Free Expression: The LDS Church and Brigham Young University

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The Dilemma

The bond between Brigham Young University and the Church of Jesus Christ of Latter-day Saints precludes the university from becoming an entirely secular institution. Because BYU's board of trustees, composed almost entirely of high-ranking church general authorities, is actively involved in the operation of the university, it forces administrators to manage the university in ways that accommodate the mission of the church as a primary focus. BYU's academic mission is secondary to the university's church mission. This explicit arrangement is fraught with conflicts concerning free expression among administrators, professors, and students. The free pursuit of knowledge will inevitably lead to stresses, strains, conflicts, and confrontations in church-sponsored institutions where the religious mission is paramount.

The LDS church established Brigham Young University to provide, "an environment enlightened by living prophets and sustained by those moral virtues which characterized the life and teachings of the Son of God."[1] The church never intended BYU to be a bastion of free expression, unlimited scholarly inquiry, or a leading institution of secular knowledge.

But the price BYU pays for maintaining a mission that, primarily, promotes religious knowledge and, secondarily, advances secular knowledge is to become a pariah among academic institutions. The price BYU professors pay from the inside is reduced free expression and living with the constant watchful eye of its sponsor. At the same time, they must

1. *Brigham Young University Mission Statement*, 4 Nov. 1981.

live with ridicule and exclusion from their colleagues in the academic community.

How long can the church and BYU professors live with these burdens and restrictions without significant conflict and public embarrassment? Is it possible for BYU to manage the tension of being a church-sponsored university and meet the conflicting demands of its sponsor and faculty? Is the trend toward becoming a secular university reversible? Is it possible for any church to sponsor a university without facing charges of insensitivity toward free expression?

The Case

While working at BYU, I discovered a class of concerned university community members whose self-appointed purpose was to save me from myself. Their warnings were never officially sanctioned edicts, but, rather, independently offered advice, cloaked in the guise of helpful hints to protect my own church standing.

As a non-Mormon growing up in Provo, Utah, and, later, a convert to the LDS church, I saw BYU as the culmination of my professional dreams. But my real experience at BYU was continual exclusion and suspicion due to my ethnic, religious, and political variance from the dominant culture. I was always viewed with caution since a Palestinian Arab with a Muslim background and membership in the Democratic party would not be expected to understand some of the unspoken limits and rules. Although I was safely ensconced in the administrative bureaucracy, my cultural background and liberal political leanings rendered me suspect.

During the eight years I taught in Brigham Young University's political science department and served as assistant to the dean of the College of Social Sciences, I was embroiled in the conflicting missions the university espouses. I was routinely bombarded by self-appointed "protectors" within the university who were "concerned" for my spiritual well-being and by self-appointed defenders of the faith from outside the university who challenged my right to be at BYU.

In 1976 I managed Gunn McKay's Utah County campaign for Congress. His democratic affiliations thrust my testimony as a faithful church member into question in a conservative church climate. One senior administrator invited me to teach at BYU-Hawaii until Ezra Taft Benson passed away and the political environment at BYU became more favorable for "my type." (If I had agreed to that option, I would be languishing in Hawaii today.)

My most difficult times were those spent negotiating with insidious, self-righteous sycophants at the university—those who worried about regulating the length of students' pantlegs and facial hair according to Honor Code stipulations. The religious "thought police" laid claim to supe-

rior spiritual knowledge and justified thinly veiled attacks with references to inspirational wisdom. Their actions were never officially endorsed or encouraged, despite their contrary assertions. Such self-righteous errand boys are anomalies in an academic environment, but all too common at BYU. And they undermined the school's mission as an institution of higher learning while assuming in their religious smugness that they were saving the university.

Reflecting on my years at BYU and noticing their current problems articulating their mission led me to study the meaning and intent of the university in general and BYU in particular.

The Mission of a University

In 1852 John Henry Cardinal Newman delivered nine discourses to the Catholics of Dublin on the *Idea of a University, Defined and Illustrated*. The occasion for the lectures grew out of the legitimate need Catholics had for a religious education that addressed their own theology.

In 1992 Jaroslav Pelikan reviewed Newman's lectures in his *The Idea of a University: A Reexamination*. Pelikan explores the contemporary university and its struggles. He examines the activities of a university as it conducts research, teaching, the conflict between scientific truth and revealed truth, free inquiry, scholarly honesty, civility in discourse, tolerance of diverse beliefs and values, and trust in rationality and public verifiability.

The challenge each university has in meeting its mission and vision of what a university should be is a daunting task. Newman simply states that the ideal university should seek to be "a place of teaching universal knowledge."[2] Newman refines his definition of the university as four legs of a stool: the advancement of knowledge through research, the transmission of knowledge through teaching, the preservation of knowledge in scholarly collections, and the diffusion of knowledge through publishing.

Pelikan examines Newman's approach to the role of the church and secular pursuits and suggests that we are no further ahead in dealing with the tension between church and university today than our colleagues of an earlier era were. He asserts that the two institutions are caught in a "crisis of confidence":

> Each in its own way, both the university and the church (though the latter even more than the former), are often dismissed by those who claim to speak

2. Quoted in Jaroslav Pelikan, *The Idea of the University: A Reexamination* (New Haven, CT: Yale University Press, 1992), 41.

> on behalf of the "the real world" as museum pieces from another, simpler era, still good places perhaps for the young to learn something about the past but definitely not the places to look for guidance about the real world and its future.[3]

The natural tension that emerges from the interaction between any church and the intellectual community generally takes on a certain hostility and smugness. To the faithful, secular scholars lack faith and are, therefore, unworthy models for the youth to emulate. To the secularist, the lack of reason and dependence on faith is a weakness that ill prepares the young for a tough and rugged "real world."

Every university seeks to fulfill its mission by providing a respectable balance like the four legs of a stool. Striving to meet the demands of each area in a climate of competing demands is a challenge many universities cannot meet.

BYU, for example, clearly seeks to be a strong teaching university. However, it cannot be an excellent teaching university without research, since good teaching is based on advanced knowledge, not redundant thinking. Pelikan explains Newman's ideas in the following way: "For I would propose that there is no better way to protect Newman's principle of 'knowledge its own end' in the teaching of undergraduates than to 'develop' it into the principle that in the university the teachers who 'extend' the knowledge to students should also be investigators who 'advance' the knowledge."[4]

Research is an expensive proposition and one that has great reward for those universities attracting professors who make national and international impacts. However, the contribution to research that is impressive to the secular world may not appeal to the church, which must underwrite such an expensive activity at the cost of programs that are more central to the mission of the church. Therefore, the church and BYU are confronted with a serious dilemma: should the Mormon church be the benefactor of research that contributes to the prestige of the university, but not to the church and its members, solely for the purpose of fulfilling the university's need to be a legitimate member of the academic community?

The question is further complicated by Newman's encompassing definition of the role of the university which legitimately includes both secular and religious missions:

> The view taken of a University in these Discourses is the following: that it is a place of teaching universal knowledge. This implies that its object is, on

3. Ibid., 11-12.
4. Ibid., 79.

> the one hand, intellectual, not moral; and, on the other, that it is the diffusion and extension of knowledge rather than *the advancement [of knowledge]*. If its object were scientific and philosophical discovery, I do not see why a University should have students; if religious training, I do not see how it can be the seat of literature and science.[5]

A university, according to Newman, is a place where professors must be left free to pursue their studies in an idyllic setting free from the encumbering distractions of everyday life and confusion over the mission and meaning of a university.

If any church intends to maintain its control of a university, its leaders must clearly define their commitment or indifference to research. While every discipline cannot be given equal resources, decisions must be made concerning the direction the university must take regarding scholarship. Additionally, the church will have to relinquish decisions regarding what types of scholarship it will tolerate and what types it will not in order to commit to research which will be acceptable to the academic world.

The primary mission of BYU, discussed below in more detail, is to establish an environment where promoting faith is an end in itself. That single-issue mission, unlike the mission of the secular university, sets BYU apart from the traditional definition of a university. It is also the source of much speculation about how committed a university is to the advancement of knowledge when the sponsor values religious faith more than secular knowledge.

Church Sponsored Education in the Past

To emphasize faith over knowledge demands courage and the ability to withstand legitimate criticism from other institutions, especially those with missions which are purely secular. The historic trend of religiously sponsored universities is to evolve from their church sponsors, teaching less religion and becoming more secular. The evolution from strictly religious to strictly secular scholarship does not arbitrarily diminish faith. Many scholars maintain their faith while applying the scientific method.

Yet many LDS leaders apparently abhor a radical transformation if they allow pure free expression at the university. Elder Neal A. Maxwell posed the fear that "Knowledge, if possessed for its own sake and unapplied, leaves one's life unadorned."[6] Elder Maxwell correctly espouses such a view for a uniquely religious institution. But American universities cannot espouse purely religious missions if free thought is to flourish at such

5. Ibid., 78.

6. Quoted in *Deseret News*, 19 Aug. 1992, B2.

institutions. Pelikan highlights the consequences a university risks by allowing individuals to freely think:

> By its very nature, of course, the knowledge and scholarly study of faith can be not only controversial but contagious: it can lead lifelong believers to surrender cherished tenets of faith, or it can engage students existentially in such a way that, having come to observe and criticize, they remain to pray. The university must not pretend that either of these outcomes cannot happen within its walls.[7]

While LDS leaders fear such heresy at BYU, they stridently defend and maintain BYU's primary religious focus. But the university will be diminished as an institution of higher learning if the church appears to be firmly in control of the academic mission of the university.

The Unique Mission and Goals of BYU

Whatever prestige BYU enjoys nationally and internationally it derives from its faculty and students, not its affiliation with the church. The legitimacy of BYU in the American academic community flows directly from the research and publications of its scholars and the accomplishments of the students who leave the university and achieve great success. In contrast, BYU's religion faculty, while fulfilling the faith-promoting goals of the church, is, with few exceptions, not a star-studded group of thinkers. To be fair, they were not hired to be scholars or thinkers.

BYU serves a variety of constituents, each with its own mission and notions of how the university should address specific interests. BYU's purpose is based on conflicting goals. A natural confrontation will emerge from the give and take of various interest groups who attempt to influence, control, or define the purpose of the university.

BYU has six primary constituent groups:

- First and foremost, the school serves to educate and indoctrinate students.
- Additionally, the university provides parents a safe place to send their children.
- Loyal alumni are served through athletic success and a competitive diploma.
- The university serves church members as a model of church values under the general authorities' direction and control.
- BYU, as an institution of higher education, makes clear contributions

7. Pelikan, 39-40.

to scholarly fields and provides Mormon scholars a medium for both secular and religious expansion.

• And the city of Provo, Utah, benefits economically from the university's existence.

BYU's unique relationship with the Church of Jesus Christ of Latter-day Saints simultaneously fulfills five secular and religious goals:

• The school provides a legitimate traditional education that is also unique to the Mormon community.

• The university fosters its reputation as a missionary symbol.

• In addition, the school serves as a church-leadership training ground.

• BYU legitimately claims to promote both academic and religious research and indoctrinates students, members of the church, and the community.

• At the bottom line, the school provides an environment for Mormon youth to meet and marry.

These purposes and goals vary in the amount of time, resources, and attention they receive from the various constituencies. It is safe to say that none of the goals receive more than 20 percent of the university's attention or resources. The constituents, on the other hand, influence the direction of the university. The church clearly dominates these categories, but church influence is directed in large measure from the involvement of others on the list. Whatever the demands, the meaning of a university in a classical sense must be the driving force that defines BYU. When that meaning comes into conflict with BYU's goals and constituents, the stresses and strains resulting from dispute over resources and goals affect the status of the university. Free expression is the one area that cannot be ignored, redefined, or unlimited at BYU.

The church is locked into an untenable position of pursuing a uniquely religious mission at BYU while at the same time attempting to build an American university. These are incompatible goals with no middle ground. Control of university research, teaching, admission, faculty recruitment and retention, and all issues associated with free expression militate against a prosperous and compatible relationship between a church and an academic institution. The church will curtail and therefore emasculate the university in order to ensure its activities conform to a mission defined by officials who owe their loyalties to the sponsor, the church.

The university mission, while not alien to religious goals, is defined by advocates whose primary success is measured in secular terms. A university must be allowed to pursue truth wherever it leads; some of it may be unpleasant for any board of directors, religious or secular, but the freedom to pursue truth in research, whether scientific or religious, is the fundamental principle which must guide any good university.

BYU is not travelling in uncharted territory. Some of the most prestig-

ious universities in America began as religious institutions and eventually evolved into secular institutions: Harvard, Notre Dame, Princeton, and the University of Southern California. What is unusual is that BYU officials are hoping to be different. Church-directed administrators believe they have the ability to walk the fine line between adherence to the church's interpretation of its mission and fidelity to academic excellence. By trying to be both a school devoted to religious principles and a respected institution of higher learning, BYU officials are courting the likelihood that they will be neither.

The Mormon church established Brigham Young University for the purpose of providing "an environment enlightened by living prophets and sustained by those moral virtues which characterized the life and teachings of the Son of God." Additionally, the university's mission statement says, "Any education is inadequate which does not emphasize that His is the only name given under heaven whereby mankind can be saved."[8] These statements are important to the foundation of the church and its teaching. The church has the right to define its own mission and demand that all who attend and work there adhere to it. What they cannot expect is everyone to respect every method of implementing this mission.

The BYU mission statement also states that "Scholarly research and creative endeavor among both faculty and students, including those in selected graduate programs of real consequence, are essential and will be encouraged" and calls for a "broad university education."[9]

BYU's mission, which includes religious training, is not incompatible with the goals of providing a classical liberal education as defined by other universities. However, at BYU religion in the specific and not in the general is more important than a classical liberal education. When the two compete for resources or come into conflict, religion always comes first because the church is the sponsor and controls the university. The final two paragraphs of the mission statement actually spell out the priority of the university and the church:

> In meeting these objectives, BYU's faculty, staff, students, and administrators should also be anxious to make their service and scholarship available to the Church of Jesus Christ of Latter-day Saints in furthering its work worldwide. In an era of limited enrollments, BYU can continue to expand its influence both by encouraging programs that are central to the Church's purpose and by making its resources available to the Church when called upon to do so.[10]

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8. *Brigham Young University Mission Statement*, 4 Nov. 1981.
9. Ibid.
10. Ibid.

The fact of the matter is this last point is far more important than any of the previous statements because "encouraging programs that are central to the church's purpose and by making its resources avialable to the church when called upon" clearly subordinates every aspect of the university's mission to that of the church's mission. It is not wrong for this to be the case, since the church owns the university. However, it does not make sense for a university to be pursuing a mission that is defined in terms of being a resource to a church.

The primary mission of BYU, as stated, is religious in nature. However, there is also significant content in the mission statement to allow for an interpretation that BYU wants to be a highly respected institution of higher education as a secondary goal. In fact, the practice at BYU is to move in the direction of becoming a university in the full sense, yet the language of the mission statement indicates a strong theological bent. There is room for confusion among those at the university who advocate more emphasis on scholarly, secular pursuits.

Free Expression

Free expression is not anarchy, abuse, or disrespect. Every university has its uniqueness, but BYU's case is unique in its effort to minimize the conflict between pursuing the goals of a university while at the same time maintaining good standing with its board and sponsor, the LDS church.

The effort by BYU to walk the fine line between pursuing the goals of secular institutions of higher learning and maintaining and adhering to the direction and guidance of its sponsor without diminishing the stature of the institutions will be measured by the degree of interference of the church in the university's affairs. To meet the demands of the university and avoid interference by the church, BYU officials have written a policy on academic freedom aimed at assisting its faculty, staff, and students to conduct their affairs in such a manner as to avoid church interference in their academic activity. This is best understood by reviewing the draft document "Statement on Academic Freedom at Brigham Young University" which is currently under consideration as a means of redefining BYU's mission and clarifying its continued problems with free expression.

> This document attempts to articulate how BYU's unique religious mission relates to principles of academic freedom. It should be noted, however, that BYU regards the so-called limitations described below not as *narrowing* the scope of freedom but as enabling great (or at least different) and much prized freedoms.[11]

11. *Brigham Young University Academic Freedom Statement*, Apr. 1992.

The draft attempts to distinguish between individual and institutional academic freedom. The individual must be free to pursue his or her research and teaching without interference. The institution must not be subject to outside control.

1. Individual Agency: The Church teaches that "moral agency" (which encompasses freedom and accountability) is basic to the nature and purpose of mortality (see 2 Ne. 2:26, D&C 93:30-31; D&C 101:77-78). In LDS theology, individual freedom is essential to intellectual and spiritual growth. Every Latter-day Saint is enjoined to know truth for himself or herself. We claim it as our privilege to seek wisdom, like the Prophet Joseph Smith, for ourselves. Teachers and institutions play a crucial role in making truth available and discoverable. But neither testimony, nor righteousness or genuine understanding is possible unless it is freely discovered and voluntarily embraced.

2. Individual Academic Freedom: Perhaps no condition is as important to creating a university as is the freedom of the individual scholar "to teach and research without interference," to ask hard questions and to subject answers to rigorous examination. The academy depends on untrammelled inquiry to discover, test and transmit knowledge. This principle is so well understood as to need no elaboration. Although all universities place some restraints on individual academic freedom, every institution that qualifies for the title of university allows ample room for genuine exploration of diverse ideas.

3. Integration of Individual Agency and Academic Freedom: Latter-day Saint scholars are thus doubly engaged to learn truth for themselves, for both the Church and the academy bid them [to] undertake a personal quest for knowledge. BYU aspires to be a host for this integrated search for truth by offering a unique enclave of inquiry, where teachers and students may seek learning "by study and by faith" (D&C 88:118; cf. "The Mission of Brigham Young University").

4. Scope of Integration: Because the Gospel encompasses all truth and affirms the full range of human modes of knowing, the scope of integration for LDS scholars is, in principle, as wide as truth itself. The current statement on academic freedom in the BYU University Handbook eloquently articulates this Gospel-based aspiration:

> By virtue of its sponsorship by The Church of Jesus Christ of Latter-day Saints, Brigham Young University is committed to the pursuit of truth. Its doctrinal basis for this commitment proclaims, in the words of President Brigham Young . . . that "it is our duty and all the truths in the world pertaining to life and sciences, and to philosophy, wherever it may be found in every nation, kindred, tongue, and people."
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> At BYU, individual academic freedom means more than it does at secular universities. It is based not only on a belief (shared by all

> universities) in the value of free inquiry, but also on the Gospel principle that humans are free agents who should seek knowledge in the sacred as well as the secular, by the heart and spirit as well as by the mind, and in continuing revelation as well as in the written word of God. BYU students and their parents are entitled to expect an educational experience that reflects this aspiration.[12]

The argument that the inclusion of specific religious teachings expands a university's legitimacy and promotes pluralism and free expression is a precarious notion. Carrying this argument to its logical extension, every medical school in the country could do well to include chiropractic, osteopathic, hypnotic, and faith-healing in medical school training in order to display a broad-minded commitment to a well-rounded medical education. The inclusion of religion as part of a university education is as legitimate as the inclusion of chemistry or physics. The problem arises when religion is elevated to a position of dominance and control over other departments in the university. The university must resist undue influence or control by any approach to the pursuit of knowledge including the scientific method. The issue again is freedom.

> At Brigham Young University, faculty and students are enjoined to seek truth "by study and also by faith" (D&C 88:118). This integration of truth lies at the heart of BYU's institutional mission. As a religiously distinctive university, BYU opens up space in the academic world in which its faculty and students can pursue knowledge in light of the Restored Gospel of Jesus Christ. For those who have embraced the Gospel, BYU offers an especially rich and full kind of academic freedom. To seek knowledge in the light of revealed truth is, for believers, to be free indeed.[13]

There is no need to justify the inclusion of the study of religion in the mission of a university when based on a legitimate application of an institution's mission and purpose as is the case with the LDS church. However, the university's effort to justify its pursuit of religious education by stating that the inclusion of such an education expands the definition of free expression is cynical. There is rich justification for including religion and its place in the human experience in the education of students without the university's disingenuous misapplication of free expression and academic freedom in this debate.

Those who support excluding theology from secular institutions betray the ideal liberal education.

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12. Ibid., 3.
13. Ibid., 1.

> Theology should play a role in liberal education and thereby in the public realm because theology asks the kinds of questions that all reflective human beings ask. Like all the other liberal arts, theology attempts to ask these questions in a disciplined way, faithful to the canons of inquiry of the modern university. . . . It concerns disclosure of those religious questions which human beings as human beings insist upon asking, and the critical, reflective interpretation of the kinds of responses that the religious classics represent.[14]

Michael McConnell notes the distinctive character of religious education in academia in his article "Academic Freedom in Religious Colleges and Universities." McConnell argues that secularly-defined academic freedom applied in religious institutions may, in fact, undermine the ideals intellectual freedom is founded on.

> Religiously distinct colleges and universities make important contributions to the intellectual life of their faculty, their students, and the nation, and secular academic freedom in its unmodified form would lead quickly to the extinction of these institutions; . . . the insistence on a single model of truth-seeking is inconsistent with the antidogmatic principles on which the case for academic freedom rests; and . . . even if the extension of secular academic freedom to religious institutions were desirable on intellectual grounds, it would subvert the ability of religious communities to maintain and transmit their beliefs, and thus undermine religious freedom.[15]

Religious institutions not only contribute to knowledge; sectarian approaches provide a necessary variety of dialogue in American academia. McConnell goes so far as to predict doomsday results if academic freedom mongers have their way:

> Given the antireligious character of modern academic culture, serious religious scholarship would be in danger of extinction if it were not for particular institutions in which it is valued and protected. It is no coincidence that the rise in religious particularism has occurred most prominently in institutions connected with perspects . . . that consider themselves most ruthlessly suppressed in the secular academy.[16]

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14. David Tracy, "Afterword: Theology, Public Discourse, and the American Tradition," in *Religion & Twentieth Century American Intellectual Life*, ed. Michael J. Lacey (Cambridge, MA: Cambridge University Press, 1989), 194-95.

15. Michael W. McConnell, "Academic Freedom in Religious Colleges and Universities," in *Freedom and Tenure in the Academy*, ed. William W. Van Alstyne (Durham, NC: Duke University Press, 1993), 312.

16. Ibid., 315.

He concludes that the "secular academic world" must allow religious institutions to "determine for themselves what 'limitations' on secular academic freedom are necessary to maintain their own sense of mission, subject only to the requirement that these be stated clearly in advance."[17]

BYU's invoking free expression in its "advance," "Statement on Academic Freedom," as McConnell advises, is a narrow, anemic, and lame attempt to promote religion on campus. There is no reason to exclude religion from a university curriculum. The issue again is control of the university, not the content of the curriculum. When religious education debunks reason as inferior to faith instead of different from faith, it is not religion, it is indoctrination.

Judith Jarvis Thomson, a Massachusetts Institute of Technology philosophy professor, and Matthew Finkin, a University of Illinois law professor, assert that McConnell's protection of the "special" nature of religious instruction defeats both the reasonable and moral foundations he evokes to support his argument. They counter that religious institutions' coercive protection of their own doctrinal beliefs flies in the face of their espoused moral and intellectual ideals:

> In the first place, we doubt whether the continued existence of variety requires condoning limitations on the academic freedom of the various faculties. Second, while we think variety on any view conduces to the common good, we doubt whether variety maintained by coercion does. Third, it remains questionable whether the academic profession should take a substantive stand on the differential contributions made by institutions with doctrinal commitments as opposed to institutions with other aims. For why is *doctrinal* commitment to be thought special?[18]

Doctrinal commitment is not "special" enough to justify intellectual coercion. Thomson and Finkin continue, "No one is entitled to freedom from intervention just on the ground that a moral code forbidding the action rests on faith. . . . No institution is entitled to freedom to coerce its faculty just on the ground that belief in the nonreligious model rests on faith."[19]

No educated person today would demand a rejection of faith as a criterion for scholarship. It is a struggle that has been overcome in secular universities by reducing the influence of religion in the mission of the

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17. Ibid., 324.

18. Judith Jarvis Thomson and Matthew W. Finkin, "Academic Freedom and Church-Related Higher Education: A Reply to Professor McConnell," in *Freedom and Tenure in the Academy*, 423.

19. Ibid., 429.

institution. At BYU that struggle is being won by religion. But to defeat reason is to defeat the purpose of the institution.

How to Manage Free-thinkers

History is filled with accounts of unique individuals who went against the grain of organizational structures and paid a price. Joseph Smith was such an individual, and in the end, he died defending his beliefs. Socrates was also condemned in his day. His crime was teaching Athenian youth to question their elders and challenge authority. His impiety included the belief that personal actions are a reflection of individual beliefs. Although Socrates could have persuaded his juroros to acquit him and had the opportunity to escape once convicted, he fulfilled his sentence, drinking the prescribed hemlock in a symbolic gesture of his support for the Athenian judicial system. His death made him perhaps the most celebrated martyr for free expression.

Galileo, Father Charles Curran, and Salman Rushdie are further examples of unique thinkers whose lives and livelihood were similarly imperiled as a result of their personal convictions.

The Catholic Church and Galileo Galilei

Galileo is considered the father of the modern scientific method. He was the first to use the telescope to establish facts about astronomy. He discovered the impact of gravity on the pendulum and falling bodies.

However, his scientific method led him into conflict with holy scripture as understood by Catholics of his time. Galileo, through the use of the telescope, proved the Copernican theory that the earth rotates around the sun. The Catholic church at the time promoted the belief that everything rotates around the earth. The church felt so strongly about the theory, they placed Copernican writings on the Index, the list of prohibited books in the Catholic church. (The Index was only abolished in 1966.) The case of Galileo is interesting because so much of what happened, in hindsight, seems clear-cut. The Catholic church was wrong and it has taken 350 years to admit its mistake.

Galileo clearly had no experience in dealing with scientific truth when it ran counter to popular or institutional tradition. He tried to convince Pope Urban VIII that the Copernican theory was right, but his appeal was viewed as religious dissidence rather than scientific knowledge.

> Galileo had always held that the ultimate test of a theory must be found in nature. "I think that in disucssion of physical problems we ought to begin not from the authority of scriptural passages, but from sense-experiences

> and necessary demonstrations . . . Nor is God any less excellently revealed in Nature's actions than in the sacred statements of the Bible."[20]

Galileo was banned from stating his views, which were treated as personal opinion, because the scientific method had not been appliced before and had no track record of respectability. Because he had so much confidence in his newly discovered method, he pressed forward at his own peril. Pope Urban VIII was not pleased: "Your Galileo has ventured to meddle with things that he ought not to and with the most important and dangerous subjects which can be stirred up in these days."[21]

The Catholic church put Galileo on trial for violating a commitment to a profession of faith:

> I most firmly accept and embrace the Apostolic and ecclesiastical traditions of the other observances and constitutions of the Church. I also accept Sacred Scripture in the sense in which it has been held, and is held, by Holy Mother Church, to whom it belongs to judge the true sense and interpretation of the Sacred Scripture, nor will I accept or interpret it in any way other than in accordance with the unanimous agreement of the Fathers.[22]

Galileo was found guilt of heresy, required to recant publicly, and was imprisoned under house arrest. Ten judges, all Cardinals, sat at his trial. According to Bronowski, "The dissident scientist was to be humiliated; authority was to be shown large, not only in action, but in intention. Galileo was to retract; and he was to be shown the instruments of torture as if they were to be used."[23]

Galileo was twice threatened with torture. The implication is that Galileo saw the intellectual war turning into a physical battle he could not possibly endure, even with the scientific method at his command. Having lost every avenue to convince the Pope and those in influence, he signed an infamous statement recanting his "false opinion that the sun is the center of the world."

> I, Galileo Galilei, son of the late Vincenzo Galilei, Florentine, aged seventy years, arraigned personally before this tribunal, and kneeling before you, most Eminent and Reverend Lord Cardinals, Inquisitors general against heretical depravity throught the whole Christian Republic, having

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20. J. Bronowski, *The Ascent of Man* (Boston: Little, Brown and Company, 1973), 209.

21. Quoted in Richard J. Blackwell, *Galileo, Bellarmine, and the Bible* (Notre Dame, IN: University of Notre Dame Press, 1991), 14.

22. Ibid.

23. Bronowski, 214.

before my eyes and touching with my hands, the holy gospels—swear that I have always believed, do now believe, and by God's help will for the future believe, all that is held, preached, and taught by the Holy Catholic and Apostolic Roman Church. But whereas—after an injunction had been judicially intimated to me by this Holy Office, to the effect that I must altogether abandon the false opinion that the sun is the centre of the world and immovable, and that the earth is not the centre of the world, and moves, and that I must not hold, defend, or teach in any way whatsoever, verbally or in writing, the said doctrine, and after it had been notified to me that the said doctrine was contrary to Holy Scripture—I wrote and printed a book in which I discuss this doctrine already condemned, and adduced arguments of great cogency in its favor, without presenting any solution of these; and for this cause I have been pronounced by the Holy Office to be vehemently supected of heresy, that is to say, of having held and believed that the sun is the centre of the world and immovable, and that the earth is not the centre and moves:

Therefore, desiring to remove from the minds of your Eminences, and of all faithful Christians, this strong suspicion, reasonably conceived against me, with sincere heart and unfeigned faith I abjure, curse and detest the aforesaid errors and heresies, and generally every other error and sect whatsoever contrary to the Holy church; and I swear that in future I will never again say or assert, verbally or in writing, anything that might furnish occasion for a similar suspicion regarding me; but that should I know any heretic, or person suspected of heresy, I will denounce him to the Holy Office, or to the Inquisitor and ordinary of the place where I may be. Further, I swear and promise, protestations, and oaths, I submit myself to all the pains and penalties imposed and promulgated in the sacred cannon and other constitutions, general and particular, against such delinquency. So help me God, and these His holy Gospels, which I touch with my hands.

I, the said Galileo Galilei, have abjured, warned, promised, and bound myself as above; and in witness of the truth thereof I have with my own hand subscribed the present document of my abjuration, and recited it word for word at Rome, in the Convent of Minerva, this twenty-second day of June, 1633.

I, Galileo Galilei, have abjured as above with my own hand.[24]

Galileo had to lie to himself and the Lord and disavow scientific truth to maintain his church standing. He was silenced and forced into house arrest for the remainder of his life. Catholic scholars and scientists took note and toed the line.

There is more to the story concerning Galileo and the Catholic church. Galileo was not entirely a hero to all who review his case. There are many

24. Ibid., 216-17.

within the Catholic church who remain faithful and apologetic. Frederick Copleston, S.J., author of the three-volume *A History of Philosophy*, attempts to rescue the Catholic church from fault by explaining both sides were at fault and no general conclusions regarding the church and science can be made.

> . . . the fault was by no means along one side. In regard to the status of scientific theories, Bellarmine's [the cardinal who led the trial] judgment was better than Galileo's, even though the latter was a great scientist and the former was not. If Galileo had had a better understanding of the nature of scientific hypotheses, and if the theologians in general had not taken up the attitude which they did in regard to the interpreations of isolated Biblical texts [Job 9:6] the clash would not have occurred. It did occur, of course, and in regard to the superiority of the heliocentric over the geocentric hypothesis, Galileo was undoubtedly right. But no universal conclusion can legitimately be drawn from this case about the Church's attitude to science.[25]

The case of Galileo has since been laid to rest. The Catholic church revisited the trial documents and concluded that it was in error in its treatment of a great scientist. In the *National Catholic Register*, on 18 March 1984, a Vatican daily was quoted saying that the case of Galileo was closed: "The so-called heresy of Galileo does not seem to have any foundation, neither theologically nor under canon law."

Father Charles Curran v. Catholic University

In a more contemporary case, Charles Curran, a theology professor at the Catholic University of America, was dismissed because

> He disagreed with church condemnation of birth control by married couples. Curran was clearly in the progressive camp. He taught summer sessions at Catholic University in 1964 and 1965, the year in which he made his opposition to the ban on contraception quite public in a talk given to priests in Niagara, New York. He backed changes in priestly practice, endorsing general absolution at group penance and eschewing many private masses for a lesser number held with others.[26]

Curran was outspoken in his views, writings, and teachings. He be-

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25. Frederick Copleston, *A History of Philosophy* (London: Burns, Oates and Washbourne, 1946), 286.

26. Larry Witham, *Curran v. Catholic University: A Study of Authority and Freedom in Conflict* (Riverdale, MD: Edington-Rand, Inc., 1991), 18.

came the center of the progressive movement among Catholics in America for his interpretation of ethics and moral theology:

> On observances and penance, for example, he was unabashedly positive. Better than a gloomy and negative penance, he advised, a wife should bake her husband his favorite cake as an act of reparation. "It is much more beneficial than mumbling a few prayers because it serves to remind a wife that her entire day is the living vow she made on her wedding day."[27]

Curran's views clashed with Catholic doctrine and Catholic University was eventually pressed by Rome to take action. The Vatican issued a delcaration that Curran be barred "from teaching Catholic theology anywhere at the university." The position was clear: the Vatican controlled matters of doctrine (i.e., canon law) at the university. The university stated that it would adhere to the Vatican declaration, since rejecting an order from the Holy See would be "inconsistent with the university's special relationship with the Holy See, incompatible with the university's freely chosen Catholic character, and contrary to the obligation imposed on the university as a matter of canon law."[28]

Curran was also banned from teaching in the school of religious studies. Although he was offered a position to teach ethics in other departments, he insisted that he was a Catholic theologian and would teach his topic no matter what department they assigned him. The ban stood, so he went public by condemning the university for its lack of free expression. The university withdrew Curran's "canonical mission", the legitimacy needed to teach Catholic theology under the umbrella of Vatican approval.

Curran sued the university for breach of contract and lost. In Curran's defense, his lawyer argued, "If you are a university, you have to have academic freedom and institutional autonomy. . . . If you don't, you may be something else. You may be a seminary. You may be a catechetical institute, but you are not a university."[29]

Despite Curran's efforts the judge in the case, Frederick Weisberg, said Curran could complain that the university may not have the academic freedom he hoped for when he joined the faculty and, "He can speak about that and scream and yell all he wants, but he can also leave."[30]

Catholic University, in this case, defined their method of resolving the problem of free expression at a church-run university. Church authority was established over the religion department only; full free expression was

27. Ibid., 20.
28. Ibid., 147.
29. Ibid., 158.
30. Ibid., 158.

offered in every other department and Curran would be allowed to teach whatever he wanted in any other secular department at the university. He chose not to do so.

Curran left Catholic University rather than be restricted from teaching theology. The Vatican would have allowed him to stay, but his career as a Catholic theologian was over. His case leaves a clear message to those who teach at universities controlled by a church. If you don't like it, you may have to leave.

Salman Rushdie and the Power of Fiction

When Salman Rushdie wrote the novel *The Satanic Verses*, he had no intention of drawing the death sentence for insulting the sensibilities of Iranian, Muslim fundamentalists. Not all Muslims agree with the Iranian decree calling for his death, the "Fatwah." But he was forced into hiding, remains under twenty-four-hour protection, and is rarely seen in public. The Ayatollah Khomeini pronounced the Fatwah on 14 February 1989.

> In the name of God Almighty, there is only one God, to whom we shall all return. I would like to inform all the intrepid Muslims in the world that the author of the book entitled *The Satanic Verses*, which has been compiled, printed and published in opposition to Islam, the Prophet and the Koran, as well as those publishers who were aware of its contents, have been sentenced to death.
>
> I call on all zealous Muslims to execute them quickly, wherever they find them, so that no one will dare to insult the Islamic sanctions. Whoever is killed on this path will be regarded as a martyr, God willing.
>
> In addition, anyone who has access to the author of the book, but does not possess the power to execute him, should refer him to the people so that he may be punished for his actions. May God's blessings be on you all.
>
> —Ruhollah Musavi Khomeini.[31]

After seeking safety in hiding, Rushdie attempted to make peace with those he offended by expressing regret four days after the declaration of the death threat: "Living as we do in a world of many faiths, this experience has served to remind us that we must all be conscious of the sensibilities of others."[32]

But Rushdie's regret was not enough. Iran issued a statement that left little doubt about its wishes and intentions: "Even if Salman Rushdie repents and becomes the most pious man in time, it is incumbent on every

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31. Lisa Appignanesi and Sara Maitland, eds., *The Rushdie File* (Syracuse, NY: Syracuse University Press, 1990), 68.

32. Ibid., 98.

Muslim to employ everything he has got, his life and his wealth, to send him to hell."[33]

Issuing death threats to silence heretics seems excessive in the West. Methodically denigrating a scholar's church standing to repress secular research or different intepretations of religious knowledge is equally despicable.

Free Expression in a Democratic Society

Freedom to express one's mind is an essential ingredient in every free society. I. F. Stone, in his book, *The Trial of Socrates*, states, "No society is good, whatever its intentions, whatever its utopian and liberationist claims, if the men and women who live in it are not free to speak their minds."[34]

The limits placed on any group of people must come from a consensus of socially acceptable customs and not from authoritarian efforts to curtail free and independent thinking. Brigham Young University's "Academic Freedom Statement" is such an authoritarian attempt to squelch vocal resistance in the form of controversial, secular knowledge and research.

American institutions are unique in their openness. By placing high value on freedom of expression, we express a commitment to pursue truth without fear of where it leads us. The "search for truth" has two very specific and important goals: maintaining the honesty of officials who have a monopoly on power and therefore control over the means of enforcement,[35] and protecting unpopular views.[36]

As Ronald Dworkin, professor of jurisprudence at Oxford, asserts, free expression is not a golden calf in and of itself:

> Not because people have any intrinsic moral right to say what they wish, but because allowing them to do so will produce good effects for the rest of us . . . government is less likely to become corrupt if it lacks the power to punish criticism. . . . America's special commitment to free speech is based on a national endorsement of a strategy, a collective bet that free speech will do us more good than harm over the long run.[37]

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33. Ibid., 99.

34. I.F. Stone, *The Trial of Socrates* (Boston: Little, Brown and Company, 1988), ix.

35. Louis M. Seidman, Geoffrey R. Stone, Cass R. Sunstein, and Michael V. Tushnet, "Freedom of Expression," in *Constitutional Law*, 2d. ed. (Boston: Little, Brown and Company, 1991), 1022.

36. Rodney A. Smolla, *Free Speech in an Open Society* (New York: Alfred A. Knopf, 1992), 151-69.

37. Ronald Dworkin, "The Coming Battles Over Free Speech," *New York Review of*

The U.S. Bill of Rights was written to ensure against the suppression of less popular ideas.

> Free speech is valuable, not just in virtue of the consequences it has, but because it is an essential and "constitutive" feature of a just political society that government treat all its adult members, except those who are incompetent, as responsible moral agents. . . . We retain our dignity, as individuals, only by insisting that no one—no official and no majority—has the right to withhold opinion from us on the ground that we are not fit to hear and consider it.[38]

Fear of Free Expression

At BYU fear to speak out on issues that are thought to go against prevailing notions has created a lackey mentality among some students and faculty. Far too many fear to speak their minds publicly but express their views secretly to friendly authorities who tolerate subterranean, vicious character assassination. The disturbing fact is that BYU and the LDS church have nurtured a culture of informers among these sycophants skulking in various departments at the university. Church leaders and administrators have tolerated and even rewarded quislings, without regard to standard American ideals like free speech and the right to face accusers.

It makes for inferior citizens and diminishes our democratic ideals to resort to authority instead of practicing free expression. Students who lack maturity or good judgment regarding the fundamental constitutional right of free expression are denied an opportunity to learn how to become good Christians, informed and ethical citizens, when they are exposed to a culture that turns a blind eye to the shabby, sinister, and corrupt practice of informing on fellow students and professors.

An unspoken tradition of self-protection encourages students, who hear new ideas from their professors or fellow students, which run contrary to their experience in the church, to confront the problem by reporting them to authorities. Instead of thinking and expanding horizons when confronted with new and perplexing ideas, students too often resort to the disgusting practice of informing. It is easier for the weak to betray than to think.

Faculty gossip often escalates into reports to church officials and undermines university professors' teaching and scholarship. General authorities, BYU officials, and others who respond to quislings lend their good

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Books, 11 June 1992, 56.

38. Ibid., 57.

names, authority, and power to undermine the church, BYU, and the fundamental values that enrich and enhance our community.

In "Cultural Violence," Johan Galtung states that it is common in many societies to define good and evil in subtle symbols that come from the top. When good and evil are presented to members of any given society, any means to eliminate evil is acceptable because it becomes a matter of working to save the "good" people of the church from the "bad" people who think differently. "The logic of the scheme is simple: identify the cultural element and show how it can, empirically or potentially, be used to legitimize direct or structural violence."[39]

I believe there is an unseen and dangerous consequence that can easily evolve to violence where the criticism of members of the church who engage in symposia or publish "alternative voices" are labeled dissidents. All too often, self-appointed defenders of the faith take it upon themselves to implement actions deemed beneficial to the church. Leaders who leave the impression that certain types of members are undesirable pave the way for self-styled crusaders to defend the church in unique and unfortunate ways which can result in violence.

The Solution

There are three ways to tip BYU's tentative balance of its secular and religious missions:

- If the board of trustees hired capable and competent administrators who are sensitive to the mission of an American university and simultaneously sympathetic to the church's mission, church leaders can allow the university presidents to administer without interference. Allowing BYU presidents to exercise their judgment in the affairs of the university would restore the independence of the university, confidence of the faculty, and reputation of the institution.

- If church influence cannot be curtailed in BYU's managment, the second solution would be to follow the Catholic University model and separate colleges, departments, and programs vital to church educational interests from the secular university. The department of religious education would come under the church's direct control. Hiring, firing, teaching, and research goals would all be defined within the mission of the church. The rest of the university would be managed as a secular institution of higher education without church involvement.

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39. Johan Galtung, "Cultural Violence," *Journal of Peace Research* 27 (1990): 296.

• If the church cannot exercise either the first or the second option, it must sever its direct control of the university. Separation would establish BYU's reputation as an academic institution and the church's voiced commitment to free expression. The church would be free of the responsibility to control and administer every detail of an institution which by nature must pursue controversial ideas.

The basic issue is simple: It is not possible for the church to maintain control of BYU and not interfere on a regular basis with the free expression of its faculty and students. Free inquiry runs contrary to the dogmas of churches. The limitations placed on churches regarding the control of universities they sponsor and issues of free expression are understood and accepted by those who live in the environments of both. However, the costs of such control will always be a central issue characterized by contention and conflict. Ultimately, both the university and the church suffer from such conflicts with neither getting what they want.

BYU cannot be both a respected institution of higher learning and the primary seat of faith for Mormons unless the relationship is changed significantly. If BYU is to continue its progress toward national academic respectability, it must extricate its secular mission from any relationship with the church. By divesting its control of the university, the church will allow BYU to continue pursuing its academic mission and avoid destructive confrontations over academic freedom and church control of university activity.

The church must, sooner rather than later, relinquish control over BYU—in effect, allowing BYU to become a secular, private university—with an interesting tradition and memories of the old days when it was a "church school." Otherwise, it will have to destroy the institution with smothering control.