianist Fr. William J. Cole, department of theological studies; Joakim A. Isaacs,¹⁸⁷ department of history; William Doane Kelly, department of theological studies; Joseph J. Kepes, chair of department of physics; Fr. Matthew F. Kohmescher, chair of department of theological studies; and Ellis A. Joseph, chairman of the committee and chair of the department of teacher education.

When Fr. Roesch announced the formation of the committee in December 1966, he intended for the committee members to be full-time faculty members nominated by the faculty forum and by the five professors involved in the controversy.¹⁸⁸ The faculty forum

¹⁸⁶Krusling, Sherman, *et al*, letter to James Darby, S.M., 23 February 1967. ASM(E), University of Dayton Philosophy Controversy 1966.

¹⁸⁷Isaacs came to the University of Dayton in 1964 as an instructor in history with an A.B. degree from Fairleigh Dickinson University (1958) and an M.S. from the University of Wisconsin (1962). Isaacs spent most of his career teaching at Marymount College in Tarrytown, NY. Currently, he lives in Israel.

¹⁸⁸Roesch, letter to UD faculty and staff, 3 December 1966, 2.

nominated Baker, Joseph, and Kepes to represent the faculty-at-large.¹⁸⁹ Dennis Bonnette refused to cooperate because, as stated in previously in this chapter, he could not find any Catholics willing to serve on the committee. Dieska also refused to participate when asked by Roesch and Lees.¹⁹⁰

William Doane Kelly recalls being nominated by Baltazar, Chrisman, Ulrich, and Lumpp.¹⁹¹ Kohmescher also represented the accused.¹⁹² The AAUP nominated Joakim Isaacs along with other faculty members. Fr. Barrett then made the choice to seat Isaacs on the committee.¹⁹³ A one-time office mate of Dennis Bonnette, Isaacs believes he was

¹⁸⁹Aggie Taormina, "Faculty Forum Censures Eight Philosophy Professors," *FN*, 16 December 1966, 1. Although the *Flyer News* reported who the faculty forum nominated, there is no record in the minutes to indicate this action. There is a record that the faculty forum approved the following criteria for membership on the Committee: 1) members must be "interested," 2) "no administrators above the position of chairman," 3) members must be "teaching faculty with six or more equivalent hours," and 4) members must be "holders of the doctorate." Faculty Forum, Minutes of First Special, Executive Meeting 1966-67, 9 December 1966, 2. Although these criteria were moved, seconded, and voted on, the minutes for the 3 February 1967 meeting say that the criteria for serving were not set by the Forum. The information that the criteria were not set by the Forum was in response to a complaint letter from Dean Leonard Mann, S.M., who thought that eliminating anyone above the position of chairperson was discrimination against administrators and denial of their essential rights as faculty members. The minutes do not say who set the criteria. Dean Mann's letter was sent to the "chairman of the Forum Committees on Revision of the Forum Constitution and Faculty Participation in University Government." Faculty Forum, Minutes of the Fifth Regular Meeting, 3 February 1967, 1.

¹⁹⁰Dieska, letter to Dean Leonard A. Mann, S.M., 30 May 1968, 5. Dieska and Cole are listed in the 16 December 1966 *Flyer News* as representing the "other side of the issue." Dieska's letter to Mann states that he refused to participate because he worried "to what extent will it be possible to conduct Catholic colleges toward their goals and objectives if [non-Catholics] will be pulled into the administration and policy-making organs of the university and college." The *ad hoc* committee members listed in the *Flyer News* article are all Catholic. Perhaps Dieska was involved in conversations about putting non-Catholics on the committee and refused to participate when it became apparent that a non-Catholic was going to be added.

¹⁹¹William D. Kelly, e-mail message to the author, 25 February 2002.

¹⁹²Aggie Taormina, "Faculty Forum Censures Eight Philosophy Professors," *FN*, 16 December 1966, 1.

¹⁹³Roesch, letter to Al Bannan, 10 January 1967.

able to represent Bonnette's side on the committee. As an orthodox Jew, Isaacs was "sympathetic" or at least "not antagonistic" to Bonnette's view.¹⁹⁴

The *ad hoc* committee took a number of approaches in their deliberations. First, they did their own research on the topic of academic freedom. They also asked every chair at the university to discuss the topic of "academic freedom and the University of Dayton" within their departments and to submit reports to the committee. Students and faculty were given the opportunity to appear before the committee. Finally, the committee used speakers from within and outside campus. The following review focuses only on the speakers utilized for this purpose. In the order they spoke on campus, they are: Dr. Rosemary Lauer, Dr. William Doane Kelly, Rev. Raymond A. Roesch, Dr. Leslie Dewart, and Rev. Neil McCluskey, S.J.

Dr. Rosemary Lauer

The *ad hoc* committee kicked off their campus discussions on 25 January 1967 with a three-member panel discussing "Why a Catholic University?" Panelists were Dennis Bonnette, Dr. Ellis Joseph, and Dr. Rosemary Lauer,¹⁹⁵ a 1950 University of Dayton philosophy graduate who was one of the fired professors at St. John's University in early 1966. Dr. Richard Baker, chair of philosophy, moderated the discussion.¹⁹⁶ Lauer criticized Catholic universities for being "inferior" because "priority in Catholic colleges is

¹⁹⁴Joakim A. Isaacs, telephone interview with the author, 2 April 2002.

¹⁹⁵Lauer was born in Delphos, Ohio. In addition to her undergraduate degree from the University of Dayton, she had M.A. and Ph.D. degrees from St. Louis University. She taught at Rosary College in Illinois from 1952-58 and Manhattanville College in New York in 1958-59 prior to going to St. John's University in 1959. Her doctoral dissertation was on Voltaire.

¹⁹⁶"Dr. Lauer Views University as Community of Criticism," *FN*, 14 (20 January 1967), 1.

not given to the requirements of scholarship.” She believed that priority was given to “maintenance of theological orthodoxy, submission to ecclesiastical authority and conservation of the rights of religious orders.” Her “remedy” was to separate Catholic universities from the teaching function of the Church, to liberate institutions from ecclesiastical authority (i.e., Webster College), and to “eliminate religious orders, at least as they exist today, as owners and operators of colleges and universities.”¹⁹⁷ As Lauer put it after she was fired by St. John’s, “the Catholic Church should get out of higher education because churches and universities don’t mix.”¹⁹⁸

Bonnette presented his view as detailed in Chapter Five that universities were created in a Catholic culture and in a pluralistic society such as our own, “‘contending philosophical and religious viewpoints’ are healthy.” He said that

academic freedom consists in a freedom not only to hold what you would choose to hold or teach what you would choose to teach, but it also consists in the free choice of collectivities of faculty and students to establish themselves with a special purpose in mind and they ought to be free to establish a university designed for the communication of that tradition in all the richness and wealth which it may entail.¹⁹⁹

Joseph “defended the traditional rationale supporting the existence of Catholic institutions of higher learning. He argued that ‘the basis for a Catholic university’s existence is sound, because ‘we do not wish to affirm a human nature as closed in upon

¹⁹⁷“College-Church Separation Issue Debated by Old Foes,” *Catholic Telegraph Register*, 3 February 1967.

¹⁹⁸Philip Gleason, *Contending with Modernity: Catholic Higher Education in the Twentieth Century*, (New York: Oxford University Press, 1995), 310.

¹⁹⁹“College-Church Separation,” *Catholic Telegraph Register*, 3 February 1967.

itself or absolutely self-sufficient,' when we pursue the study of man."²⁰⁰ Joseph "noted also the incongruities between clerics and laymen in the organizational structure of the Catholic university."²⁰¹

Dr. William Doane Kelly

The presentation of theology faculty member Dr. William Doane Kelly on 2 February 1967 is remembered more for the reaction to it than for its thesis. The Intellectual Frontiers Series, sponsor of the lecture entitled "The Catholic University, a Band of Secular Prophets," described the topic as: "Is a declericalized, secularized Catholic university desirable and possible? If so, what process will bring about necessary changes? What will be the relationship of the Church? Will the university be unique?"²⁰²

Kelly's speech begins with views first expressed in his *Commonweal* article, "What is a Catholic College?"²⁰³ Recall that his emphasis in the article was on declericalization of Catholic colleges, by which he means that the lay faculty "should have more say in the operation and decision-making procedures of the university."²⁰⁴ Related to declericalization is the "juridical and legal separation" of the university from the "local and

²⁰⁰Ibid.

²⁰¹Carol O'Brien, "Dr. Lauer Advocates Church-School Split," *FN*, 27 January 1967, 1. Joseph's reference to the organizational structure ties the current discussion to concerns voiced by the faculty forum committee dealing with service conditions which Joseph chaired in 1965-66. See Chapter Five.

²⁰²Intellectual Frontiers 1967, brochure. AUD, Series 7JD, Box 26, Folder 5.

²⁰³William Doane Kelly, "What is a Catholic College?" *Commonweal* 83 (28 January 1966): 494-497. See Chapter Five for an exploration of the article.

²⁰⁴William Doane Kelly, "The Catholic University: A Band of Secular Prophets," Intellectual Frontiers presentation, 2 February 1967, 1-2. Copy of the presentation given to me by Kelly.

universal Church.” Kelly believes that the result of such moves will be “creativity,” and “genuine academic freedom and respect.”²⁰⁵

Early in his lecture, Kelly takes on the topic of heresy by distinguishing between language in “theological statements and propositions” and faith which is “the response of the whole man to the other.” “To accuse someone of heresy is to get at the deeper recesses of faith in the human person which is behind the formulation of language.” Kelly continues that “heresy trials are inhibiting to responsible thinkers. Dialogue and discussion are not.” He goes on to say that “heresy . . . is poor theology” best met by “improving the thought and climate where theologizing occurs.” Given the context and timing of Kelly’s lecture, presumably, he is referring to the controversy at the University of Dayton.²⁰⁶

Kelly starts out by making a distinction between the words theologians use and their faith. Then, he applies “heresy” to the words used by a theologian rather than to the faith of the theologian. He states that the theology department “must handle poor theology in the same way that any other department in the university concerns itself with weak members. What do you do with a weak . . . engineer? The problem is the same.”²⁰⁷ Bonnette and his supporters would argue, however, that there is a difference between theology and philosophy and other disciplines due to the pastoral implications, that is, the effect on souls.

²⁰⁵Ibid., 3.

²⁰⁶Bonnette does not recall attending this lecture. (Dennis Bonnette, e-mail message to the author, 12 September 2003). If he did, he likely would have objected that no one was accused of “heresy.”

²⁰⁷Kelly, *Intellectual Frontiers* presentation, 4.

Kelly then spoke about secularization. He used wording which he later writes into the *ad hoc* committee report on academic freedom: “Secularization means to come of age, to come into the time and forms of the city of man today. It means a new freedom for all men in which men perfect the world, in a non-religious way.” Using wording that was not incorporated into the *ad hoc* report, Kelly explains that secularization means “the Church turns her full attention to this world in all her modernity.” Kelly’s objection is to a “preoccupation with metaphysics and the ecclesiastical world . . . with some ideal world and not this one.”²⁰⁸

Kelly uses scripture and doctrine to support his case. For example, he uses the Old Testament and the letters of Paul to emphasize that “men must assume responsibility for this world” which Kelly defines as “secularity.”²⁰⁹ He says we should think of the Incarnation as “the revelation of the fulness of what it means to be truly human” rather than “stressing the divine entering this world and therefore giving us at some point a divine world.” He says the incarnation is “not a message” but “the dynamic process of evolution” so that the “Christian battlefield” is “ultimately in the secular life.” For the Church to form

its own culture and atmosphere . . . is to put the emphasis in the wrong place. Randolph Lumpp, John Chrisman, Lawrence Ullrich [*sic*], Eulalio Balthazar [*sic*] are to me putting the emphasis in the secular and concrete problems of life. Situation ethics, contraception, and abortion are very important practical problems and ones that must be undertaken by university professors who have a firm desire to take responsibility for the total process of life and history, and not to give this responsibility to others.

²⁰⁸Ibid.

²⁰⁹Ibid., 5-6.

This is the message of Jesus: take responsibility for life and this world before the other.²¹⁰

Recall that this text was given as a speech. Those in the audience heard that the Church's teaching on the Incarnation was incorrect and that the Church was emphasizing the wrong things. On the other hand, the accused were correct because they were taking responsibility for the here and now.

If Kelly's audience was still listening, they heard him go on to say that stressing the secular is "not to deny a supreme being or ultimate reality. It is a change of focus in how we approach God." He points out the dangers of "secularism" which he opposes²¹¹ but goes on to praise secularization:

Religion is failing because it often attempts to provide too much security and too little of the mystery of what is really before us. Religion has been good for mental health, important for correct behavior and valuable for nationalistic purposes. Man is proving that he does not need God as a problem solver. This is why the process of secularization has been so valuable for religion, it is throwing man back on the basic awareness of the mystery of the other, and giving man the opportunity to assume responsibility.²¹²

Kelly's vision for the University of Dayton follows. He hopes that it can be "secularized" but that will require "Jews, Protestants, Catholics, Buddhists, Hindus, and other men filled with the mystery of being and hope for the future" to join us in the "task of creating a secular humanism."²¹³ The "major concern" of theology in such a university is to be

²¹⁰Ibid., 7-8.

²¹¹Ibid., 8.

²¹²Ibid., 10.

²¹³Ibid., 11.

the light of prophecy, and its shepherd and mentor. It must have one eye on the Bible, the other eye on the traditional development of religious thought and life, and a highly sensitized ESP on the secular developments of the new age and its ways of life. This will lead us, we hope, to a new, non-religious and non-Church form of humanistic prophecy.²¹⁴

Kelly wants the “layman’s vision, his witness, his prophecy” incorporated into the secular and he does not want such prophecy “preoccupied with ecclesiastical structure. . . . “The ecclesiastical structure in this vision will only taste the power that comes from secular service and ministry. A fruit which some have already found quite succulent.”²¹⁵

Kelly spends considerable time looking at prophecy in both the Old and New Testaments. He points out that prophecy is not about predicting the future but about the current situation. Kelly speaks of each of us being given the gift of prophecy at the sacrament of Confirmation.²¹⁶

The shape for the future [depends] upon the undertakings initiated in the Church by individuals who are charged or endowed by their office or by a talent that God has awakened. The Catholic university has that charge, office, and talent. I hope it will be charismatically awakened by a quickening of the prophetic Spirit.²¹⁷

Kelly emphasizes the importance of the Spirit as a guide “as we move to secular forms.”

He also says “we must have a theologically correct idea of the Church as the secular people of the other and really be led by these implications.”²¹⁸

²¹⁴Ibid., 12.

²¹⁵Ibid., 13.

²¹⁶Ibid., 16.

²¹⁷Ibid., 17.

²¹⁸Ibid.

From this point on, Kelly begins saying things presumably for their shock value. He asks if the religious realize “how it appears to others” when “they stand in the center of a religious tradition, wearing clothes of other ages, and yet claim that they live in this age?” He wonders if

the vows of poverty, chastity, and obedience, and stability as in the Marianists, [should] be the representative value [*sic*] of secular Christianity? . . . [He] put forth new vows [of] . . . materialism, sexuality, and freedom, and for an addition from the secular city, mobility and worldly communication.²¹⁹

Kelly believes the “Marianists may have greater possibilities for developing secularity than presently realized” because Father Chaminade was “a forerunner” of Christian secularity. Kelly offers the above new vows to the Marianists and asks “will you implement these today as did Father Chaminade in his?”²²⁰

Kelly did not stop there. He began the next section of his lecture by announcing “tidings of great joy. The secular kingdom of the other is at hand.” Kelly proposed speaking out “your convictions and values” whether they be about “birth control and situation ethics, or a recommendation that the archbishop, the Pope, or the local pastor resign.” He proposed electing the local bishop and a new method for choosing pastors. He spoke of his conviction that

Pope Paul is not theologically and personally qualified to be the Pope, that the Archbishop should resign because of old age, and that my own pastor in Dayton should move out of our parish because he does not understand the local secular needs. . . . It would be better at this time to pick a non-

²¹⁹Ibid., 18.

²²⁰Ibid.

clerical person for the position of bishop, probably a married person would be more suitable.

At this point in the speech, the Marianist provost, Fr. Charles Lees, walked out.

Later Lees said that he walked out

as a form of protest against what, in my estimation, was an unscholarly and un-Christian disparagement of the Vicar of Christ on earth, of the successor to the Apostles in this Archdiocese, and of the pastor of souls in one of the parishes in the Dayton community. One can be a scholar without failing against Christian charity, and one can be a Christian without failing against scholarship. Speaking not as Provost but as a member of the University community, I am of the opinion that Dr. Kelly's lecture lacked both scholarship and Christian charity.²²¹

Kelly's other suggestions included the seminary being in a university, the laity taking courses in the seminary, and "complete freedom to experiment" with liturgical forms. Kelly called for the "layman [being able to] put the Eucharist in his own hands and mouth." One can only imagine how the audience reacted when he continued

will you priests here at the university please start demanding liturgical innovations. [*sic*] You do not have families, so I can not see why you worry about losing your jobs. Since you have this freedom of celibacy, why not let us see some more risk?²²²

Kelly concluded his lecture by emphasizing secular prophecy with a paraphrase of I Samuel 10:5-7²²³

²²¹Carol Giver, "Dr. Kelly Delivers Secularism Lecture, *FN*, 10 February 1967, 7.

²²²Kelly, *Intellectual Frontiers* presentation, 20.

²²³NRSV translation of I Samuel 10:5-7 is "After that you shall come to Gilbeath-elohim, at the place where the Philistine garrison is; there, as you come to the town, you will meet a band of prophets coming down from the shrine with harp, tambourine, flute, and lyre playing in front of them; they will be in a prophetic frenzy. Then the spirit of the Lord will possess you, and you will be in a prophetic frenzy along with them and be turned into a different person. Now when these signs meet you, do whatever you see fit to do, for God is with you."

And there, as you come to the secular city, you will meet a group of humanists coming from the inner city, the laboratories, the skyscrapers, the theaters, the bureaucracy, the universities. They are coming with poems, paintings, novels, IBM cards, guitars, and much scientific apparatus; many are dressed in white jackets. Then the Spirit of the secular man, the director and direction of process, will grant you a perception, and you shall prophesy with them, and you shall be turned into a secular humanist. And as Samuel said to Saul, I say to you, "When these signs come to you, do as the occasion demands; for the Other is with you."²²⁴

The lecture was followed with a question and answer period that, not surprisingly, was "emotionally charged."²²⁵

Campus reaction to Kelly's lecture, as reported in *Flyer News*, was generally negative. Kelly's chair, Fr. Kohmescher, said that Kelly's examples "might have been better explained and therefore grasped in the proper light." As mentioned above, the provost, Fr. Lees, walked out of the lecture. Dr. Richard Baker, chair of philosophy, said: "If to be brash, arrogant and insulting is to be prophetic, then, I suppose, Dr. Kelly did speak in a prophetic voice." Two persons—Lawrence Ulrich and Fr. S. Byron Mutch from the department of theological studies—said that misinterpretation occurs if the listeners focus on the sensationalism rather than Kelly's ideas.²²⁶

Coverage of Kelly's lecture and an interview with him appeared in the next afternoon's *Dayton Daily News*. In general, the article repeated most of the sensationalist statements made in the lecture. The article also mentioned that Kelly was on the *ad hoc* committee "to study issues involved in the recent doctrinal dispute." In response to a

²²⁴Kelly, *Intellectual Frontiers* presentation, 22-23.

²²⁵Department of Theological Studies, minutes of the meetings of 8 and 9 February 1967, 2. "Academic Freedom" file, Department of Religious Studies, University of Dayton.

²²⁶Giver, 1, 7.

question about whether it was risky to speak out since the archbishop's commission was still investigating, Kelly replied: "I didn't feel it was too risky to speak out because I wasn't concerned with [the commission] or what they would think." From the standpoint of the local pastors, Kelly's appointment to the *ad hoc* committee must have been alarming.

A few days after Kelly's lecture, his department met for a departmental meeting. Kelly's lecture was an agenda item. Kohmescher introduced the topic by noting that the "discussion should be limited to the content of the talk." The main concern for some was Kelly's statement on the pope. Fr. Cole suggested that the department go on record for or against the statement that the Pope was 'unqualified' to hold the office of the papacy." This led to a discussion of departmental responsibility for statements by individual members and a seconded motion that the department go on record as "supporting the right of any member . . . to speak out regardless of whether . . . all agree or not." Fr. Cole proposed an amendment which was seconded: "with the understanding that [the member] is responsible for his use of academic freedom and can be judged by his peers."²²⁷

In the discussion that followed, Kohmescher stated his opposition to both the motion and the amendment because "the right of freedom is not in jeopardy in the department." The amendment did not pass (nine FOR, nine AGAINST, and one abstention). No vote was recorded for the original motion.

²²⁷Department of Theological Studies, minutes of the meetings of 8 and 9 February 1967, 2. "Academic Freedom" file, Department of Religious Studies, University of Dayton.

Cole then tried another approach by asking Kelly to “read his statement for the sake of those who were not at the talk.” Another member of the department objected because he did not want to hear the statement out of context. At this point, someone motioned that discussion be closed on the topic and the motion was seconded. The minutes record Cole making a final statement of his position: a faculty member has “a right to say what he wants, but it is not an infringement on his academic freedom for his peers to judge the statement.” The motion to close the discussion passed by a vote of 15 to 4.²²⁸

This departmental discussion is important for several reasons. First, the pattern of discussion and results are very similar to departmental discussions that took place in the philosophy department during the conflict. One faculty member (Cole) challenges another (Kelly) about an issue. The discussion goes nowhere. There is a vote which ends in a draw until they vote to adjourn. Second, some of those present at the meeting and voting are graduate students. Apparently, graduate students had more say in departmental matters in the sixties than they do at the present. However, I wonder what the results would have been without the votes of the graduate students. Would the amendment about responsible use of academic freedom have passed rather than end in a draw? Third, throughout the discussion, Fr. Cole tries various ways to challenge Kelly’s assertion about the pope and he is thwarted at every attempt. Fr. Cole is correct in that with academic freedom comes responsibility and judgement by one’s peers. Those present at this meeting seem to want academic freedom but do not seem willing to accept their responsibility for challenging their peer. Fourth, Kelly comments in the discussion that his

²²⁸Ibid.

original statement was taken out of context. This is the same response of the accused in the overall controversy.

Rev. Raymond A. Roesch, S.M.

In addition to hosting speakers, the *ad hoc* committee also held meetings with the faculty. The meeting on Sunday, 19 February 1967, lasted five hours and was attended by the presidents of the AAUP and student council, the chair of the faculty forum, and the chair of the *ad hoc* committee. The concerns of the faculty dealt with 1) the possibility that “a large number of our most competent faculty” may choose to leave the university; 2) the effects of the fact-finding commission report on the recruitment of faculty; and 3) the “agony of uncertainty” that is being endured by some of the faculty, particularly those accused, and the confusion over whether these professors can continue to express their views as they have in the past.²²⁹ The faculty attending the meeting asked the chair of the *ad hoc* committee to invite the university president to “address the entire faculty for the purpose of treating” ten questions detailed in a four page letter.²³⁰ Dr. Joseph reported that those faculty at the meeting were “extremely intense in insisting” that the president address the faculty “at the earliest possible date.” Roesch listened to his faculty and addressed them on 1 March 1967.²³¹

²²⁹Ellis A. Joseph, letter to Raymond A. Roesch, 20 February 1967, 1. UAD, Series 91-35, Box 6.

²³⁰Ibid. In general, the questions are about details of the university’s investigation, the release and contents of the fact-finding commission report, and efforts to communicate with the faculty. Dr. Joseph stated that there was “an uneasy concern” because the faculty “finds itself informed initially through the public news media.” Joseph, letter to Roesch, 4.

²³¹Joseph, letter to Roesch, 4.

Roesch delivered his address, later revised and published as “Statement Relative to the Controversy Touching Academic Freedom and the Church’s Magisterium,” in a “packed” Boll Theater in the university’s student union. Many of the facts and details in Roesch’s statement have been discussed in earlier chapters so this review will be somewhat abbreviated. What is more important at this point in the narrative is to get an understanding of Roesch’s stand on the issues and to see how he portrayed the general concepts to the university faculty.²³²

Roesch organized the statement into a prologue, ten points, and a conclusion. His stated purpose was to show that “newer” understandings of the “proper role of the Church’s Magisterium on a university campus” are “within the pale of Catholic theology and philosophy and actually advocated by leading authorities” of the Second Vatican Council. Roesch said it was up to the faculty to defend or argue against that position. He only wanted to “clear the air and encourage true scholarship.”²³³

²³²A marked-up copy of what appears to be his actual remarks is located in AUD, Series 91-35. Unfortunately, I cannot be sure that the marked-up version is the actual speech. Comparisons between the marked-up draft and the completed *Statement* indicate that the “verbal speech” included more details to inform the faculty of what actually happened. For example, the speech appears to quote the canonist saying that Bonnette was mistaken about purgatory, that the archbishop never communicated personally with the accused, that the archbishop never recommended punitive action, and so forth. In some cases, wording in the *Statement* is softened. For example, the speech used terms like “we contend” rather than “scholars contend” or “we hail the pronouncement” rather than “they agree with the pronouncement.” The “verbal speech” also evaluates both the accusers and the accused. The accusers are criticized for their method and for not making scholarly presentations. The accused are criticized for the way and manner they made statements. If this document was his speech, Roesch said “the accused made inappropriate remarks, were flippant in their attitudes, handled the magisterium irreverently, uttered statements in a way which shocked the audience, and neglected to distinguish between generally-accepted positions and their own.”

²³³Raymond A. Roesch, S.M., “Statement Relative to the Controversy Touching Academic Freedom and the Church’s Magisterium,” 10 April 1967, 1.

The first concept Roesch explored is the “Constitution of the Church #25 regarding the magisterium,” that is, *Lumen Gentium* §25. Roesch indicated that the “message” of §25 is “implicitly contained” in the faculty contract statement on academic freedom. Rather than focus on how the two statements work together, Roesch focused on the “aims and purposes” of the university which he stated are not as well defined as they should be. In general, the academic freedom statement “suggests a misleading emphasis on defense of doctrine and . . . neglects to bring to the fore the dynamic aspect of developing academic efforts” on campus.²³⁴ Roesch indicated a faculty committee was already at work on a “reformulation” of the University’s aims and purposes. Even if the university agrees on a statement of aims and purposes, the issue of the role of the magisterium in the academic world is still “one of the most vexing and highly debated.” He named three “recognized” theologians as his advisors and sources for clarification: Gregory Baum, Bernard Häring, and Eugene Maly.²³⁵

In the first section, Roesch tried to balance the tensions between the Church and the academy. He wants to be within the Church so it is good that *Lumen Gentium* §25 and the university’s statement have some common ground. On the other hand, the university’s statement focuses too much on matters related to *LG* §25 so the university is in the process of changing it. Here we see the tensions between the ecclesiastical and academic cultures.

²³⁴Roesch, “Statement,” 2.

²³⁵Ibid.

The second section deals with the “Task of Theologian and Philosopher.” Roesch recognized that “theological inquiries” may challenge or reinterpret past positions and, yet, at the same time, the scholar wants to “remain in union with the Church.” Roesch discussed approaches a scholar can take in order to be respectful.²³⁶ He again quotes Häring with whom he discussed these issues on 25 February 1967.²³⁷ In general, Roesch and Häring caution the theologian/philosopher about doing controversial research, but at the same time, they say that new knowledge must be incorporated into the Church’s teachings.²³⁸ To put it another way, the Church needs new knowledge and scholars must provide it. The difficulty lies in providing the knowledge in a way the Church can accept and use.

Section Three is titled “Certitude and the Magisterium.” This section can be summed up with the phrase, “truth is relative.” Roesch used Gregory Baum to explain how this understanding of truth is a problem for the Church.²³⁹ Roesch is careful not to argue for this position; rather, he says that it is a “respected and acceptable position” and if some faculty at the university want to argue for this position, “they are at liberty to do so.”²⁴⁰ In other words, Baltazar, Chrisman, and Ulrich can continue to say what they have been saying about truth.

²³⁶Ibid.

²³⁷Roesch met with Häring at the suggestion of Fr. Eugene Maly, a scripture scholar at Mt. St. Mary’s of the West Seminary in Cincinnati. Former Marianist Gerard Sullivan taught Latin at the seminary and was acquainted with Maly. Aware of the “Heresy Affair,” Maly suggested to Sullivan that it might be helpful for Roesch to meet Häring while Häring was in Cincinnati for a speaking engagement. Sullivan passed the suggestion on to Roesch and the meeting was ultimately arranged. Gerard Sullivan, e-mail message to the author, 17 May 2002.

²³⁸Roesch, “Statement,” 3.

²³⁹Ibid., 4.

²⁴⁰Ibid., 5.

In the previous sections, the positions Roesch adopted led to him arguing that the theological and philosophical positions of the accused were “within the pale of Catholic theology and philosophy.” In Section Four, “Crisis in the Role of the Authority,” Roesch took positions more to the liking of Bonnette. Roesch begins by saying that “the University of Dayton, as a Catholic university, does acknowledge an accountability to the local Ordinary in matters which pertain to the preservation and teaching of Catholic doctrine as such.” Roesch qualifies the statement, however, with the addition of “which is recognized by some as distinct from the science of theology as an autonomous academic discipline.” Scholars could say they were accountable to the bishop if they taught Catholic doctrine but since they are teaching theology, they aren’t accountable.²⁴¹

Roesch continued by pointing out that the archdiocesan authorities “did not actually interfere in the University’s affairs, though such an impression might well be inferred from the news release and articles which have appeared, and which were not refuted promptly by the University.” Roesch goes on to justify the university’s silence but says no more about the archdiocesan authorities.

Section Five addresses the “Pastoral Effects of Academic Freedom.” Roesch again deals with the tensions between cultures. A Catholic university cannot ignore “a detrimental spiritual or pastoral effect” on campus but on the other hand, the university “must not relegate its academic role to its pastoral function.”²⁴² In this section, Roesch

²⁴¹A similar argument was used by some scholars in dealing with the implementation of the *mandatum* in the application of *Ex Corde Ecclesiae* to the United States.

²⁴²Roesch, “Statement,” 6.

answers one of the questions posed by the faculty: does he agree with the fact-finding commission that since the University of Dayton is an undergraduate institution, discussion of “complex issues” should be confined to “graduate faculty gatherings?” Roesch did not agree with the commission on this matter. He stated the University’s policy that “any scholar speaking on a topic in the field of his competence is free to voice his opinion provided he does so responsibly,” which would mean taking into consideration the “maturity and educational preparation of the audience.” Roesch expects the *ad hoc* committee to draw up guidelines and the faculty to react when one of their peers abuses academic freedom.²⁴³

Section Six is entitled “Mission and Report of the Archdiocesan Fact-Finding Commission.” Roesch did two things in this section. First, he stated the purpose of the commission: to serve as “personal reassurance” to the archbishop that the university’s judgement was “valid.” Second, he quoted the commission results.²⁴⁴ Roesch did not indicate that the archbishop was not likely reassured. Roesch then moves on to Section Seven which discusses the “Scope of the University’s Study, November 1966.” Roesch tells the faculty that the administrative council decided to deal with the “extra-mural phase” first although the provost was already in the process of investigating a criticism “quietly and confidentially.”²⁴⁵ Roesch reviewed the procedures related to the canonist and

²⁴³Ibid., 7.

²⁴⁴Ibid.

²⁴⁵Ibid., 8.

twice stated the necessity of “clarifying the exact meaning of the statements” of the accused.²⁴⁶

In Section Eight, Roesch defended “The Validity of the University’s Investigation.” The investigation as reported is in three parts. First, Roesch stated that the University “recognized immediately that it could not judge the dogmatic implications of statements taken out of context and interpreted by members of an audience.” Therefore, documentation was collected and given to competent “advisors” who determined that “there were no doctrines expressed contrary to the universal Magisterium.” Second, Roesch stated that the University “examined the credentials attesting the competence” of the accused. Third, since Canon 1324 which treats of heresy considers intention, the University looked at the “attitude” of the accused. “As far as could be ascertained, evidence satisfactorily showed that they were active Catholics, who loved the Church, who wanted to advance the Gospel, and who sought the truth honestly, fearlessly, and openly.”²⁴⁷ At this point, Roesch details what happened once the University announced the accused were innocent. He concludes this section by explaining the “divergence” of the fact-finding commission report from the University’s investigation as “possibly stem[ing] from the fact that each was based on a different body of testimony.”

“The University’s Position” is Section Nine. It can be summarized in the following points: 1) “Genuine academic freedom must flourish” on campus. 2) All viewpoints are

²⁴⁶Ibid.

²⁴⁷The statements about the attitudes of the accused are in both the written and “verbal” documents.

welcome but, “those who speak should confine themselves to areas of their competence.”

3) “Appropriate respect must be paid the proper role of the Church’s Magisterium.” and

4) The “dissenting faculty members” have a right to “voice their fears” and disagree with the administration’s conclusions but the University disagrees with the procedures they used “in making their voices heard.” Using the “public press seems entirely out of order.”²⁴⁸ Point Four is interesting from the standpoint of labeling the faculty who uphold Church teachings as “dissenting.” Notice also that Roesch criticizes Bonnette and his supporters for using the “public press” but he does not criticize Bonnette for writing his initial letter to the archbishop. As Roesch’s statement nears its conclusion, he continues to try to balance the tensions between the cultures of church and academy.

Section Ten, “Academic Freedom Brings Rights and Responsibilities,” is Roesch’s response to the question: are the four accused “going to have to alter their teachings?” They are “free to teach as they see fit” as long as they speak in the area of their competence; “acknowledge, respect and pay due reverence” to the magisterium; and are “continually attested to by their colleagues, chairmen, students and dean.” Roesch discussed the importance of the *ad hoc* committee report and stressed that the faculty should help formulate the guidelines which will ultimately become policy.

In the conclusion, Roesch recalls Darby saying that if a person is not “tough enough intellectually and spiritually to study under a true concept of academic freedom” then they may be “disturbed at the University of Dayton.” Why? Because “intense

²⁴⁸*Ibid.*, 10-11.

academic debate is not for the ill-informed or timorous.” The “conservative and traditionalist” and the liberal are both welcome at the university but both must “engage in academic debate.” They must challenge and be willing to be challenged about their positions.

Roesch stated that the university community learned much during the controversy. He thanked the “faculty who do not profess the Catholic faith” for their “respect of the sincerity on both sides” and said that there will be no interference with their academic freedom at the University of Dayton. Roesch ended his statement with a quote from Darby:

The University of Dayton, while experiencing the tensions of the modern day, in no wise shrinks from her responsibility to her student body and the University community as a whole to reflect openly and objectively the living thought of our times. In such a commitment, we accept unquestionably the risk demanded by a sincere pursuit of the truth.²⁴⁹

Faculty reacted to Roesch’s remarks with a standing ovation. As mentioned in Chapter Two, Roesch’s speech was considered by the faculty to be a “Declaration of Independence.” To put it another way, in dealing with the clashing cultures, Roesch was perceived as distancing the university from the ecclesiastical culture in favor of the academic culture. The faculty viewed this move as a turning point for the University of Dayton.²⁵⁰

²⁴⁹Ibid., 12.

²⁵⁰Local media reaction included a *Dayton Journal Herald* headline of “‘Declaration of Independence’ Announced for UD Faculty.” The *Flyer News* coverage did not use any wording to suggest a declaration of independence. Their headline was a factual statement: “Fr. Roesch Reveals Stand on Philosophy Controversy.”

Rev. Neil McCluskey, S.J.

Jesuit Fr. Neil McCluskey, former vice president of Gonzaga University and visiting professor at Notre Dame, spoke at the University of Dayton shortly after Roesch addressed the faculty. McCluskey's topic was Catholic colleges and universities in the post-Vatican II era. He drew on the Second Vatican Council's Decree on the Apostolate of the Laity to show that the temporal order, for example, the academic world, enjoys autonomy and that the layman has an obligation and competence to deal with the temporal world. McCluskey enumerated a list of problems in Catholic higher education—financial, dominance of religious orders, reliance on “old world” tradition, amateurish administration, lack of definition of purpose, and so on—all of which he believed “flow from non-recognition [on the part of religious] of the character of the world of higher education.”

McCluskey pointed out that in the United States, Catholic institutions are chartered through the State. They therefore are “stewards of public trust” with an obligation to civil authority. McCluskey believes Catholic higher education serves the Church but it also serves a wider public. He does not want to “empty Catholic institutions of their reason for existence.” Rather, he wants the laity to join in and “recognize the basic commitment of schools of the order of bringing Christ to men.” Staff may need to be educated about the order's commitment but, “if we have not produced lay men and

women leaders in the community who are as much dedicated as we to what we are trying to do in education, then we have failed anyway and we ought to go out of business.”²⁵¹

According to McCluskey, philosophers and theologians must have the same academic freedom as do scholars in other disciplines. He also argues that “there is no more academic justification for the entry by a local bishop . . . into the university discipline of theology than there is for the local governor or mayor to intrude into the field of political science.” The official magisterium has “indirect influence” in that the Church speaks authoritatively to consciences of members in the academic community just as she speaks to consciences of members holding elective office in government. Is there a risk to the Church’s influence being indirect? It is “no greater than that taken by God himself when he created thinking beings.”²⁵²

Dr. Leslie Dewart

Dr. Leslie Dewart, “controversial” professor of philosophy from St. Michael’s College, University of Toronto, was the final outside speaker. Dewart came to the University of Dayton in March 1967 at the request of his doctoral students, Chrisman and Ulrich. At the time, Dewart was getting a lot of attention—both good and bad—for his

²⁵¹Neil J. McCluskey, S.J., transcript of address at University of Dayton, ASM(E), University of Dayton Philosophy Controversy 1966. McCluskey was born in Seattle and educated at Gonzaga University (A.B., 1944; M.A., 1945), Alma College (now Jesuit School of Theology at Berkeley–S.T.L., 1952), and Columbia University, Ph.D., 1958. McCluskey worked with Fr. Theodore Hesburgh on projects related to the International Federation of Catholic Universities and was the principal author of the Land-O’Lakes document. He was one of the leading advocates for sharing control of educational institutions with the laity. McCluskey, laicized in the mid-1970s, remains a Catholic. (Neil J. McCluskey, telephone conversation with the author, 24 February 1999).

²⁵²McCluskey, transcript of address.

book, *The Future of Belief*.²⁵³ Dewart gave two presentations at UD. His lecture entitled “Early Development of the Legal Concept of Christian Morality” was part of the Intellectual Frontiers series and was attended by more than 1,000 persons. More pertinent to this dissertation, however, is Dewart’s presentation at an open hearing of the *ad hoc* committee on 17 March 1966, a presentation covered by the *Catholic Telegraph Register*.²⁵⁴

According to Dewart, “a deeper understanding of the notion of teaching would remove tensions now existing between officials of the Church and Catholic universities.” No teacher, including the magisterium, can just “pass on” the truth. It is the “function of the intellect to inquire.” Reportedly, Dewart criticized the bishops for their “simplified” view of teaching which he summarized as “God has given the Church and specifically the hierarchy a truth which they have to look after and pass on, and their job is to see that this heritage is not dissipated or devalued.”²⁵⁵ Dewart’s view is that

the deposit of faith . . . has been entrusted to the Church; that is to say, has been entrusted to a social historical process, because that is what the Church is. . . . The function of the Magisterium is one of serving the Church in relation to the deposit of faith.²⁵⁶

²⁵³Leslie Dewart, *The Future of Belief: Theism in a World Come of Age*, (New York: Herder and Herder, 1966).

²⁵⁴For more information on Dewart and his role in the sixties, see “The Genealogy of ‘Heresy’: Leslie Dewart as Icon of the Catholic 1960s” by William L. Portier, *American Catholic Studies* 113 (Spring-Summer 2002): 65-77.

²⁵⁵“Philosopher Examines Idea of Magisterium,” *Catholic Telegraph Register*, 24 March 1967, B4.

²⁵⁶*Ibid.*

Dewart recognized that the sixties were a “critical period” in the Church’s history. He believed the Church was “liquidating the first 2,000 years of Christianity.”²⁵⁷ Furthermore, “in no time in our history, not even in the First Century, have we been challenged as deeply nor have we responded so sincerely, that is, from the bottom of our heart [*sic*], as we are at the present time.”²⁵⁸

Ad Hoc Committee Report

After consultation with the faculty and presentations by guest speakers, the *ad hoc* committee released a report dated July 1967. The report contained five sections:

1. Developmental serial performance in Catholic higher education;
2. The university, learning strategies and the Magisterium;
3. The University of Dayton and a new *gemeinschaft*;
4. Freedom of discussion by faculty and students; and
5. Freedom of mode of expression by faculty and students.

The first three sections are the result of the controversy in the philosophy department while E. G. Williamson’s national empirical study, “The Role of the President in the Desirable Enactment of Academic Freedom for Students,” “was helpful in identifying the last two sections.”²⁵⁹

²⁵⁷Presumably, Dewart is referring to the process of de-hellenization which he advocated in *Future of Belief*.

²⁵⁸“Philosopher Examines Idea,” *Catholic Telegraph Register*.

²⁵⁹President’s Ad Hoc Committee for the Study of Academic Freedom at the University of Dayton, “Academic Freedom at the University of Dayton,” July 1967, 4. Williamson’s study appeared in *Educational Record* 46: 351-375.

The first section begins by defining “serial performance” as “an extended sequence of performances which have some relation to one another in an overall pattern.”²⁶⁰ To put it another way, this section looks at a developing (rather than regressing) sequence of events related to Catholic higher education. Before the committee began to look at the history of Catholic higher education, they first looked at the foundation of American Protestant institutions of higher education to see if the “prevailing ethos” was similar to American Catholic institutions. Since the foundations differed, the report turns to the specific development of Catholic higher education beginning with the Greco-Roman period through the Middle Ages, the Reformation, and the Council of Trent to the United States. The focus on the U.S. situation is on the educational psychology in Church documents from U.S. plenary councils in the 1800s to Pius XI to Jesuits at Boston College to Cardinal Mercier in Belgium, to the Second Vatican Council. The report shows the Church developing over time with the emphasis after Vatican II on “dialogue, understanding others, and most of all, the recognition ‘that man’s response to God in faith must be free.’”²⁶¹ The committee concludes this section by saying that “Vatican II seems to be willing to risk the expression of knowledge by mode of inclination rather than exclusively by mode of discursive reason . . . [in] theology and philosophy as well as the other realms of meaning.”²⁶²

²⁶⁰Gilbert Ryle, *Concept of Mind*, (New York: Barnes and Noble, 1949), 178, quoted in President’s Ad Hoc Committee Report, 5.

²⁶¹President’s Ad Hoc Committee Report, 13. Quotation from *The Documents of Vatican II*, ed., Walter M. Abbott, S.J. (New York: Guild Press, 1966) 639.

²⁶²*Ibid.*, 14.

The second section focuses on learning strategies related to the university and the magisterium. It is a mixture of educational theory (responses and stimuli) applied to an understanding of the magisterium as the teaching authority of the Church and to the university which is focused on learning rather than teaching. Ultimately, the committee emphasizes that that scholar and non-scholar interact with the magisterium differently.²⁶³

The second section also deals with the necessity of the philosopher and theologian to be aware of and able to assume the postures, methodologies and languages of other disciplines.²⁶⁴ By assuming these postures, “men . . . hold authority not according to any system of rules, but because of learning, competence and success in a given academic sphere.”²⁶⁵ To put it another way, modern ways challenge us to rethink the ways of the past.

The third section on a new *gemeinschaft* for the University of Dayton attracted the most attention. After recognizing the “dedication and service” of the Society of Mary, the committee called on the current faculty, staff, and administrators to “understand the tradition they have received, develop it in the present, and give it a new direction for the future.” The committee saw the purpose of a Marianist university as “fulfilling Mary’s role, that is, to create an environment of scholarship, a university, so that . . . [the] Word may pass into present-day American and international culture.”²⁶⁶

²⁶³Ibid., 18.

²⁶⁴Ibid., 19.

²⁶⁵Ibid., 20.

²⁶⁶Ibid., 24.

How does a Catholic university function in the sixties to serve this purpose? The committee first goes into the negative mode: “The Catholic university should not be . . . an arm of indoctrination of the universal Church or of the local Church.” In a positive mode, a Catholic university should “investigate, probe, and search for truth and the interpretation of reality and the mystery of life and existence” which leads to the “ultimate purpose—to discover the mystery of what is really before man, to keep man open to this mystery, to the future, and to an encounter with the other.”²⁶⁷

The Catholic university is “not limited to being the transmitter for the official teachings of the Church (although this could occur in some disciplines).” The Catholic university’s “chief interest” is “perfecting the world in a non-religious way.” In sixties language, this means that the university is “to be secularized . . . to come of age, to come into the time and forms of the city of man today.”²⁶⁸

The committee goes on to talk about the *gemeinschaft*, that is “the dimension of mutual participation,” of the Church, religious communities, and “sub-institutions of the Church” such as Catholic hospitals and universities.²⁶⁹ While “a debt of gratitude” is owed to those who created the institutions, “tremendous changes have begun” since the Second Vatican Council and the Catholic university must be a university. The university “as an institution” cannot “pass judgment on any individual’s loyalty or fidelity to the larger Church community.” *Lumen Gentium* §25 “applies to an individual’s freely chosen,

²⁶⁷Ibid., 25.

²⁶⁸Ibid.

²⁶⁹Ibid., 26.

personal relationship to the Church.” The relationship of Catholic universities to the official magisterium is therefore “indirect, that is, the teaching Church speaks to the consciences of Catholic members of an academic community.”²⁷⁰ A Catholic university “jealously maintains its independence of all outside authority, but unlike [its secular counterparts], respects the apostolic concern of the local Bishop, including his authority to teach the faithful and his right to speak to situations anywhere which might be the occasion of moral and spiritual harm.”²⁷¹

On an academic level, a professor is judged according to the standards of his academic peers. A professor’s “relationship to his chosen religious affiliation” is “determined by himself and his Church” and the university cannot “control the stance, attitude or determination which a religious group takes toward an individual in a university.”²⁷²

Up to the sixties, the *gemeinschaft* of the Catholic university was determined primarily by the sponsoring religious order. This became problematic when the “structures of the larger Church community as represented in the religious community tended to become . . . superimposed on the university structure.” The committee maintained that “the *gemeinschaft* of the university should be created by scholars.” In other words, “the University’s future direction should be determined by the faculty . . . the heart and mind and soul of the university.”

²⁷⁰Ibid., 27.

²⁷¹Ibid., 28.

²⁷²Ibid.

If the University of Dayton were to [turn immediately to its own faculty to determine and shape its future in a spirit of scholarly, Catholic, Christian democracy.] . . . it could very well become a type of Catholic university of the future and lead other American Catholic and non-catholic private universities to new patterns and perspectives.²⁷³

If the University of Dayton immediately created and implemented “proper University structures” which reflect the above *gemeinschaft*, “an environment will be created in which controversies, difficulties, and problems will contribute to the growth of the University in full accord with the spirit of Vatican II—the Church moving forward as the people of God.”²⁷⁴

The final two sections deal with practical issues related to freedom of discussion and freedom of mode of expression. For example, Section 4 states that faculty have “complete freedom” to express their views and the “university’s sole concern should be for the academic performance of the faculty member . . . not on his particular personal point of view or interpretation of the material presented.” The criteria in judging student discussion should be that “such meetings be conducted in an orderly and responsible manner.” Probably the most important practical recommendation of the committee is the formation of a standing faculty committee “to make a thorough investigation of any alleged abuse by faculty and students of the right of freedom of speech.”²⁷⁵

The fifth section lays out seven “basic principles” for all members of the academic community, particularly scholars, to follow in their pursuit of truth: 1) be accurate; 2)

²⁷³Ibid., 29. The emphasis is that of the Committee.

²⁷⁴Ibid., 30.

²⁷⁵Ibid., 32.

exercise proper restraint; 3) show respect for the opinions of others; 4) make it clear in which capacity you are acting (as a professional scholar, a private citizen, and so forth); 5) consider your audience; 6) be a servant of the community, not its tool; and 7) form “within the academic community a committee to hear and judge cases involving members of the instructional staff accused of having exceeded the tenets of academic freedom.”²⁷⁶

The *ad hoc* committee report was completed in July 1967. When the report was released to the faculty in September 1967, the *Dayton Daily News* focused on the secularization sentence, and ran a story with the headline: “Faculty Group Wants a Secular UD.” Fr. Roesch “declined comment” but Bro. Elmer Lackner, vice president for public relations, stated that “The report . . . is strictly for the faculty and their perusal and recommendations for any deletion or additions. This certainly is not the report in final form.”²⁷⁷

Roesch’s 2 October 1967 letter to *ad hoc* committee members shed more light on what actually happened. Apparently, the committee could not “unanimously agree” on a text. Roesch acknowledged the possibility of a minority report which would “perhaps be more to the point of establishing clear directives for the pursuit of truth in academic debate” on the campus. The committee was invited to an administrative council meeting on 5 October 1967 to discuss how to proceed. “Uppermost in our intention is that the term “Marianist Catholic University” both collectively and individually will apply in their

²⁷⁶Ibid., 34-36.

²⁷⁷Bill Clark, “Faculty Group Wants a Secular UD,” *Dayton Daily News*, September 1967, 1,4.

fullest connotation to U.D.”²⁷⁸ At the same time that Roesch was inviting the committee to his administrative council meeting, he sent copies of the invitation letter to all vice presidents and asked them to inform their own councils of the upcoming action on the part of the administrative council. Roesch wanted to make it clear that the ad hoc committee report was not “accepted and endorsed” by the administration.

The administrative council decided to ask the faculty to “evaluate the report” and submit “remarks and suggestions” to the *ad hoc* committee. Each academic department was also asked to “discuss the document and report the results of the discussion to the Provost.”²⁷⁹ Every department and more than sixty individuals responded. “Only a few departments and individuals accept[ed] the report more or less *in toto*. . . . [A] strong segment of faculty . . . support[ed] an entirely different view of academic responsibility and freedom on a Catholic campus.”²⁸⁰

In December 1967, Father John Nichols, S.M., an assistant professor in philosophy, was asked to “carry on the work of the President’s *ad hoc* committee” as editor of the report.²⁸¹ Within six weeks, Nichols left for Fribourg, Switzerland and Father William Cole, S.M., professor of theological studies and member of the *ad hoc* committee, was “asked to begin again on this study independently” of Nichols’ work. By March 1968, Cole’s report was presented to the faculty as a “working draft of a University

²⁷⁸Raymond L. Roesch, letter to individuals on the Ad Hoc Committee for Setting Guidelines for Scholarship [*sic* – there is no indication why the correct name of the committee was not used], 2 October 1967, Various Ad Hoc Committees 1966-69; v.2, Box 30, Folder 2.

²⁷⁹Charles J. Lees, S.M., letter to members of the faculty, 10 October 1967, 1.

²⁸⁰Raymond A. Roesch, S.M., letter to members of the faculty, 6 December 1967, 1.

²⁸¹“News from the University of Dayton,” press release, 18 December 1967. AUD.

statement on objectives and purposes.”²⁸² Cole’s report along with other documents including a John Nichols essay on “The Strategic Contribution of the University of Dayton to American Higher Education” became source material for a Fall 1968 faculty seminar studying the purposes and objectives of the University of Dayton.²⁸³ The University’s Board of Trustees approved the statement of purposes on 14 May 1969.

Vatican Inquiry

The archbishop was not the only church official trying to figure out what was going on at the University of Dayton. In mid-February 1967, Fr. James Darby received a handwritten letter from Marianist Father Pierre Humbertclaude, secretary for the Vatican Secretariat for Non-Christians.²⁸⁴ Humbertclaude wrote that the “former Holy Office” asked about the controversy at the University of Dayton. They asked for the “facts necessary to give an opinion of the responsibility or not of the accused, on the [motives]²⁸⁵ of the accusation, on the findings of the campus forum, of the archbishop’s committee and of the investigation on the part of the Society of Mary as such.”²⁸⁶ Humbertclaude

²⁸²Raymond A. Roesch, S.M., letter to members of the faculty, 15 March 1968, 1.

²⁸³“Source Material Proposed for Faculty Seminar on Study of Purpose and Objectives of the University of Dayton, ‘A Marianist Catholic University,’” Fall 1968. A careful analysis of the responses to the *ad hoc* committee’s initial report, Cole’s document and UD’s approved statement is beyond the scope of this dissertation.

²⁸⁴During World War II, Fr. Pierre Humbertclaude served in Japan under the Apostolic Delegate to Japan, Archbishop Paolo Marella. Marella and Humbertclaude got the names and home addresses from POWs and wrote letters to their relatives in the U.S., Great Britain, Australia, New Zealand, and the Netherlands. By the end of the war, the Apostolic Delegate’s files on the POWs contained 200,000 entries. Humbertclaude is the author of *Little Cultural Guide for the Use of the Missionary*. (Tokyo, 1948). *Current Biography*, 1964 edition.

²⁸⁵Humbertclaude’s handwriting at this point is difficult to decipher. The word appears to be “mobiles.”

²⁸⁶Pierre Humbertclaude, S.M., letter to James Darby, S.M., 9 February 1967. ASM(E), “Statements,” University of Dayton Philosophy Controversy 1966.

included a copy of a typed note in Italian on plain paper with the designation: "Rome, 6 February 1967." The note reads:

The Congregation of the Doctrine of the Faith has become involved in the case of Professor Bonnette, an instructor at Dayton University.

The case was submitted to a preliminary investigation last November, the results of which were not satisfactory but which, in the main, revealed real inadequacies in the teaching of some instructors of the university (as per the accusations of Bonnette).

A second investigation is underway. While this is going on, the Cong. Part. of Saturday 4 February 1967 has decided that the major superiors of the Marianists (Society of Mary), to which the aforementioned university belongs, be heard.

It was also decided that His Eminence Marella²⁸⁷ would enter into contact with Father Humbertclaude, requesting him to agree to provide all the information useful and necessary to elucidate the case.²⁸⁸

Humbertclaude concludes his letter by pointing out that "it was a gesture of friendship from the Holy Office to inquire thru Cardinal Marella and myself." After his signature, Humbertclaude added a postscript that he had a few articles from newspapers "on the question" but he could not consider them "documentation."

²⁸⁷Paolo Cardinal Marella was the Cardinal Praeses of the Secretariat for Non-Christians. Marella was born in 1895 in Rome and died in October 1984. Pope John Paul II preached the homily at his funeral. Marella's appointments prior to the Secretariat included apostolic delegate to Japan, nuncio to France, and archpriest of St. Peter's Basilica. Marella presented the anti-Communist schema/draft to the Central Preparatory Commission for the Second Vatican Council. On the eve of the third session of the Council, he was one of twenty cardinals who signed a document attacking collegiality. His appointment to the Secretariat as its first president was not controversial since he dealt with Shintoism and Buddhism while he was in Japan. He was already a curial conservative and therefore acceptable to the other members of the curia. Later, his lack of knowledge about the Muslim faith became problematic as did the Secretariat's inactivity. In 1973, he was replaced in the Secretariat. Peter Hebblethwaite, *Paul VI: The First Modern Pope* (New York: Paulist Press, 1993).

²⁸⁸Humbertclaude, enclosure in envelope with letter to Darby. Translation from Italian to English by Bro. John of Taizé.

Darby's response took nearly five single-spaced pages plus attachments.²⁸⁹ In general, Darby's letter was a chronology of the "Affair." However, the letter contains several key items heretofore unexplored.

Early in the letter, Darby states that the "accused denied the validity of the charges." He describes the four accused as "not heretical, not teaching and advocating anti-Catholic doctrine." Later, Darby uses nearly the same phrase in explaining why no witnesses were called: "all charges in themselves were admitted by the accused. . . . [there was] no heresy, no deliberate intent to mislead."²⁹⁰ In other words, the accused admit to saying what they were accused of saying but that they did not intend to mislead others. Therefore, they are not guilty of teaching and advocating "anti-Catholic" doctrine.

Darby goes on to say that, according to Roesch, "strong insistence was needed at the University to guarantee greater reverence for the Magisterium and a clearer presentation of its place and function." The solution to the latter problem is the formation of the *ad hoc* committee.²⁹¹ Assuming Roesch made the above statement about reverence for the magisterium, his statement was not recorded in a written document available to me.²⁹² This statement attributed to Roesch is the clearest indicator so far that the administration thought they had a real problem with some of their faculty.

²⁸⁹The attachments include Bonnette's letter to the archbishop, Roesch's letter to the canonist, the canonist's response to Roesch, and Baltazar's response to the accusations. James Darby, S.M., letter to Pierre Humbertclaude, S.M., 27 February 1967. ASM(E), "Statements," University of Dayton Philosophy Controversy 1966.

²⁹⁰Darby, letter to Humbertclaude.

²⁹¹Ibid.

²⁹²Roesch's remarks in his faculty speech occurred after Darby wrote this letter to Humbertclaude.

After describing the “Declaration of Conscience” and the faculty forum censure, Darby reports on the non-renewal of faculty contract notice received by Bonnette and of Harkenrider’s resignation from the faculty. Darby believes Harkenrider’s resignation makes Bonnette “look very good” but Darby continues that both men “want everything letter-perfect, at once and all the time” and that “frustrates their effectiveness.” Darby recognizes that Harkenrider and Bonnette are “devoted teachers but [they] are not comfortable amidst the tensions everywhere present today and especially on the university campus.”

Darby explains the formal entry of the archbishop into the investigation as “the Law demanded [the archbishop] respond to the appeal” of the faculty in their Declaration of Conscience and of the “various representatives from the Catholic community of Dayton.” Darby states that the commission report “focuses on the relationship . . . between the four accused professors and the Magisterium of the Church.” When compared to the actual report, Darby’s summary gives quite a different account:

DARBY	ARCHBISHOP'S COMMISSION
Magisterium is "offended but not in matters <i>de fide</i> ."	Teachings occurred which were "opposed to the teaching of the Magisterium" but "may not have been contrary to defined doctrines."
"Magisterium is mentioned without due respect."	"Lack of respect for the Magisterium."
"Magisterium is not always defined clearly enough."	"Tendency to reduce the Magisterium of the teaching Church to a mere consensus of individuals each teaching primarily in the light of his own insights."
"Pastoral effects were not good enough."	This controversy is "more than a dispute between individuals"; "the difficulty extends further into the University community."

Darby's four points are more succinct than those of the commission and appear less problematic than do the commission's. In other words, Darby appears to soften the four points to take off their edge. More troublesome to me, however, is Darby's fourth point. While there is no doubt that pastoral issues were a problem, the commission report does not use the word "pastoral" at all. The only wording that is close to "pastoral" is a reminder that the University of Dayton is an undergraduate institution. Furthermore, when the two versions of the fourth point are compared, one sees that missing from Darby's report to Humbertclaude is the implication of wrongdoing on the part of those administering the University.

Shortly after the archdiocese released the commission's report, Darby's press release caused a stir. He included it in the report to Humbertclaude although there is no indication that he included the commission's report. Darby relays to Humbertclaude that in his press release, he stressed the similarities between Roesch's letter after the

University's investigation and the commission's report: 1) no heresy, 2) corrective action needed, 3) *ad hoc* committee is a good approach. Darby's statement to Humbertclaude concerning "no dismissal of faculty" is also problematic when compared to the actual statement of the commission:

DARBY	ARCHBISHOP'S COMMISSION
"As specifically recommended by the Archbishop's Commission . . . no dismissals."	"In view of certain presuppositions, . . . the commission has made no suggestions with respect to the dismissal of any professors involved in the investigation."

Evidently, the commission wanted it known that they did not call for the dismissal of any of the professors. Darby turned their statement into a "recommendation" that no one be dismissed which may have been what he and Roesch wanted the committee to say.

Darby pointed out to Humbertclaude that the weakness of the commission, "if it has a weakness," is in drawing "too fine a distinction between the experts (theologians and philosophers) who may discuss and explore and what goes on perforce in these times in course-discussions on a largely undergraduate campus." He explains that American Catholic college students are exposed to a number of modern intellectuals²⁹³ by just reading the Catholic press. It is "unrealistic to think that the subject matter in theology can somehow be simplified to exclude modern problems and modern writers. The University tries to guide the students through all this turmoil." Here, Darby appears to

²⁹³Ibid. Darby lists Bishop Simonds, Charles Davis, Michael Novak, Karl Rahner, Cardinal Suenens, Fr. Nogar, Archbishop Roberts, Fr. Schillebeeckx, Fr. Häring, and Leslie Dewart.

side with the accused who believed that they were openly dealing with modern problems and writers.

Darby also recognizes that the controversy occurred because the two sides could not come together. He tells Humbertclaude that the University is inviting “experts” and “scheduling closed seminar-type lecture discussions for faculty only on current theological matters embraced by the Magisterium and on philosophical matters that undergird the teaching of the Church.” Darby hopes that these discussions will “serve as a bridge between the arch-conservatives and the progressives.”²⁹⁴ He continues, “Both groups, meanwhile, declare that they are 100% in the Church and they often meet in the same time [*sic*] for Holy Communion.”

Darby concludes with comments on the press coverage, that is, “the coverage has been more provocative than informative.” He relays that the archbishop was “deeply grieved over the manner in which the Dayton press covered this subject and a number of other subjects of special interest to the Church in recent years.” Darby implies that the press is responsible for Alter’s “grief.” Perhaps Darby is trying to deflect any negative publicity about his own press release after the commission report was published. The archbishop surely experienced some grief at learning that Darby’s press release gave “an unfortunate and wrong interpretation” to the commission report.²⁹⁵

²⁹⁴There is no record that these discussions occurred. Bonnette, Chrisman, and Ulrich do not recall any such meetings. Perhaps the University administration did not see any need for the meetings once Bonnette left the faculty in summer 1967. Bonnette and Ulrich, e-mail messages to the author, 7 September 2003. Chrisman, e-mail message to the author, 10 September 2003.

²⁹⁵Msgr. Robert H. Tensing quoted in “UD Welcomes Inquiry Report,” *Catholic Telegraph Register*, Dayton-Miami Valley Edition, 24 February 1967, A-2.

Fr. Humbertclaude responded to Darby in a 2 April 1967 letter. After thanking Darby for the report, Humbertclaude relayed that he helped Cardinal Marella make a report on it. With the continuing press coverage, however, Humbertclaude needed additional materials: 1) Darby's "press-conference on the decision of the archbishop's committee," 2) Fr. Roesch's talk to the faculty, and 3) Jesuit Neil McCluskey's speech sponsored by the *ad hoc* committee. Humbertclaude concludes with "Let us pray and hope for a courageous and clean settlement of that [*sic*] question."²⁹⁶

Darby responded on 17 April 1967. He enclosed Roesch's speech, a typed transcript of McCluskey's speech, Darby's own Letter to the Editor objecting to the *Ave Maria* article²⁹⁷ on the controversy, and Darby's *America*²⁹⁸ article. In regards to his press release, Darby states that "the secular newspaper used a headline that was a half-truth²⁹⁹ and a member of the archbishop's fact-finding commission reacted to this headline by saying my position was an "unfortunate and wrong interpretation." Darby says the "commission member should have called me" to see if the press coverage was accurate.³⁰⁰

²⁹⁶Humbertclaude, letter to James Darby, S.M., 2 April 1967. ASM(E), "Statements," University of Dayton Philosophy Controversy 1966.

²⁹⁷John Reedy, C.S.C. and James F. Andrews, "The Troubled University of Dayton," *Ave Maria* (1 April 1967): 8-9, 20-21, 24-25.

²⁹⁸James M. Darby, S.M., "Reflections on the Dayton Situation," *America* (29 April 1967): 650-652.

²⁹⁹The *Dayton Daily News* headline on the article on the release of the report is "Bishop's Committee Clears UD Profs in Doctrine Dispute." (17 February 1967, 14). The next morning's *Dayton Journal Herald* headlined their story: "Teaching Ruled Contrary: UD Pledges No Dismissal After Committee Report." (18 February 1967). The *Dayton Daily News* article begins by quoting Darby that the commission "clears the accused professors of any charge of heresy." Although the article directly quotes the commission report that teachings contrary to the Magisterium occurred, the headline writer apparently focused on Darby's quote in the opening paragraph.

³⁰⁰Darby, letter to Pierre Humbertclaude, S.M., 2 April 1967. ASM(E), "Statements," University of Dayton Philosophy Controversy 1966.

There is no record of further correspondence from Humbertclaude so, presumably, Humbertclaude passed the requested documents on to Cardinal Marella who passed them on to the CDF. Thus ends the correspondence between the CDF and the Marianists as it pertains to the "Heresy Affair."

What observations can be made about this exchange between the CDF and the Marianists? First, the CDF's inquiry was discreet. A copy of a typed note on plain paper was given to a Cardinal to give to a Marianist to send to a Marianist provincial. Some may consider this an indication of secrecy and "good-ole-boy" tactics operative in the Church. On the other hand, the CDF is nearly the highest ranking office in the Church. A formal inquiry into the "Heresy Affair" would have been out of proportion to the incident. An informal inquiry was adequate.

Second, the following are facts of interest from which no conclusions need to be drawn. The CDF's inquiry was separate from the archbishop's investigation since it began prior to the completion of the archbishop's investigation. Also, the CDF was aware of the basic facts of the situation prior to approaching the Marianists. Obviously, there are many ways in which they could have been informed.

Third, how widespread was it known that the Vatican was inquiring into the case? The most likely person to know would be Fr. Roesch but I have found nothing in his records to indicate that Darby informed him. Marianist Bro. John Jansen was a member of the Provincial Council at the time. In an interview with me, he indicated that the controversy "got to Rome." Once it got there, Darby wanted to "keep it from going too

far,” that is, keep from getting a “directive from Rome” on how to handle the situation.³⁰¹ If Darby wanted to keep the investigation under control, that seems to indicate that he believed this was an official inquiry or could become a public inquiry, not just an opportunity for the Marianist side to be heard.

Fourth, Darby's report minimizes Bonnette's and the fact-finding commission's emphasis on teachings “contrary to the teaching magisterium of the Church.” Instead, Darby focuses on lack of respect for the Magisterium which is a lesser offense. The statement attributed to Roesch calling for “stronger insistence” to “guarantee greater reverence for the Magisterium” fits in with Darby's focus on the magisterium.

Conclusion

The escalation of the “Heresy Affair” from a conflict among the faculty members to a conflict involving university administrators, the Marianist provincial, local pastors, the archbishop, the apostolic delegate, and the Vatican is nearly overwhelming in complexity. In addition to content, procedural matters become points of conflict. Furthermore, the relative privacy and informal setting of the academic environment is replaced by a more formal setting in an organizational, ecclesiastical environment under the glare of the media's scrutiny.

In looking at this aspect of the “Heresy Affair,” a number of things stand out. First, the Church is typically viewed as the villain in a controversy such as this one. This case illustrates, however, that the Church is not necessarily the villain. The Church did not

³⁰¹John Jansen, S.M., telephone interview with the author, 10 March 1999.

provoke this controversy. Even when Bonnette approached the archbishop, Alter did not want to be involved. Eventually, he got involved, in large part due to the mishandling of the situation by the University administration. The discreet inquiry on the part of the Vatican without interfering in the archbishop's investigation or university affairs also illustrates the willingness of the Church to allow the situation to be handled at the proper levels.

Second, a number of persons involved were naive. Bonnette thought that the archbishop would quietly investigate without approaching university authorities. Chrisman and the other accused acted as if they could continue to get away with one more provocative statement after another. This was naive on their part. Apparently, Roesch thought he could "get by" without acknowledging the actual teachings at the university.

Third, in hindsight, the composition of both the archbishop's commission and the president's *ad hoc* committee were flawed from the start. University professors considered the commission composed primarily of seminary professors to be incompetent. The president's *ad hoc* committee was so diverse in ideological backgrounds that it was not surprising they could not agree on a document, much less one that was destined to be an important university policy.

Fourth, the "Heresy Affair" has typically been called an academic freedom case. While elements of academic freedom are involved, the academic freedom portion is, in reality, small in comparison to the rest of the controversy. The real issue in the "Heresy

Affair” is the clash of cultures between the academic and the ecclesiastical. In other words, what does it mean to be both Catholic and a university?

CHAPTER VII

SOULS IN THE BALANCE:

SUMMARY, TURNING POINTS, AND CONCLUSIONS

A description of the “Heresy Affair” might read: “It is a controversy in a university philosophy department where one faculty member in philosophy accused three philosophers and a theologian of teachings contrary to the Catholic Church. None of the accused lost their jobs but the accuser resigned from the university.” Such a description is accurate but stops short of actually describing this interesting, complex, and important case study. The controversy tells us much about many things: the 1960s, American Catholic higher education, the Catholic Church, and about ourselves as human beings.

Summary

The “Heresy Affair” is a case study of the 1960s. The atmosphere was electric. There was “always something going on. It was the best of times; it was the worst of times.”¹ In other words, “[they were] exciting days, and it [was] good to be [there].”²

¹Jane O’Toole, telephone interview with the author, 24 September 2003. O’Toole was president of Edgecliff College, Cincinnati, Ohio from 1969-1973. Edgecliff College was previously Our Lady of Cincinnati College and has since merged with Xavier University.

²Rev. Raymond A. Roesch, S.M., “Is a Catholic University a Contradiction in Terms,” *Report of the President 1966*.

Rapid change was happening in U.S. culture, the Catholic Church, and American Catholic higher education. The University of Dayton lived in all those worlds, trying to cope with the rapid changes, trying—as were most American Catholic universities—to become legitimate universities in the eyes of American secular higher education while at the same time remaining true to its historic mission and identity. In the early 1960s, the University of Dayton decided to expand into graduate work. The Marianist administrators knew what needed to be done and set out over a number of years to make the necessary changes and improvements in the faculty, the curriculum, the academic and administrative structures including policies, the academic resources, and the physical plant. Change is difficult for most people, and the Marianists expected inertia and some difficulties on the part of faculty comfortable in a solely undergraduate environment having to deal with the expectations of a graduate level institution.

In the department of philosophy, the changes related to expansion into master's level work coincided with the changes in the Catholic Church related to the Second Vatican Council. What this means on a philosophical level is that as the Thomists argued with the modern philosophers, the classical worldview clashed with the historical worldview. The pre-Vatican II Church, which fought many aspects of the modern world, came face-to-face with the Church of the Second Vatican Council, the Church dialoguing with the modern world.

As the “Heresy Affair” discussions turned to ethical issues, the Church clashed with the secular culture of the sixties, a culture intent on casting off authority of any kind.

Universal immutable norms came up against individualistic, situational ethics. Positions long held by the Church, such as the position on contraception, seemed ready for change.

The “Heresy Affair” illustrates, however, that moral issues are not the same as philosophical issues. Moral issues have behavioral implications which affect people’s lives, especially young people’s lives, while the implications of philosophical issues are one step removed from deeds. When some philosophers taught that students should think for themselves and determine their own ideas on right and wrong rather than accept the universal norms of the Church, others saw that this was just what young people wanted to hear at this particular time in their lives; that is, it’s ok to do your own thing. The philosophers who upheld Church moral teachings did so because they believed the Church teachings were right, felt that teaching affected behaviors, and felt responsible for their students. They were concerned about the possible implications on students’ lives and souls. They believed students’ lives could be affected negatively for a very long time to come. Indeed, the untold story of this dissertation may well be the story of the students who did their own thing morally during their college days in the sixties and have been dealing with the consequences ever since.

The third conflict within the “Heresy Affair” is related to aspects of the controversy on an institutional level. What is a Catholic university? Is it the “Church teaching,” a university where the Church passes on the tradition to a new generation? Or is it the “Church learning,” a university where new knowledge is created and where learning is passed on to the Church? Indeed, what is the relationship between the Catholic university and the Church? Is the emphasis on Catholic or on university? The

philosophers at the University of Dayton came down on opposite sides, thus escalating the controversy.

In these three aspects with all their subparts, the situation at Dayton was not unusual. Many other American Catholic universities were in a similar situation of moving from being an undergraduate institution to establishing masters and doctoral programs. Most American Catholic universities in the fifties and early sixties had Thomistic philosophy requirements for their students. However, by the sixties, the philosophy departments were also hiring faculty with interests in modern philosophies.

If other American Catholic universities were in similar situations, why did Dayton's situation erupt into a full-blown controversy? Perhaps the best explanation is that a volatile set of people came together at a time ripe for such a situation to explode. In addition to the two protagonists, Bonnette and Chrisman, Baltazar's presence was a saving grace for the other accused. Baltazar was the respected scholar, more informed about theology and philosophy than most others on campus.³ Baltazar was the scholar the administrators wanted the rest of the faculty to be. I wonder what would have happened in this controversy if Baltazar had not been involved. Would the administrators have acted differently early on in the controversy?

When the "Heresy Affair" exploded in fall 1966, Thurston N. Davis, the editor-in-chief of *America* noted,

³Baltazar was named UD professor of the year right after the controversy ended in early March 1967. At the invitation of Bishop Fulton Sheen, Baltazar taught at St. Bernard's Seminary in Rochester, NY from January 1968 to June 1968. Baltazar returned to UD for the 68-69 academic year. He resigned his position in June 1969 to accept a teaching position in Washington, DC.

In an age like ours, when development and change are necessary and desirable, it is inevitable that doctrinal controversies . . . should break out on various campuses. UD gives us an early-warning. . . . [C]oming months will bring a growing number of these disputes.⁴

To put it another way, a controversy such as the “Heresy Affair” was bound to happen somewhere. It is likely that other controversies did not occur or were resolved in different ways as a result of the “Heresy Affair” and its publicity. I am aware of at least one very similar controversy that was resolved quietly without any publicity at all.

Turning Points

Once the conflict developed, there are nine critical junctures where the controversy could have taken a different turn. In other words, in hindsight, it appears that the “Heresy Affair” could have turned out differently if something other than what occurred had happened at these particular junctures. It is helpful, therefore, to review these points.

First, Bonnette’s letter to Archbishop Alter with a carbon copy to the apostolic delegate was critical. The only thing that would have kept Bonnette from writing the letter would have been belief on the part of the Thomists that the modern philosophers were going to quit doing what they were doing. The Thomists tried everything available to them to refute the modern philosophers over a number of years and nothing worked. They were at the end of the line for resolving the situation on their own. What contributed to the frustration for the Thomists was their perception that the modern

⁴Thurston N. Davis, “Editorial,” *America* (November 26, 1966), 672.

philosophers had influential supporters in high places; namely, Marianist Fr. Thomas Stanley, the former provost of the university. Indeed, the modern philosophers, particularly Chrisman, felt they had his support. The likelihood of administrative actions against the modern philosophers was therefore not a deterrent. In hindsight, the university did not have any formal mechanisms or procedures in place for dealing with faculty issues. Perhaps if a way had existed for faculty to bring their disagreements to a faculty governance body, this controversy would not have escalated to the level of the archbishop. On the other hand, one of the AAUP principles of academic freedom is that faculty are responsible to their peers. On an informal basis, why didn't more faculty approach the accused and try to get them to be more responsible in their presentations? Perhaps they did.

Second, Fr. Roesch's announcement that the accused were innocent is another turning point in the controversy for two reasons. First, by making the decision himself, Roesch kept matters in his own hands, not the archbishop's. Roesch's bold move earned him credibility with his faculty, and legitimated the University of Dayton as a "real" university. Second, Roesch's declaration that the accused were innocent was so nuanced—he said the accused were innocent at the same time he said the accused did these things—that it constituted an act of dissimulation. In other words, Roesch's statement was deliberately deceptive. His declaration outraged the accusers and the local pastors and led to their escalation of the "Affair." Perhaps if Roesch had been more forthcoming about what actually happened—that the accused admitted to saying the things they were accused of saying—the accusers and the local pastors would have listened to the rest of his

announcement concerning his solution to the problems. This is a point where specific people played a crucial role in the way the controversy unfolded. Neither Bonnette nor Msgr. Sherman were willing to compromise on what they perceived to be the true teachings of the Church. Perhaps some people would have let the issue drop after Roesch's announcement. Bonnette, his supporters, and Sherman did not. Rather, they immediately sprang into action.

Third, the involvement of the local pastors was crucial for several reasons. First, it brought the archbishop back into the situation. Alter could not ignore his own pastors who were concerned for their parishioners, some of whom were faculty and students at the University. Second, the local priests were concerned about pastoral issues, not intellectual matters. Their involvement reiterates that this controversy occurred on more than one level. The involvement of the pastors illustrates the tensions between pastoral and academic.

Fourth, between Roesch's announcement that the accused were innocent and the fact finding commission's announcement of teachings contrary to the Church, the University of Dayton faculty took two actions that indicated to themselves that they believed they were beginning to act like faculty at a graduate level institution. First, the faculty forum censured seven of the accusers for publicly calling the accused incompetent. The person who introduced this motion in the faculty forum was Fr. Thomas Stanley, the former provost who inaugurated many of the changes necessary to bring the University up to a graduate level institution. Second, some members of the faculty formed a chapter of the AAUP. The organization's first resolution denounced the actions of the archbishop in

relation to the investigation of the accused. While one may disagree with their actions, these faculty were signaling a change in the way they did things at the University. This was a turning point for the University of Dayton.

Fifth, the issuance of the commission's report was pivotal in that, within the realm of possibilities, its tone was moderate. It was clear that the commission focused on pastoral issues, that there was evidence of teachings contrary to the Church, that there was lack of respect for the magisterium, and that it was up to the University of Dayton to solve these problems. The commission was in an unpopular and difficult spot, but they kept the focus of their job narrow and, under the circumstances, there was nothing they could have done better.

Six, Darby's press release saying the fact finding commission confirmed the decision of the University illustrates the power of being first to get the message out. Darby's interpretation continues to be reported as what actually happened when, in actuality, the two investigations yielded different results with regard to the accusation of teachings contrary to the Church. In addition to the public being misled by Darby's statement, the archbishop likely experienced dismay when he learned of Darby's actions. Trust is hard to rebuild once it has been lost.

Seven, the involvement of the Vatican likely comes as a surprise to some of those involved in this controversy. After all, the "Heresy Affair" was local when compared to other controversies, for instance, the national Charles Curran case. Still, the issues involved were serious ones that were not unique to Dayton. What happened in the controversy and how it was resolved could have had implications for other controversies.

Given their involvement and the realm of possible actions, the CDF handled the matter discreetly. Only those who needed to know, knew of their involvement. In the end, the controversy was “resolved” locally, which was as it should be. The Vatican was not heavy-handed in their investigation into the controversy.

Eight, the formation of the *ad hoc* committee on academic freedom was necessary in that it gave the University of Dayton faculty a way to get directly involved in the controversy and bring the “Heresy Affair” to closure. This was important in terms of the faculty becoming more professional within academe. Of lesser importance is the actual report. It was a first attempt on the part of the faculty to think about and develop what later became the University of Dayton’s statement on the nature and purposes of the institution. In terms of the committee addressing its charge, the task was so mammoth that it was impossible to do adequately in a short period of time. In fact, thirty-five years later, the American Catholic higher education community is still discussing the same issues.

Finally, the committee report is remembered for one thing and, like Fr. Darby’s press release, it, too, is inaccurate. The report calls for the University of Dayton to be “secularized,” a word chosen more for its sensationalism than for its meaning. In actuality, the writer wanted lay faculty to have more say in running the institution. He wanted the laity (the secular) to assume some of the leadership positions held by the Marianists (the clerical). In today’s words, the writer wanted collaborative or shared governance. But to the larger public, secularization meant severing the relationship with

the Church in post-Webster College times, a totally different result than what the writer of the report desired.

Nine, the final pivotal event in the “Heresy Affair” was the president’s address to the faculty on 1 March 1967. In the lore reported by faculty members in attendance, on that day, the University of Dayton became a “real” university. The president declared the University’s independence from the hierarchy and received a standing ovation from the faculty. At the conclusion of his remarks, the president said that the experience of the controversy would have “long reaching effects on campus.”⁵ He was correct. The “Heresy Affair” was a turning point for the university. The controversy made it clear that the university sought academic legitimacy even if it meant distancing itself from the Church. In placing its emphasis on the academic, the University of Dayton was not alone. In general, the late 1960s and early 1970s were a time of course correction for American Catholic higher education from an emphasis on their religious to an emphasis on their academic mission. By the late twentieth century, Catholic universities including the University of Dayton began rethinking their religious identities and asking again, what does it mean to be a Catholic university in relationship with the Church? Undoubtedly, their answers are new ones for their new time and new situation. And that’s the way it should be.

⁵Raymond A. Roesch, S.M., “Statement Relative to the Controversy Touching Academic Freedom and the Church’s Magisterium,” 10 April 1967.

Conclusions

My research into the “Heresy Affair” resulted in seven conclusions. First, the “Heresy Affair” is a case study of the religious issues facing the Church in the 1960s. The issues illustrated are Thomistic philosophy losing its privileged status and moral issues such as situation ethics, contraception and abortion. In particular, moral issues are the flashpoint for the “Affair.” The “Heresy Affair” also illustrates the involvement of an informed laity sharing in the mission of the Church. The prominent issue, however, is the overarching issue of authority. What is the role of the Church in the modern world? What responses to the teachings of the Church are required of Catholics?

Second, the “Heresy Affair” is a case study of issues relating to Catholic higher education in the sixties. The “Affair” shows one particular university struggling with the tensions between the academy and the Church in an effort to gain academic respectability and legitimacy. This study shows that as the university turns toward the academy, there is a price to pay in terms of its relationship with the Church.

Third, the “Heresy Affair” is characteristic of the sixties. People did not act as they were expected to act. There was little respect for authority. This point is illustrated in a number of ways. As the conflict began, Dieska, Dombro, and later Bonnette thought that if they told Chrisman, Baltazar and Ulrich what the teachings of the Church were on particular matters, the latter would make adjustments in their teachings. The accusers thought the accused didn’t know the teachings and once they knew, they would respect the authority of the Church. The accusers discovered, however, that the accused did not respect the authority of the Church in the manner expected. Similarly, when the provost

talked to the accused, he expected them to act more responsibly as a result of the conversation but they did not.

Nor did Bonnette act as the administration thought he would. The administration was used to the culture of a religious order, to dealing with conflicts internally. Bonnette, however, was a lay person. His loyalties did not lie with the order. In still another way, Bonnette did not act like the accused and the administration expected. Ironically, they did not seem to understand how much souls mattered to him; that the religious issues mattered to him enough to risk his livelihood. They were therefore shocked when Bonnette went to the archbishop and appeared on the radio. The United States dealing with Iran in the 1970s is a similar situation. When asked why the CIA did not anticipate Iran's religious revolution, Admiral Stansfield Turner reportedly said that the CIA did not consider religion to be important. The CIA did not expect religion to motivate those involved. In this case, the administration and the accused did not expect Dennis Bonnette and his supporters to do anything based on the impact on souls.

Fourth, the "Heresy Affair" is an interesting study of people. The conflict grew to crisis proportions because there was no dialogue between the two parties, i.e., there was no successful attempt at understanding each other and little respect shown by either party for the other. Although neither side was going to convince the other of the rightness of their views, perhaps they could have come to some agreement on practical matters. The "Heresy Affair" illustrates the importance of listening to people, taking them seriously, and having mechanisms in place to handle disputes. It shows the importance of university leadership working with local community leadership (civil and religious); for example,

would the local pastors have gone to the archbishop if they had a good relationship with Roesch and the Marianists? It also shows a leader, Fr. Roesch, dealing with a no-win situation, trying to protect the image of the University of Dayton as a “real” university. Roesch handled the crisis in ways he probably wouldn’t have imagined. On the other hand, the institution was protected at a price. The controversy was and remains painful, particularly for some of the accusers and their families. They felt betrayed by the University. They were right in that teachings contrary to the Church were defended. They did not understand how the University could support the accused nor did/do they understand why the University failed to support them. In several cases where faculty members left the University, they remain bitter at how their lives were affected by the controversy.

Fifth, both sides erred in this case. Chrisman, in particular, was irresponsible in his teachings on moral issues. When he took the “stage,” Chrisman enjoyed being in the limelight and sometimes the situation took him over. For his part, Bonnette won the battle (the archbishop’s commission said he was correct to claim that there were teachings contrary to the church occurring at Dayton) but lost the war (the university did not return to Catholicity as defined by Bonnette). In other words, Bonnette was right about the teachings but wrong in his approach. He was young and naive about how the Church worked (he expected the archbishop to quietly investigate without contacting Roesch); he was not well versed in what was happening in the Church in terms of theology and philosophy (Baltazar, Chrisman and Ulrich were); and his approach with the press turned people against him. The negative publicity for the university irritated the Marianists for

whom UD was a family run business. Bonnette's actions also humiliated faculty, who were professionals, and embarrassed by the negative publicity. Bonnette probably annoyed many Catholics who did not adhere as rigidly as he did to Church teachings.

There are similarities here between the Boston Heresy Case (Jesuit Leonard Feeney) and the Dayton "Heresy Affair." Both Feeney and Bonnette became problematic because their behavior was a source of embarrassment for other Catholics. Mark Massa, S.J., argues that the Catholic community in 1949 used Feeney and his followers to redefine itself vis-à-vis American culture.⁶ In a similar way, the University of Dayton used Bonnette and the "Heresy Affair" to redefine itself vis-à-vis American higher education. In other words, the "Heresy Affair" "served an absolutely essential function for [the University of Dayton] at a crucial moment in its history."⁷

Sixth, historically, knowledge of the "Heresy Affair" helps us to put *Ex Corde* into context. In hindsight, we can see that, in the sixties, American Catholic higher education, in an effort to gain respectability from secular academe, made a course correction away from their religious mission toward the secular academic. *Ex Corde* can be viewed as a corrective measure to help us rethink what it means to be a Catholic university. If we look at *Ex Corde* in this way, perhaps it will help American Catholic higher education not be defensive about the document. Perhaps it can help us answer the questions: was the course correction in the sixties too much in the direction of the secular? Did American

⁶Mark S. Massa, S.J., "On the Uses of Heresy: Leonard Feeney, Mary Douglas, and the Notre Dame Football Team," *Harvard Theological Review* 84:3 (1991), 341.

⁷*Ibid.*, 340. The same quote is found on page 35 of Mark S. Massa, S.J., *Catholics and American Culture: Fulton, Sheen, Dorothy Day, and the Notre Dame Football Team*, (New York: Crossroad Publishing Company, 1999).

Catholic universities give up more than they had to give in order to gain respectability within higher education? What is the proper balance of Catholic and academic in our current situation? What have Catholic universities learned in their relationship with the Church? What can they teach the secular academic culture about relationships with other institutions?

Seventh and finally, I remain intrigued as to why souls, that is, the moral formation of students, mattered to Dennis Bonnette and his supporters and why most other Catholics did not seem to look at the issue in the same way. Why did most people think Bonnette odd to put his faculty position on the line in order to save souls? The answer is that most people juxtapose faith and reason and then try to balance them. However, if we believe what we say we believe, as Catholics, as Christians, as educators concerned with educating the “whole person,” shouldn’t more of us care like Bonnette cares? In other words, if someone’s soul was in the balance, would we act?

ABBREVIATIONS

ACUA	Archives of the Catholic University of America, Washington, DC
ASM(E)	Archives of the Society of Mary, Eastern Region Dayton, OH
AUD	Archives of the University of Dayton, Dayton, OH
FN	<i>University of Dayton Flyer News</i>

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