Academic Freedom and the Status of the Religiously Affiliated University*

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I. INTRODUCTION

Academic freedom is essential to a religiously affiliated university's effort to maintain a scholarly environment. Unlimited academic freedom, however, can diminish a sectarian university's religious nature by encouraging the advocacy of some ideas which undermine the university community's religious devotion. In order to maintain its dual religious and academic character, a religious university must carefully balance its need to protect its faith-based environment with its need to foster a climate of free expression. Severely limited academic freedom can threaten a university's educational environment; unbridled academic freedom can threaten a religious university's spiritual environment. Some religiously affiliated universities have successfully balanced these two competing objectives by their adoption of academic freedom policies that recognize a general right to free scholarly expression and enumerate narrow categories of speech harmful that are to the university, which professors should avoid.

Some in the academy, notably some members of the American Association of University Professors ("AAUP"), have shown intolerance to religious

1. We use the terms "religiously affiliated institution," "religious university," "denominational university" and "sectarian educational organization" synonymously, and define these terms to mean institutions of higher education which exhibit a sectarian character and are sponsored by a recognized religion.
4. The mission statement of the American Association of University Professors, reads: The mission of the American Association of University Professors (AAUP)
organizations by summarily dismissing these policies. To these individuals, all religious limitations of academic freedom, however slight, affect an institution's validity as a center of learning. According to this view, sectarian institutions that limit speech to protect a religious identity do not deserve to be designated "universities" or "seats of higher learning." The AAUP and its adherents believe an institution that bars speech merits nothing more than the

is to advance academic freedom, to define fundamental professional values and standards for higher education, and to ensure higher education's contribution to the common good. Founded in 1915, the AAUP has helped to shape American higher education by developing the standards and procedures that have maintained quality education and academic freedom in this country's institutions for most of the twentieth, and now in the beginning of the twenty-first century.

The AAUP's Statement of Principles on Academic Freedom and Tenure is the definitive articulation of these principles and practices, and is accepted throughout the academic community. The Association's procedures ensuring academic due process remain the model for professional employment practices on campuses throughout the country. AAUP's amicus briefs before the U.S. Supreme Court and federal and state appellate courts address significant issues of academic freedom, and our policy statements are frequently cited in court decisions.


The AAUP currently maintains a list of institutions of education "that, as evidenced by a past violation .... are not observing the generally recognized principles of academic freedom and tenure." Am. Ass'n of Univ. Professors, AAUP-List of Censured Administrations, at http://www.aaup.org/Com-a/Censure.htm (last visited Jan. 4, 2002). According to the AAUP,

[t]his list is published for the purpose of informing Association members, the profession at large, and the public that unsatisfactory conditions of academic freedom and tenure have been found to prevail at these institutions. Names are placed on or removed from this censure list by vote of the Association's annual meeting.

Id. Nearly one-half of the "censured institutions" are religiously affiliated. See id.

5. We use the term "academy" to refer to the American higher education community largely composed of professors, administrators, and students.

6. As will be shown, the academy recognizes other, often more restrictive, limitations on academic freedom. The AAUP appears to devote significantly less attention to these other restrictions than it does to those imposed by religiously affiliated universities. See discussion infra Part III.A.2.

7. Committee A on Academic Freedom & Tenure, The "Limitations" Clause in the 1940 Statement of Principles, ACADEME, Sept.-Oct. 1988, at 52, 55 [hereinafter The Limitations Clause]. An institution which invokes the religious Limitations Clause of the 1940 Statement has no "moral right to proclaim themselves as authentic seats of higher learning." Id. Thankfully, this position was not ultimately adopted as official policy by the AAUP. Id. at 56; see also Jerzy Brzeziński, Reflections on the University, in THE IDEA OF THE UNIVERSITY 201, 203-04 (Jerzy Brzeziński & Leszek Nowak eds., 1997) ("But those who found and maintain the University would prove their utter incomprehension of the essence of the University if they strove to restrict its work, to make in advance objections to some of its results, and indicate the results that would be desirable." (quoting Kazimierz Twardowski)).
This rigid position recognizes no middle ground—either an institution allows limitless expression or it warrants expulsion from the academy.

Individuals within the traditional academy, and those without, are troubled by the AAUP’s refusal to acknowledge alternatives designed to preserve the religious and academic aspects of a religious university. Yet, the increasing secularization of American higher education suggests that hostility will likely increase toward religious institutions that refuse to adopt the AAUP’s inflexible model of academic freedom. Perhaps more troubling is the question of why such a controversial stance has largely gone unanswered. An eventual embrace of such rhetoric by a majority of academicians—however misguided—could pressure religiously affiliated institutions to limit or even end their relationships with their sponsoring religious organizations in hopes of maintaining their standing in the increasingly secular academy.

This Article seeks to respond to this question. The Article’s thesis is simple: Institutions may reasonably limit academic freedom and still be considered legitimate universities. We advance this thesis in three stages. Part

8. The Limitations Clause, supra note 7, at 57 n.22.

9. The removal of the designation “university” from an institution, obviously would disrupt the institution’s standing in the academic community. See CLARK KERR, THE USES OF THE UNIVERSITY 15 (4th ed. 1995) (“The name of the institution stands for a certain standard of performance, a certain degree of respect, a certain historical legacy, a characteristic quality of spirit. This is of the utmost importance to faculty and to students, to the government agencies and the industries with which the institution deals. Protection and enhancement of the prestige of the name are central to the [institution].”).


12. Despite this danger, several religiously affiliated institutions have recently reaffirmed their commitment to maintaining their faith based environments by issuing statements or otherwise commenting on academic freedom. See, e.g., BYU ACADEMIC FREEDOM, supra note 3; see also John H. Robinson, A Symposium on the Implementation of Ex Corde Ecclesiae: Introduction, 25 J.C. & U.L. 645, 648 (1999); Meg Cullar, Conflicts Between Faculty, Administration Put BU in News, BAYLOR LINE, Winter 1997, at 10, 12.
II identifies several characteristics, apart from academic freedom, that have historically established an institution's status as a university. The identification of these characteristics show that the relatively recent concept of academic freedom, without limits, has not been essential when determining university status. Part III argues further that limitless academic freedom does not really exist in the university setting. As a consequence, an institution's status as a university should not depend on whether it offers unlimited academic freedom. Part IV examines the philosophical justifications for academic freedom and shows that those justifications support the right of a religious institution to limit academic freedom while claiming university status.

One commentator has suggested that the traditional concept of academic freedom should not apply to the unwilling religiously affiliated university, hence, religious institutions are incapable of violating academic freedom. That argument is not made here. Rather, it is assumed that the secular paradigm applies, and instead asks whether a religiously affiliated institution which limits academic freedom to preserve its religious identity can be a university. In answering that question in the affirmative, it is assumed that an institution adopts and conforms to a reasonable academic freedom policy.

This Article concludes that while freedom to teach, research, and publish are necessary to a university, such freedom never has been (and still is not) without limits. The limits, which some now disparage, actually contribute to the vitality of the academic community. By countering the AAUP's undisciplined assumption that an institution that limits academic freedom is not a university, this Article illustrates that a balance between religious identity and free academic expression is attainable and worthy of pursuit.

II. THE HISTORICAL CHARACTERISTICS OF THE UNIVERSITY

History demonstrates that academic freedom has not been an essential element in an institution's efforts to claim university status. Though the designation "university" has been used for at least nine centuries, commentators have yet to agree upon a succinct, universally applicable definition of the term. Countless books, articles, and philosophical debates,

13. See McConnell, supra note 10, at 305.
14. See The Glion Colloquium, The Glion Declaration, at http://www.weberfamily.ch/glion/en.htm (last visited Jan. 4, 2002) [hereinafter Glion Colloquium]. The Glion Declaration was the result of a meeting between American and European educators which was held to discuss the challenges facing higher education in the millennium. Id.
15. For the major characteristics debated upon see discussion infra Part IIA. Less agreed upon criteria include owning a library, calling an institution a university, being the recipient of a million dollar gift, and refusing to teach religion. See DANIEL COIT GILMAN,
offering disparate views of the university, evidence the difficulty the academy has had in defining exactly what constitutes a true university. Some attribute the lack of agreement to differences in the time, geography, and cultures of the world’s universities. Societal variations, according to those who hold that view, lead to variations among universities and ultimately to different definitions. Another explanation credits the diversity to the rampant nineteenth century use of the term by American schools, whose circumstances varied widely. Whatever the causes, one conclusion seems clear: the term “university” has long meant different things to different people.

The existence of multiple definitions has allowed a religious institution that does not permit unlimited academic freedom, but which exhibits other characteristics common to universities, to claim the title in good faith and in harmony with its secular counterparts. The modern idea of a university certainly contemplates academic freedom. However, the academy has endorsed the university status of many institutions which do not allow total freedom, but exhibit other characteristics thought worthy and consistent with a basic academic mission.

A. Factors Upon Which University Status Has Been Based

The literature on the subject constantly identifies several historical
characteristics that have warranted considering an institution a university.\textsuperscript{21}
Institutions have claimed the designation of university when they have: (1) maintained autonomous communities of scholars; (2) granted university status by church or government; (3) offered programs in some or all of the four traditional professions; (4) awarded advanced degrees; (5) educated students; (6) devoted to the discovery of truth through research; or (7) enjoyed some measure of academic freedom. We will briefly survey the first six characteristics and particularly attend to the seventh.

1. Communities of Scholars

The medieval founders of the university largely thought of the institution as a community of scholars. The phrase "university" originally identified "a number, a plurality, [or] an aggregate of persons."\textsuperscript{22} The term was used to designate a variety of groups, including scholars, bricklayers, and priests.\textsuperscript{23} Over time, the term became synonymous with the expression "studium generale," which referred to organized groups of teachers and students that enjoyed a degree of political autonomy and studied a specific curriculum.\textsuperscript{24}

To many in our day, the term "university" continues to carry this medieval meaning.\textsuperscript{25} Those with this view believe that our modern universities continue the medieval tradition by providing meeting grounds for those who want to learn and those who have knowledge to share. They believe that universities are true "learning communities"\textsuperscript{26} and "associations of scholars,"\textsuperscript{27} separated from

\begin{itemize}
\item \textsuperscript{21} \textit{See infra} notes 22-55.
\item \textsuperscript{22} 1 Hastings Rashdall, The Universities of Europe in the Middle Ages 5 (F. M. Powicke & A. B. Emden eds., 1936); cf. Charles Homer Haskins, The Rise of Universities 9 (1972) (reasoning that university historically meant a totality or group).
\item \textsuperscript{23} \textit{See} Haskins, supra note 22, at 9.
\item \textsuperscript{24} \textit{See} J.M. Cameron, On the Idea of a University 26 (1978); Alan B. Cobban, The Medieval English Universities: Oxford and Cambridge to c. 1500, at 2 (1988); S. S. Laurie, The Rise and Early Constitution of Universities, with a Survey of Mediaeval Education 64, 66 (N.Y., Humboldt Publishing 1887); Rashdall, supra note 22, at 15.
\item \textsuperscript{25} \textit{See} Rodney A. Smolla, Academic Freedom, Hate Speech, and the Idea of a University, 53 Law & Contemp. Probs., Summer 1990, at 195, 218-19 (referring to a "free fire zone" where political autonomy could exist).
\item \textsuperscript{26} \textit{See} Glion Colloquium, supra note 14.
a harsh world by a campus college and generally free to govern themselves.\textsuperscript{28} According to those with this belief, this independence from the outside world is central to the existence of a university because it shields the scholarly community from matters which would distract it from its mission.\textsuperscript{29}

2. Grants of Authority

Papal or royal recognition was another basis on which medieval institutions claimed university status.\textsuperscript{30} The king and pope wielded great power in the medieval age. The king ruled a political kingdom; the pope controlled a spiritual kingdom. The words of each were law to their subjects. Thus, if the king or pope designated a school a “university,” it was so.\textsuperscript{31} This often led to some confusion because the title was frequently granted to institutions which made no pretension to teach or study.\textsuperscript{32}

Official recognition eventually became so important to the university that by the fourteenth century, institutions without a royal charter or papal bull were not considered seats of higher learning.\textsuperscript{33} Today, the practice of granting charters to new institutions of higher learning is carried on by state governments.\textsuperscript{34} Accreditating organizations, acting in numerous contexts, also keep the tradition alive.\textsuperscript{35}


29. Brzeziński, supra note 7, at 202. However, those who would claim that this political autonomy was an early form of professorial academic freedom are misguided. The autonomy was from the church and state, not the institution itself, and rarely did the church or state completely honor it by not interfering in the affairs of the university. See generally Rashdall, supra note 22.

30. See Frijhoff, supra note 15, at 48-49.

31. Id.

32. See Laurie, supra note 24, at 65-66.

33. See Cobb, supra note 24, at 4 (“From the second half of the thirteenth century, the validating source thought necessary for the endorsement of a centre of learning as a studium generale was either the papacy or the emperor . . . .”). Many of the earliest universities were not initially recognized by authority. Rashdall, in his seminal work on the rise of the university, refuses to discuss institutions after the fourteenth century which were not recognized by pope or king, establishing that as a date after which recognition was an important factor. Rashdall, supra note 22, at 13.

34. See generally Rudolph, supra note 11, at 275-78.

3. The Four Traditional Professions

Institutions have also claimed status as a university because they support specific areas of advanced study. In order to be recognized, a medieval "studium generale" had to offer the "higher faculties" of philosophy, theology, medicine, and law. Many modern university builders relied on the same model used in medieval times. They believed that the addition of one or more of these fields of study to their curriculum would, among other things, give university stature to their institutions. Additionally, a few schools claimed to be universities based on the fact that they offered a curriculum of advanced study beyond the four traditional areas.

4. The Awarding of Degrees

Institutions that have actually awarded graduate degrees, as opposed to merely offering advanced study, have also held themselves out as universities. This custom also dates back to medieval times when a degree was granted so...
a person who studied at one school could prove his qualifications to teach at another without having to be extensively re-tested. The first American Ph.D. was granted by Yale in 1861 and institutions that have offered advanced degrees have characterized themselves as seats of higher learning ever since.

5. Teaching

Another activity believed by some to qualify an institution as a university was the teaching of students. This belief stems from the earliest universities’ one-dimensional focus on educating the student. Some have suggested that teaching is the only activity which makes an institution a university. Teaching strengthens the intellect, prepares students for the future, and preserves the culture in which the university resides. Universities became known for the prestigious persons who were instructors and the great scholars they trained. Alternatively, most scholars tended to gauge an institution’s worthiness of the title of “university” according to the quality of the teaching that occurred there. Henry Wadsworth Longfellow made clear his affiliation with the latter group when he envisioned a university as a place that brought “together professors in whom the spirit moved—who were well enough known to attract students to themselves, and . . . capable of teaching them something they did not know before.”

40. The medieval term for the privilege to teach at a university in which one did not study was jus ubique docendi. See BRUBACHER & RUDY, supra note 37, at 191 & n.120; COBBAN, supra note 24, at 4-5; Frijhoff, supra note 15, at 49.
41. DEVANE, supra note 36, at 8.
42. See BRUBACHER & RUDY, supra note 37, at 182-83. Bernard Berelson believes that an institution has not genuinely entered the field of graduate education until it confers at least one percent of the doctorates awarded in the United States annually. See BERNARD BERELSON, GRADUATE EDUCATION IN THE UNITED STATES 93 (1960); see also Philip Gleason, Academic Freedom and the Crisis in Catholic Universities, in ACADEMIC FREEDOM AND THE CATHOLIC UNIVERSITY 33, 41 (Edward Manier & John W. Houck eds., 1967).
43. See DEVANE, supra note 36, at 17; Winchester, supra note 28, at 277.
44. See DEVANE, supra note 36, at 4-5 (stating some did not believe a university could or should train a researcher); ROBERT T. SANDIN, THE SEARCH FOR EXCELLENCE: THE CHRISTIAN COLLEGE IN AN AGE OF EDUCATIONAL COMPETITION 46 (1982). But see LUCAS, supra note 39, at 144. According to Charles S. Pierce the university has “nothing whatsoever to do with instruction.” Id.
45. See Magna Charta, supra note 27.
46. GILMAN, supra note 15, at 50.
47. George Ticknor, credited as being the first U.S. student to study in the highly touted German system, proposed “a wider range of subjects, an elective choice of subjects, [and] lectures instead of recitations.” See WALTER P. METZGER, ACADEMIC FREEDOM IN THE AGE OF THE UNIVERSITY 101 n.28 (1955).
48. See id. at 100 (showing Longfellow’s praise of the German Model of higher
The term "university" has also been applied to institutions devoted to the
discovery of truth through objective scientific research. The Germans were
the first to structure their universities around this ideal. They strongly believed
that the search for truth should be free of moral and ethical considerations and
conducted primarily through original investigation. This academic model
began to be discussed in the American higher education community during the
eyear part of the nineteenth century. The founding of Johns Hopkins
University (1876), the first American institution to integrate the German model,
is considered by some to mark the beginning of the age of the modern research
university. Today, many American academicians would agree that knowledge
is essential to the well being of society and, consequently, should be the core
business of the university. Thus, knowledge, not character or religious
devotion, is the supreme objective of the academy. True universities are
expected by many to devote their best efforts to pure research in order to
discover and disseminate knowledge.

B. The Status of theReligiously Affiliated University

Our review of the historical conceptions of the true university indicates that
a religiously affiliated university that limits academic freedom in order to
preserve its religious identity can rightly be considered a university in the full
sense of the term. Historically, each of the criteria mentioned have supported

49. Edmund L. Pincoffs, Introduction to The Concept of Academic Freedom, at xvi

50. BRUBACHER & RUDY, supra note 37, at 174 ("The essence of the German
university system, which gave it intellectual leadership in the nineteenth century, was the
concept that an institution of true higher learning should be, above all, 'the workshop of free
scientific research.'").

51. See METZGER, supra note 47, at 103. The chief objective of the university,
according to Daniel Coit Gilman, was the "encouragement of research; the promotion of
young men; and the advancement of individual scholars, who by their excellence will advance
the sciences they pursue, and the society where they dwell." Id. (citing Daniel Coit Gilman).

52. See id.

53. John R. Searle, Two Concepts of Academic Freedom, in The Concept of
Academic Freedom 86, 87 (Edmund L. Pincoffs ed., 1975) ("The purpose of the university
is to benefit the community... through the advancement... of knowledge." In fact, "the
university is an institution designed for the advancement and dissemination of knowledge.");
Glion Colloquium, supra note 14.

54. See Winchester, supra note 28, at 276.

55. See BRUBACHER & RUDY, supra note 37, at 206.
claims of university status, together and separately. Thus, it is not surprising
that religiously affiliated institutions have been leaders in the university
movement for centuries and can comply with all the factors. Almost all
religiously affiliated universities teach, grant higher degrees, offer courses in
the higher faculties, are communities of scholars, and pursue truth through
research. Conscientious limitations of certain types of speech cannot negate
these qualifications.

III. THE LIMITATIONS OF ACADEMIC FREEDOM

There is no such thing as academic freedom without limits. Consequently,
an institution's status as a university cannot legitimately be questioned because
it imposes restrictions on academic freedom designed to preserve the
institution. Historically speaking, academic freedom is the most recent criterion
thought by many to be necessary for an institution to be considered a
university. The American concept of academic freedom was adopted from
Germany around the same time the American academy accepted the German
emphasis on research and truth. The Germans believed, that in order to
achieve knowledge through research, two things were essential: Lernfreiheit
(the ability of the student to freely study) and Lehrfreiheit (the ability of the
professor to freely teach and research). Scholars needed these freedoms in
order to be able to explore and discover all avenues of truth. Limiting the
freedom to research a certain subject was deemed tantamount to limiting the
ability to discover that subject's truths.

These German ideals took root in America. In 1915, the newly formed

56. See Richard T. De George, Academic Freedom and Tenure: Ethical Issues
55 (1997); Metzger, supra note 47, at 44-45; Avery Dulles, The Teaching Mission of the
Church and Academic Freedom, in Issues in Academic Freedom 42, 50 (George S. Worgul,
57. See generally Metzger, supra note 47.
58. Brubacher & Rudy, supra note 37, at 174.
59. To some, the university's main purpose is no longer the pursuit of truth. Academic
freedom is much harder to support if this idea is accepted. See Neil W. Hamilton, Foreword:
Professor Louis Menand writes:
In any event, it is fair to say that almost no one in my field, and certainly almost no
one in my generation, any longer believes in the theory of knowledge production
from which the institutional structure of the modern university derives . . . In this
state of intellectual affairs, it becomes very difficult to argue that professors need
the protections associated with the concept of academic freedom, since so many
professors now assert that their work is not about reaching the truth in a field, but
about intervening politically in a conversation.
Id. (quoting Louis Menand, The Future of Academic Freedom, ACADEME, May-June 1993,
at 11, 15-16).
American Association of University Professors ("AAUP") drafted its seminal *Statement on Academic Freedom*, which codified the prevailing U.S. views on the subject. The American academy somewhat modified the German model by heavily emphasizing the academic rights of the professors and largely disregarding the academic rights of the students. Academic freedom, as articulated by the AAUP, guarantees professors the following: the right to teach, the right to conduct research, and the right to publish research—all without administrative, governmental, or public interference.

### A. Limitations on Academic Freedom

These freedoms are now commonly accepted as important components of the ideal of a university. However, as with all freedoms, the doctrine of academic freedom is not absolute. Historically, it has been limited in several ways. The academy, the AAUP, and the courts have each recognized restrictions on academic freedom that do not call into question the reputation of the institution enforcing the restrictions.

#### 1. Limitations Imposed by the Academy

Members of the academy recognize several general limitations to the

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61. See Metzger, * supra* note 47, at 206-07.


65. See Gordon & Durham, * supra* note 64, at 711.
doctrine of academic freedom. First, nearly all academics recognize that professors are hired to teach and research in certain areas. The confinement of a professor’s teaching and research to a particular subject certainly limits her academic freedom because she cannot study or teach whatever or wherever her discovery takes her. Second, some commentators characterize speech which is offensive, harassing, or hateful as outside the boundaries of academic speech protection. Similarly, others think that speech that advocates a certain political or social position is outside the scope of academic freedom protection.

Third, the secular academy imposes restrictions on academic freedom by limiting religious speech. A recent court case illustrates this point. A University of Alabama professor was requested by the school administration to cease speaking on religious matters in school. The university administration responded to student complaints regarding the professor’s speech by requiring him to cease “1) the interjection of religious beliefs and/or preferences during instructional time periods and 2) the optional classes where a ‘Christian Perspective’ of an academic topic is delivered.” The professor challenged the university in court. The university, on appeal, ultimately prevailed because its restrictions did not impact the professor’s free speech or free exercise rights. Notwithstanding the outcome of the case, it is arguable that the censorship of the professor’s speech violated the principles of academic freedom. The university was able to restrict the professor’s speech because the subject matter was religious in nature.

67. See id. at 106; Carter, supra note 2, at 493-94.
68. Note the widespread debate over the appropriateness of speech codes. See De GEORGE, supra note 56, at 91-92; Ronald Dworkin, We Need a New Interpretation of Academic Freedom, in THE FUTURE OF ACADEMIC FREEDOM 181, 192-95 (Louis Menand ed., 1996); Smolla, supra note 25, at 221-23; Sunstein, supra note 66, at 108-09.
69. See Menand, supra note 63, at 15-16.
70. See Gordon & Durham, supra note 64, at 711-12.
72. Bishop v. Aronov, 926 F.2d 1066, 1069 (11th Cir. 1991). The fact that the AAUP refused to investigate the University of Alabama for violation of academic freedom, seems to implicitly recognize the ability to limit speech regarding religious matters.
73. Id. at 1077-78.
74. At one time the academy felt that it was justified in limiting speech hostile to religion. See, e.g., Comm. on Academic Freedom & Tenure of Office, Report of Committee, 3 ASS’N AM. COLLEGES BULL., Apr. 1917, at 48, 51. A professor hired to teach at a christian university “can scarcely assume that freedom of speech includes the right either privately to undermine or publicly to attack Christianity.” Id.
The limitations just mentioned are just a few of the restrictions placed on academic speech. Whether it is admitted or not, every department in every college subjectively limits what should or should not be taught, discussed, and published. Every school fosters a climate hostile to certain ideas and amenable to others. Every workplace has within it a pressure to conform to certain standards; the academic community is no exception. Failure to comply with these unstated standards often influence a professor’s prospects for hiring, promotion, and tenure. Denial of career opportunities due to a professor’s life outlook and academic areas of interest certainly constitutes a denial of academic freedom, whether the standards for denial are subjective or objective, stated or implied.

2. Limitations Imposed by the AAUP

The AAUP also recognizes limits to academic freedom. The AAUP’s 1915 and 1940 statements regulate the ability of a professor to engage in speech that is either unprofessional or dishonest. For example, a professor may not blatantly lie or engage in meaningless scholarship without consequence. While the scope of these prohibitions has been debated, the prohibitions clearly restrain speech and support the proposition that some limits exist.

Many once believed that the AAUP recognized the existence of the right of religiously affiliated universities to limit speech which interfered with the religious mission of a university. The “Limitations Clause” of the 1940 Statement of Principles on Academic Freedom provided that: “Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.” Relying on the plain language of the clause, religious universities believed that they had the

75. See Gordon & Durham, supra note 64, at 711.
77. See generally The A.A.U.P.’s “General Declaration of Principles,” 1915, supra note 60, at 865.
78. See id. at 871; Metzger, supra note 47, at 136-37.
79. See Metzger, supra note 47, at 206.
80. See Carter, supra note 2, at 493-95; Ralph F. Fuchs, Academic Freedom–Its Basic Philosophy, Function, and History, in ACADEMIC FREEDOM: THE SCHOLAR’S PLACE IN MODERN SOCIETY 1, 7 (Hans W. Baade & Robinson O. Everett eds., 1964) (“The professional charter of academic freedom which is currently followed concedes more generally that a college or university may insist [on] limitations . . . . This concession recognizes the church sponsorship of many institutions in this country and the civil liberty of individuals and groups, including those who form academic institutions, to govern their own affairs.”).
81. The Limitations Clause, supra note 7, at 52.
right to limit freedom that could harm the religious mission of the institution as long as they appropriately stated the limits.\textsuperscript{82}

More recently, the AAUP seems to have disavowed its longstanding recognition of this principle.\textsuperscript{83} "Most church-related institutions," it asserted in a 1970 document, "no longer need or desire the departure from the principle of academic freedom implied in the 1940 Statement, and we do not now endorse such a departure."\textsuperscript{84} Strikingly, the AAUP has not stopped with a mere lack of endorsement of the Limitations Clause. Rather, it has cast a pall of doubt over the intellectual bona fides of religious institutions which invoke the clause.\textsuperscript{85} A 1988 AAUP committee report states that institutions that invoke the religious limitations clause of the 1940 Statement on Academic Freedom have "no 'right' . . . [to] simultaneously . . . invoke the limitations clause and to claim that it is an institution of learning to be classed with institutions that impose no such restriction."\textsuperscript{86} The AAUP's apparent hostility toward religiously affiliated universities\textsuperscript{87} has not yet translated into a permanent gutting of the limitations clause; indeed, many universities still rely on it.\textsuperscript{88} But, religiously affiliated universities will miss the explicit recognition of their right to limit academic freedom in order to preserve their religious character.

3. Limitations Imposed by Constitutional Law

Religiously affiliated universities may be able to compensate for the AAUP's departure from its limitations clause by relying on two doctrines of constitutional law.\textsuperscript{89} First, although the Supreme Court has acknowledged that

\begin{itemize}
  \item \textsuperscript{83} ROBERT K. POCH, \textit{ACADEMIC FREEDOM IN AMERICAN HIGHER EDUCATION: RIGHTS, RESPONSIBILITIES, AND LIMITATIONS} 58 (1993) ("The ambiguity and confusion that envelop academic freedom in some church-related colleges and universities results from incomplete policy statements and the failure to place academic freedom within the context of religious systems of thought.").
  \item \textsuperscript{84} \textit{The Limitations Clause, supra} note 7, at 52.
  \item \textsuperscript{85} \textit{See supra} notes 1-13 and accompanying text.
  \item \textsuperscript{86} \textit{The Limitations Clause, supra} note 7, at 55. The AAUP did not adopt this position as official policy. \textit{Id.} at 56.
  \item \textsuperscript{87} \textit{See id.} at 52-53.
  \item \textsuperscript{89} \textit{See McConnell, supra} note 10, at 305-06. \textit{See generally} Suzanna Sherry, \textit{Enlightening the Religion Clauses}, 7 J. CONTEMP. LEGAL ISSUES 473 (1996) (discussing the epistemological logical conflict between faith and reason in constitutional application).
\end{itemize}
academic freedom is a "special concern of the First Amendment,"\textsuperscript{90} it has yet to recognize a constitutional cause of action on behalf of individual professors who have had their freedom limited. To date, there is no private right of action.\textsuperscript{91} Instead, the court appears to have recognized the institutional academic freedom rights of colleges and universities.\textsuperscript{92} "Academic freedom," stated the court in \textit{Regents of the University of Michigan v. Ewing}, "thrives not only on the independent and uninhibited exchange of ideas among teachers and students, but also, and somewhat inconsistently, on autonomous decisionmaking by the academy itself."\textsuperscript{93} Seven years before \textit{Ewing}, in \textit{Regents of the University of California v. Bakke}, Justice Powell identified specific activities which academic freedom gives universities a right to control:

It is the business of a university to provide that atmosphere which is most conducive to speculation, experiment and creation. It is an atmosphere in which there prevail "the four essential freedoms" of a university--to determine for itself

\textsuperscript{90} Keyishian v. Bd. of Regents, 385 U.S. 589, 603 (1967). While the quoted portion is dicta, it seems to reflect common thinking.

\textsuperscript{91} "Our Nation is deeply committed to safeguarding academic freedom, which is of transcendent value to all of us and not merely to the teachers concerned." \textit{Id.} Whether violations of academic freedom give a professor a constitutional cause of action has been vigorously debated for some years. See \textit{POCH}, supra note 83, at 15-16; J. Peter Byrne, \textit{Academic Freedom: A "Special Concern of the First Amendment,"} \textit{99 YALE L.J.} 251, 258-61 (1989); Haskell, supra note 38, at 44, 47, 54; Murphy, supra note 62, at 17; David M. Rabban, \textit{Functional Analysis of "Individual" and "Institutional" Academic Freedom Under the First Amendment}, \textit{53 LAW & CONTEMP. PROBS.}, Summer 1990, at 227, 229-30; William Van Alstyne, \textit{The Specific Theory of Academic Freedom and the General Issue of Civil Liberty, in THE CONCEPT OF ACADEMIC FREEDOM 59}, 67 (Edmund L. Pincoffs ed., 1975). A few lower courts speak of first amendment academic freedom claims, however, even in these cases the exact nature of such claims remains nebulous because the courts evaluate the claims using a traditional first amendment analysis. See, e.g., Bonnell v. Lorenzo, 241 F.3d 800 (6th Cir.), \textit{cert. denied}, 122 S. Ct. 347 (2001).


\textsuperscript{93} Regents of the Univ. of Mich. v. Ewing, 474 U.S. 214, 226 n.12 (1985) (citation omitted).
on academic grounds who may teach, what may be taught, how it shall be taught, and who may be admitted to study.\textsuperscript{94}

More recently, Justice Souter emphasized the same point in his concurrence to the court's decision in \textit{Board of Regents v. Southworth} when he said: "Our understanding of academic freedom has included not merely liberty from restraints on thought, expression, and association in the academy, but also the idea that universities and schools should have the freedom to make decisions about how and what to teach."\textsuperscript{95} Perhaps this principle is best summarized by a recent opinion from the Fourth Circuit Court of Appeals. In \textit{Urofsky v. Gilmore}, the Fourth Circuit refused to overturn a Virginia law forbidding the use of pornography on state property despite the appellant's argument that the law violated their right to academic freedom. The court properly recognized that "[t]he Supreme Court, to the extent it has constitutionalized a right of academic freedom at all, appears to have recognized only an institutional right of self-governance in academic affairs."\textsuperscript{96}

These statements (and the cases interpreting them) indicate that it is largely the university (and not the professor) that enjoys a legal right to academic freedom.\textsuperscript{97} Not surprisingly, the emphasis on a university's right to control its educational environment accords with the deference the Supreme Court has given educational institutions in the past.\textsuperscript{98} It is possible that such precedents could at some point be used by a university against state-sponsored


\textsuperscript{97} See Univ. of Pa. v. EEOC, 493 U.S. 182, 198 (1990) (refusing to recognize a professor's constitutional right to academic freedom); \textit{Urofsky}, 216 F.3d at 411-12 ("It is true, of course, that homage has been paid to the ideal of academic freedom in a number of Supreme Court opinions, often with reference to the First Amendment. Despite these accolades, the Supreme Court has never set aside a state regulation on the basis that it infringed a First Amendment right to academic freedom." (citations omitted)); Webb v. Bd. of Trustees, 167 F.3d 1146, 1149 (7th Cir. 1999) (recognizing that academic freedom is the right of an institution); Edwards v. Cal. Univ., 156 F.3d 488, 491 (3d Cir. 1998) ("[A] public university professor does not have a First Amendment right to decide what will be taught in the classroom."); Boring v. Buncombe County Bd. of Educ., 136 F.3d 364, 369-70 (4th Cir. 1998) ("[T]he school, not the teacher, has the right to fix the curriculum."). For a variety of other recent cases where the courts have upheld the universities right to control elements normally associated with academic freedom, see Kevin F. O'Shea, \textit{First Amendment Cases in Higher Education}, 26 J.C. & U.L. 193 (1999).

\textsuperscript{98} See \textit{Tinker v. Des Moines Indep. Sch. Dist.}, 393 U.S. 503, 507 (1969) ("[T]he Court has repeatedly emphasized the need for affirming the comprehensive authority of the States and of school officials ... to prescribe and control conduct in the schools.").
organizations that deny its right to academic freedom by refusing it full participation in the academy. At the very least, these Supreme Court precedents constitute an important legal and intellectual defense against those who blindly assail a religiously affiliated educational institution’s right to participate in the academy.

A religiously affiliated institution may also be able to continue to limit academic freedom, while it maintains university status, by appealing to current Free Exercise Clause jurisprudence. The Constitution forbids governmental, and non-governmental entities that assume governmental functions, from prohibiting the free exercise of religion.\textsuperscript{99} Denial of religious expression is unconstitutional. Because the establishment of a university is arguably an act of religious expression, denominationally affiliated universities’ claim of university status may be protected from state action.\textsuperscript{100} Presently, the AAUP and individual segments of the academy do not qualify as state actors and cannot violate the constitutional rights of a religiously affiliated university. However, accrediting organizations and state universities may yet be found to be state actors.\textsuperscript{101} The denial of full admission to the academic community to a religiously affiliated institution by these organizations, may amount to a constitutional violation.\textsuperscript{102}


\textsuperscript{101} See Laycock & Waelbroeck, \textit{supra} note 99, at 1455; Nelson, \textit{supra} note 100, at 664. But see Gordon & Durham, \textit{supra} note 64.

\textsuperscript{102} In order prove that a constitutional violation has occurred, a religious university must either: 1) show that the policy preventing the religious expression was not generally applicable and neutral (which arguably could be shown by demonstrating that only limitations by religious institutions are censured and other limitations are not); or, 2) combine the claim with another First Amendment cause of action. \textit{See Employment Div. v. Smith}, 494 U.S. 872, 879, 881 (1990) (stating court "decisions have consistently held that the right of free exercise does not relieve an individual of the obligation to comply with a 'valid and neutral law of general applicability on the ground that the law prescribes (or prescribes) conduct that his religion prescribes (or proscribes).'. . . . The only decisions in which we have held that the First Amendment bars application of a neutral, generally applicable law to religiously motivated action have involved not the Free Exercise Clause alone, but the Free Exercise Clause in conjunction with other constitutional protections, such as freedom of speech and of the press."). A religious university’s chances of prevailing on a free exercise claim combined with an expressive association claim may be significant. \textit{See} Boy Scouts of Am. v. Dale, 530 U.S. 640, 647-48 (2000).
B. The Status of the Religiously Affiliated University

In summary, academic freedom is an important component of the modern university. However, academic freedom is always limited. Thus, a true university is defined not by whether it imposes limits on academic freedom, but by what those limits are. A religiously affiliated university may restrict academic freedom in ways different from the majority of the academy, but such restrictions should not automatically call in to question the right of the religious institution to be called a university. Further, as shown above, it is debatable whether limitations on speech that affect the religious nature of the university violate academic speech norms at all. The evidence seems to indicate that limitations do not.

Our conclusions here, regarding the ability of an institution to forbid certain types of speech and still maintain the climate of academic freedom required for university status, concur with a study conducted at Brigham Young University by Professor Keith Wilson, at the invitation of Michael Beaty and Larry Lyon of Baylor University. The survey, previously administered at Baylor, Notre Dame, and Boston College, was part of a larger project sponsored by Lily Endowment Inc. entitled, "Religion and Education in American Public Life." Despite an academic freedom policy that prohibits expressions which "contradict[] or oppose[], rather than analyze[] or discuss[], fundamental Church doctrine or policy," almost three-fourths of the survey respondents reported that the balance between the right of the institution and the right of the professor to academic freedom was appropriate. Eighty-eight percent of participants said that they had more freedom to teach a subject a certain way than they would at any other university. These responses are remarkable considering the fact that half of the faculty felt the university's climate had moved toward faith and away from academic freedom in the preceding decade.

IV. PHILOSOPHICAL CONSIDERATIONS

Religiously affiliated institutions' claim to university status is also
bolstered by the philosophical predicate for academic freedom. Several justifications have been suggested for the wide latitude given to the academic community. We consider four: 1) academic freedom is the best method of obtaining truth; 2) academic freedom promotes diversity; 3) academic freedom fosters the common good; and 4) academic freedom helps avoid false expectations.

A. Academic Freedom Is the Best Method of Obtaining Truth

Advocates of academic freedom most often point to the societal need to “advance truth” in the “marketplace of ideas.” Espoused by John Stuart Mill in On Liberty (1859), the “marketplace of ideas” theory holds that all suppression of speech is wrong, whether the speech is true or not. Mill reasoned that if a suppressed opinion is valid, society is denied the benefit of it; if a suppressed opinion is false, society is denied the greater “understanding of truth” which inevitably derives from a dialectical collision with error; and, if the opinion is part valid and part false, censure would deny society the whole truth. In each case, Mill held speech limitations collide with society’s best interest.

Mill’s thesis has become the core justification for academic freedom at the university. Proponents of academic freedom contend that unbridled speech is essential if the university is to fulfill its mission to discover new truth. In fact, according to advocates, the university is indispensable to the law of free expression because it is the institution in modern society most singularly devoted to seeking the truth. Thus, academic freedom, these advocates believe, is essential to a free society.
1. To Deny a Religious Institution University Status Is to Prevent the Discovery of Truth

Surprisingly, Mill's thesis can be used to justify the existence of religious universities that limit academic freedom. First, exclusion of a religious institution from the marketplace of ideas, on the grounds that it ignores academic freedom, is inconsistent with Mill's thesis. If all speech—including that which is true, false, or both—is valuable, as Mill asserts, then the voice of the university warrants recognition by the academic community. To deny a religious institution university status would dramatically limit the institution's standing to express itself with authority in the academic world. The academy must allow religious institutions to participate in the academic community, otherwise the search for truth will be incomplete. Thus, the inconsistency in the AAUP's current approach is obvious—in order to foster a professor's academic freedom, some in the academy would deny the institutional academic freedom of religiously affiliated universities.

2. Institutions Can Limit Speech Harmful to Religion

Mill's thesis also requires that religious universities be allowed to limit speech on all religious matters. The marketplace of ideas rationale rests on the ability of society to determine the truth or falsity of an idea. Only if speech can ultimately be determined to be true or false can it help society at large. True speech, in time, can be recognized as such. False speech contributes to the discovery of that which is true. The prevailing academic view has incorporated Mill's reasoning by focusing on the discovery of truth through objective research. That which cannot be proven should not be studied at all. Consequently to secular scholars, science is more valuable than religious doctrine and should be studied because it can be proven. Experiential religious thought and doctrinal verity

ACADEMIC FREEDOM 37, 46 (Edmund L. Pincoffs ed., 1975).
115. See McConnell, supra note 10, at 305.
116. See Rabban, supra note 91, at 229; Fish, supra note 10.
117. See Neil Hamilton, Zealotry and Academic Freedom: A Legal and Historical Perspective 250 (1995); see also Fish, supra note 10.
118. F. W. Garforth, John Stuart Mill's Theory of Education 30 (1979) (recounting a statement made by John Stuart Mill: "Mine professes to be a logic of experience only, and to throw no further light upon the existence of truths not experimental than is thrown by showing to what extent reasoning from experience will carry us.").
119. F. W. Garforth, Educatice Democracy: John Stuart Mill on Education in Society 150 (1980). According to Mill that which cannot be rationally certain should not be taught. Id.
cannot be proven scientifically and thus should not be studied.\textsuperscript{120} The academy uses this dichotomy to discard centuries of religious thought and divorce itself from questions of a spiritual nature.\textsuperscript{121}

The same reasoning, however, demands that religious universities be allowed to limit speech critical of religion if the speech cannot be proved by scientific standards.\textsuperscript{122} Much speech regarding religion falls in this category and can generally muster no more scientific proof for its support than the religious ideas it seeks to attack. Of course some thought harmful to some religious traditions can be proven scientifically (carbon dating of the earth, for example). Mill’s thesis does not support limiting these statements, and it is added that most religious universities do not want to limit them. The marketplace of ideas rationale, however, does envision limiting speech aimed at distorting or changing a religious doctrine which can be proved neither true nor false.

Objectively, the limitations are mirror images of one another. The public university prohibits its professors from teaching that God exists (or that related doctrines are right), while the religious institution prohibits its professors from teaching that God does not exist (or that related religious doctrines are wrong).\textsuperscript{123} Neither view, to date, is provable by scientific means and, therefore, is subject to equal amounts of scrutiny. Thus, the claim of a religiously affiliated institution to be a university, as we argue, is actually supported by Mill’s thesis.

B. Academic Freedom Promotes Diversity

Many who support academic freedom reason that the value of diversity in the scholarly world requires unlimited speech. The need for diversity is based in part on Mill’s “marketplace of ideas” theory, which contemplates that both true and false speech aids the discovery of truth. Educational theorists also support the idea of diversity, claiming that unlimited speech will expose students to a better, more rounded education.\textsuperscript{124} The academy’s recognition of

\begin{itemize}
  \item \textsuperscript{120} The study of religion as a subset of history or philosophy can be carried on in a scientific manner, but in such study the emphasis is not on the exposition of divine truth, but rather the history, sociology, etc. of the religion itself.
  \item \textsuperscript{121} See generally MARSDEN, supra note 11.
  \item \textsuperscript{122} See GARFORTH, supra note 118, at 154.
  \item \textsuperscript{123} Gordon & Durham, supra note 64, at 712.
  \item \textsuperscript{124} See generally WILLIAM G. BOWEN & DEREK BOK, THE SHAPE OF THE RIVER: LONG-TERM CONSEQUENCES OF CONSIDERING RACE IN COLLEGE AND UNIVERSITY ADMISSIONS (1998); THE COMPELLING NEED FOR DIVERSITY IN HIGHER EDUCATION (Univ. of Mich. ed., 1999) (concluding that diversity is vital to the success of higher education through a compilation of expert opinions).
\end{itemize}
the importance of diversity makes their attempted denial of university status to religiously affiliated institutions untenable. The very existence of religiously affiliated universities offers diversity to both the academy and society in general. Diversity demands choices and religiously affiliated universities offer them in many ways. A few are quickly mentioned.

Religiously affiliated universities offer the academy a diverse method of discovering truth. While most of the scholarly world relies on the scientific method alone, many religious universities believe that understanding can be gained through two processes—reason and faith. According to those with this view, both intellectual study and spiritual inquiry can lead to truth. Each process “plays an important role in [the fulfillment of] that ancient and all-important mandate to ‘get understanding’ (Prov. 4:7). . . . there is no inherent inconsistency between the two processes . . . our eventual achievement of total perfection will require the use of both processes.” So far, to our knowledge, this view serves as the only alternative to the scientific method.

Similarly, religious universities offer a diverse environment in which to teach and research. They are almost the only places in the academy where scholars who hold religious beliefs can incorporate their beliefs into their studies and their teachings. Only at a religious school can faculty feel fully confident about sharing their personal values and their beliefs without negative


126. Stephen L. Carter feels that the subversive nature of the university, which is their alternative voice to society, is their great contribution. See Carter, supra note 2, at 484-85; see also Christopher Wolfe, The Ideal of a (Catholic) Law School, 78 MARQ. L. REV. 487, 493 (1995).

127. See BEN C. FISHER, THE IDEA OF A CHRISTIAN UNIVERSITY IN TODAY’S WORLD 37 (1989) (outlining one authors version of Christian inquiry); MANNING M. PATTILLO, JR. & DONALD M. MACKENZIE, DANFORTH COMM’N, CHURCH-SPONSORED HIGHER EDUCATION IN THE UNITED STATES 92 (1966); SANDIN, supra note 44, at 16; SCHWEHN, supra note 76, at 44. This dual mode of truth seeking, while out of vogue today, dominated the academic world for centuries. Such historical fact undermines recent claims that the dual mode is incompatible with the nature of a university. See generally JULIE A. REUBEN, THE MAKING OF THE MODERN UNIVERSITY: INTELLECTUAL TRANSFORMATION AND THE MARGINALIZATION OF MORALITY (1996). It should be noted that not all religiously affiliated universities claim to use a dual mode of truth seeking. See Michael Beaty et al., Baptist Higher Education: A Conflict in Terms?, BAYLOR LINE, Winter 1997, at 43.

128. See Poch, supra note 83, at 59.

129. Rex E. Lee, By Study and Also by Faith, in EDUCATING ZION 133, 133 (John W. Welch & Don E. Norton eds., 1996). The late Rex E. Lee, a former President of Brigham Young University, wrote these words while serving as the Solicitor General of the United States. Id. at 141.
results. Thus, it is not surprising that approximately 88% of the respondents in Keith Wilson's survey of faculty at BYU felt that they had more academic freedom at a religious university, not less.\textsuperscript{130}

Religious universities offer diversity to students seeking a different perspective from the secular education they received in high school. Religious universities give students a different perspective by offering them a faithful, nurturing environment in which to learn. Many students attend a religious university because they share the same beliefs and expect to be trained in a particular way. A religious university provides them with a style of living and learning impossible to find at other universities.\textsuperscript{131}

Denominational universities also provide diversity by contributing to the longstanding traditions of faith this country has enjoyed. Many of the great works of art, literature, music, architecture, and other fields once came from religious tradition. Religious universities help maintain the impulses and noble emotions that once inspired these works. They also serve as centers of their varied religious traditions and, by doing so, maintain the life and purity of their sponsoring religions. In an increasingly secular world, the institutions help to guarantee the continued vitality of the traditions of faith in the United States. We have mentioned just a few of the numerous ways that the religiously affiliated university offers diversity to the academy. Yet, our conclusion is obvious: if the academy is truly interested in diversity it will seek to uphold the religiously affiliated university, notwithstanding occasional, albeit inevitable tension between secular and religious values.

\textbf{C. Academic Freedom Fosters the Common Good}

The wide latitude given to the academic community has also been justified by the common good that the academy does for society.\textsuperscript{132} The 1940 Statement invokes this noble goal as follows: "Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole."\textsuperscript{133} Commentators have recognized that the traditional universities' pursuit of the common good merits the unprecedented degree of autonomy that they enjoy.\textsuperscript{134} In short, religious

\begin{itemize}
\item \textsuperscript{130} \textit{See} Wilson, supra note 103, at 168.
\item \textsuperscript{131} \textit{See} Wolfe, supra note 126, at 487-88.
\item \textsuperscript{132} \textit{See} Murray supra note 62, at 111; Glion Colloquium, supra note 14.
\item \textsuperscript{133} \textit{Academic Freedom and Tenure: 1940 Statement of Principles—Proposed Interpretive Comments}, AAUP BULL., Mar. 1970, at 26, 27 (emphasis added).
\item \textsuperscript{134} \textit{See} Richard Ohmann, \textit{Historical Reflections on Accountability}, ACADEME, Jan.-Feb. 2000, at 24, 24.
\end{itemize}
universities can claim university status because they, like the rest of the academy, contribute to the common good.

Of course, no definition exists to clearly define what is meant by the common good. What the "common good" consists of will differ from person to person, group to group, country to country, and so on. Religiously affiliated universities are no exception and believe that their mere existence contributes to the good of society.

Observers will agree that religiously affiliated universities clearly contribute to society. They are in large measure excellent schools, ranking among the best in the country. They have participated in the academic life of the country since its founding. In an age where more and more young people are clamoring for information regarding the spiritual life, religious universities offer it. They also serve as the cultural centers for the religious population of America, which is still quite large. Due to the obvious

135. See id. For example conservatives tend to equate the common good with the interests of the sovereign while liberals tend to equate the common good with the interests of the poor and powerless. Id.

136. See JENCKS & RIESMAN, supra note 11, at 17 ("In the course of institution building all administrators find it expedient to pretend that the interests of their institution and of the larger society are identical. Academic administrators are no exception. Many even come to believe their own talk."); Milton Fisk, Academic Freedom in Class Society, in THE CONCEPT OF ACADEMIC FREEDOM 5, 9-10 (Edmund L. Pincoffs ed., 1972) (identifying the common good with the plight of the working class).

137. Carter, supra note 2, at 479-80.

138. For example, religiously affiliated universities constantly rank high in the U.S. News and World Report rankings. See America's Best Colleges: Best National Universities, U.S. NEWS AND WORLD REP., Sept. 11, 2000, at 106-07. The institution we represent, Brigham Young University, ranks amongst the best in the nation in the number of National Science Foundation fellowships awarded to students and 18th in the nation in enrollment of National Merit Scholars. See Brigham Young Univ., BYU Fact File—About BYU, at http://www.byu.edu/about/factfile/what-f1.html (last visited Jan. 5, 2002). Its Law School and Business School are consistently ranked in the top 50 law and business programs in the country. Id.


141. See generally William G. Pollard, The Recovery of Theological Perspective in a Scientific Age, in RELIGION AND THE UNIVERSITY 21 (Jaroslav Jan Pelikan et. al. eds., 1964)
contributions such institutions have made and will surely continue to make, the contention that religiously affiliated universities are not true centers of higher learning because they limit academic freedom will fall on deaf ears.\textsuperscript{142}

D. False Expectations

Finally, defenders of academic freedom have justified their cause by appealing to society's sense of fairness. Many argue that because society has mandated that the university discover truth, if society denies the academy freedom it will be guilty of creating false expectations because the academy cannot discover truth without full freedom of inquiry.\textsuperscript{143} Advocates claim that it is inconsistent to require the academy to find truth and then limit its resources for doing so.\textsuperscript{144} While this argument clearly lacks much of the intellectual force of the arguments previously mentioned, it surfaces frequently.\textsuperscript{145} Following its lead, religiously affiliated institutions might make numerous arguments of a similar nature, calling into question the fairness of taking away the right to participate in the higher education community.\textsuperscript{146} Fairness, like the common good, depends on an individual's subjective values.

V. CONCLUSION

Institutions that limit academic freedom have a historical and philosophical claim to university status. Thus, each institution should feel free to balance its need for religious identity with the need for academic freedom, without fear of losing either its place in the academy or its unique religious environment. Every institution of higher learning has the right to chart its own course. Exactly where that course will take it will always depend on its view of truth, the common good, the needs of its students, and its ability to accommodate the interests of its student body, faculty, and its sponsoring religious institution. It can be argued forcibly that societal interests are promoted by institutions of higher education which have, in addition to a strong academic commitment to the common good, an equally strong commitment to the cherished faith. The strident voice of critics in the academy who challenge the right of sectarian

\textsuperscript{142} This is due in large measure to the increasing connections which the university has with business and government. As the university becomes more immersed in the economy, traditional ethereal academic notions will become less important.
\textsuperscript{143} See Pincoffs, supra note 49, at xiv.
\textsuperscript{144} See Jones, supra note 114, at 46. This argument also draws heavily from Mill's. See generally GARFORTH, supra note 118.
\textsuperscript{145} See Jones, supra note 114, at 46.
\textsuperscript{146} See Fish, supra note 10, at B4.
institutions to define themselves do an injustice to the history and tradition of higher education in the United States.
PREFACE: At Brigham Young University, faculty and students are enjoined to “seek learning . . . 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 a space in the academic world in which its faculty and students can pursue knowledge in light of the restored gospel as taught by The Church of Jesus Christ of Latter-day Saints. 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.

The freedom to form religiously distinctive intellectual communities is protected not only by the principle of religious freedom but also by long-established principles of academic freedom. The BYU community embraces traditional freedoms of study, inquiry, and debate, together with the special responsibilities implicit in the University's religious mission. These include the duty to exemplify charity and virtue, to nurture faith, and to endeavor to teach all subjects with the Spirit of the Lord.

This document articulates in clear but general terms how BYU’s unique religious mission relates to principles of academic freedom. BYU regards the following approach not as narrowing the scope of freedom but as enabling greater (or at least different) and much prized freedoms.

1. See the Mission of Brigham Young University in the BYU General Bulletin or University Electronic Handbook.

2. Both the American Association of University Professors (AAUP) and the Northwest Association of Schools and Colleges (NASC) have traditionally provided for special treatment of academic freedom issues in religious institutions, whose existence contributes to genuine pluralism in an overwhelmingly secular modern academia. The AAUP’s “1940 Statement of Principles on Academic Freedom and Tenure” provides that “limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of appointment” (AAUP Policy Documents & Reports [Washington, D.C.: AAUP, 1990], 3). Similarly, the NASC Accreditation Handbook “allows ‘reasonable limitations on freedom of inquiry or expression which are dictated by institutional purpose’ as long as they are ‘published candidly’” (1988 ed.), 9-10; see also 133.
I. INDIVIDUAL AND INSTITUTIONAL ACADEMIC FREEDOM AT BYU: The concept of academic freedom at BYU is grounded in a distinction, often blurred but vital and historically based, between individual and institutional academic freedom. These two facets of academic freedom have been described as "the freedom of the individual scholar to teach and research without interference" and "the freedom of the academic institution from outside control." Both individual and institutional academic freedom are necessary to maintain the unique intellectual climate of BYU. What follows is an attempt to define why both individual and institutional academic freedom are valuable at BYU and how they must be protected.

A. INDIVIDUAL FREEDOM: Individual freedom lies at the core of both religious and academic life. Freedom of thought, belief, inquiry, and expression are crucial no less to the sacred than to the secular quest for truth. Historically, in fact, freedom of conscience and freedom of intellect form a common root, from which grow both religious and academic freedom. It is no wonder then that both the Church and the academy affirm the need for individual freedom—the Church through the doctrine of individual "agency," the academy through the concept of individual academic freedom.

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, nor 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 faculty member "to teach and research without interference," to ask hard questions, to subject answers to rigorous examination, and to engage in scholarship and

5. Id.
creative work. The academy depends on untrammeled inquiry to discover, test, and transmit knowledge. This includes the traditional right to publish or present the results of original research in the reputable scholarly literature and professional conferences of one's academic discipline. 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 because both the Church and the academy bid them 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 also 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. Brigham Young eloquently articulated this gospel-based aspiration, proclaiming

> it is our duty and calling . . . to reject every error . . . to gather up all the truths in the world pertaining to life and salvation, to the gospel we preach . . . to the sciences, and to philosophy, wherever it may be found in every nation, kindred, tongue, and people.6

Similarly, modern revelation instructs Latter-day Saints to learn:

> Of things both in heaven and in the earth, and under the earth; things which have been, things which are, things which must shortly come to pass; things which are at home, things which are abroad; the wars and perplexities of the nations, and the judgments which are on the land; and a knowledge also of countries and of kingdoms. (D&C 88:79)

Further, Latter-day Saints believe, as an article of faith, “all that God has revealed, all that He does now reveal, and . . . that He will yet reveal many great and important things” (9th Article of Faith), and they are encouraged to use all their faculties—including heart, mind, and spirit—in their quest for truth (cf. D&C 4:2; 9:7-9).

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6. JOURNAL OF DISCOURSES (Liverpool: Amasa Lyman, 1860), 7:283-84.
5. SUMMARY: At BYU, individual academic freedom 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 moral agents who should seek knowledge in the sacred as well as in 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.

B. INSTITUTIONAL ACADEMIC FREEDOM:

1. BYU’S MISSION: BYU has always defined itself as an openly and distinctively LDS university. BYU is wholly owned by the Church, which provides the University's principal source of funding from the tithing funds paid to the Church by its members. BYU draws its faculty and students principally from Church members. Everyone who works and studies at BYU subscribes to an Honor Code in order that the University may “provide a university education in an atmosphere consistent with the ideals and principles of the Church.”\(^7\) New faculty are interviewed by Church General Authorities as a condition of employment, and Church members are subsequently expected, as part of their university citizenship, to “live lives of loyalty to the restored gospel.”\(^8\) Faculty of other faiths agree to respect the LDS nature of the University and its mission, while the University in turn respects their religious convictions.

Thus BYU defines itself as having a unique religious mission and as pursuing knowledge in a climate of belief. This model of education differs clearly and consciously from public university models that embody a separation of church and state. It is not expected that the faculty will agree on every point of doctrine, much less on the issues in the academic disciplines that divide faculties in any university. It is expected, however, that a spirit of Christian charity and common faith in the gospel will unite even those with wide differences and that questions will be raised in ways that seek to strengthen rather than undermine faith. It is also expected that faculty members will be sensitive to the difference between matters that are appropriate for public discussion and those that are better discussed in private. In short, BYU defines itself as an intellectual community of faithful Latter-day Saints, and those sympathetic to their convictions, who pursue knowledge from the baseline of religious belief.

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7. See policy on Honor Code, University Electronic Handbook.
8. Faculty Rank and Status: Professorial Policy, Policy and Procedures Section, University Electronic Handbook (rev. 1 June 1992), sec. 3.0.
2. DEFINITION OF INSTITUTIONAL ACADEMIC FREEDOM: BYU claims the right to maintain this identity by the appropriate exercise of its institutional academic freedom. "Institutional academic freedom" is the term used to express the privilege of universities to pursue their distinctive missions. This concept harks back to well established early definitions of academic freedom that sought to guarantee institutional autonomy. The concept of institutional academic freedom is tacitly sanctioned in AAUP and NASC limitation clauses referred to in the Preface. It is also implicit in principles and practices of other church-related universities. BYU likewise affirms that its relationship to The Church of Jesus Christ of Latter-day Saints is essential to its unique institutional identity.

3. BENEFITS OF INSTITUTIONAL FREEDOM: The religious university constitutes an endangered species in today's academic ecosystem. To force religious institutions to comply with narrowly secular definitions of academic freedom is to further imperil the survival of these distinctive intellectual communities. There are at least three reasons why the institutional academic freedom of religious institutions should be protected: to maintain institutional pluralism, to be consistent with the antidogmatic principles of academic freedom, and to safeguard religious freedom. Each argument is sufficiently important to bear brief summary:

*Pluralism: Religious colleges and universities contribute to our diverse "ethical, cultural, and intellectual life." Few enough to pose no threat of sectarian domination, religious institutions provide important alternatives to prevailing secular modes of thought. This "makes them better able to resist the popular currents of majoritarian culture and thus to preserve the seeds of dissent and alternative understandings that may later be welcomed by the wider

9. For example, the Catholic church's major statement on academic freedom in Catholic universities, *Ex Corde Ecclesiae*, affirms, among other things, that "every Catholic university, without ceasing to be a university, has a relationship to the church that is essential to its institutional identity" (John Paul II, "Apostolic Constitution on Catholic Universities [Ex Corde Ecclesiae], paragraph 27 [1990]).


13. *Id.* 312.
Furthermore, to impose a definition of academic freedom that disallows creedal and philosophical considerations "is to randomize every faculty with respect to creed and philosophy. This increases diversity within each faculty, but it eliminates the diversity among faculties."  

*Antidogmatism: Academic freedom is grounded in the Enlightenment's opposition to dogmatism; it presupposes that truth is discovered not through revelation but rationally, through the "clash of competitive ideas." "But this idea, too, must be subject to testing."  

Historically, the most thorough challenge to narrowly rationalist methodologies has come from religion. Religion offers venerable alternative theories of knowledge by presupposing that truth is eternal, that it is only partly knowable through reason alone, and that human reason must be tested against divine revelation. President J. Reuben Clark, Jr., stated that one "cannot rationalize the things of the spirit, because first, the things of the spirit are not sufficiently known and comprehended, and secondly, because finite mind and reason cannot comprehend nor explain infinite wisdom and ultimate truth." It is simply inconsistent with the antidogmatic principles of academic freedom not to permit its own premises about knowledge to be tested against such claims as these. "It is important that a principle born of opposition to dogmatism not itself become dogmatic and authoritarian."  

*Religious Freedom: Religiously distinctive colleges and universities are "an important means by which religious faiths can preserve and transmit their teachings from one generation to the next, particularly nonmainstream religions whose differences from the predominant academic culture are so substantial that they risk annihilation if they cannot retain a degree of separation."  

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14. *Id.*  
15. *Id.* 313. Similarly, Rabban argues that private universities may be granted greater latitude to establish educational policies than state institutions because "The resulting pluralism within the academic world . . . may provide more tolerance for diverse and unpopular views than a rule that would subject all universities to the commitment to diversity of thought that the first amendment imposes on public ones" (*A Functional Analysis*, 268-69).  
19. *Id.* 316.
right to religious freedom should "override whatever exiguous benefit to society might be achieved by forcing religiously distinctive institutions to conform to secular academic freedom."\textsuperscript{20}

4. ABUSES OF INSTITUTIONAL FREEDOM: Institutional academic freedom, important for any college or university, is indispensable for institutions with distinct religious missions. Nevertheless, institutional freedom is a prerogative that, if regarded as absolute, would invite abuse. Therefore, academic freedom must include not only the institution’s freedom to claim a religious identity but also the individual’s freedom to ask genuine, even difficult questions. Learning can be unsettling. There is no such thing as risk-free genuine education, just as according to LDS theology there is no risk-free earthly experience. At any religious university, including at BYU, there always will be the possibility of friction between individual and institutional academic freedom.

There is no way to eliminate these tensions altogether, except by eliminating the claims of one kind of freedom or the other. But to do so would result in a net loss to the Church, the University, and to the family of universities to which BYU belongs. To eliminate BYU’s right to define and preserve its institutional identity would threaten to transform BYU into a university like any other. At the same time, to override the very concept of individual academic freedom would threaten the vitality of BYU as a university. Either move would lessen the value of BYU to its faculty and students, to the Church, and to the academic community at large. Therefore, the task is to establish principles and procedures that help minimize conflict and that guide the Board of Trustees, faculty, and administration through differences that may arise.

II. RELATIONSHIP BETWEEN INDIVIDUAL AND INSTITUTIONAL ACADEMIC FREEDOM:

A. NEITHER FREEDOM IS UNLIMITED: Neither individual nor institutional academic freedom can be unlimited. The reasons for this have been suggested already. To elaborate:

1. LIMITS ON INDIVIDUAL ACADEMIC FREEDOM: There can be no unlimited individual academic freedom. Were there no constraints on individual academic freedom, religious universities could converge toward a secular model and lose their distinctive character, thus diminishing pluralism in academia. Furthermore, absolute individual freedom would place the individual

\textsuperscript{20} Id.
faculty member effectively in charge of defining institutional purpose, thereby infringing on prerogatives that traditionally belong to boards, administrations, and faculty councils. Such arrogation of authority is particularly intolerable when the disagreement concerns Church doctrine, on which BYU's Board of Trustees claims the right to convey prophetic counsel. Yet even secular universities, whose boards claim no special religious authority, do not empower individual faculty members with absolute individual freedom relative to the University mission. For example, universities have censured professors for racist, anti-Semitic, or otherwise offensive expression. In addition, state universities have prohibited the advocacy of religious values to protect a separation of church and state. Every university places some limitations on individual academic freedom.21

2. LIMITS ON INSTITUTIONAL ACADEMIC FREEDOM: Neither can there be unlimited institutional academic freedom. If institutional freedom were limitless, BYU could cease to be a genuine university, devoid of the exploratory environment vital to intellectual endeavor and with little room for disagreement and questioning. At BYU, the Church enjoys a special, deeply appreciated relation to the University, but its relation is not simply that of employer to employee—for a university faculty constitutes a special kind of employee. While each faculty member is fully accountable to the University, he or she also works in a space that is open to inquiry, discovery, and discussion. Any limitations in this space must be narrowly drawn so as not to impede the robust interchange of ideas, because the Board and administration wish to set policy for an institution that legitimately may be called a university.

B. REASONABLE LIMITATIONS: It follows that the exercise of individual and institutional academic freedom must be a matter of reasonable limitations. In general, at BYU a limitation is reasonable when the faculty behavior or expression seriously and adversely affects the University mission or the Church.22 Examples would include expression with students or in public that:

21. As George S. Worgul, Jr., states in the "Editor's Preface" to Issues in Academic Freedom (Pittsburgh: Duquesne Univ. Press, 1992): "'academic freedom' at any university—whether public, private, church-related or church-sponsored—is never unlimited or absolute. Every university has an identity and mission to which it must adhere. . . . Freedom is always a situated freedom and a responsible freedom" (viii-ix).

22. This document does not address policies, common to all universities, that govern the orderly maintenance of the institution, the disruption of classes, or the university endorsement of personal actions. This document speaks only to limitations arising from BYU's mission.
ACADEMIC FREEDOM

1. contradicts or opposes, rather than analyzes or discusses, fundamental Church doctrine or policy;
2. deliberately attacks or derides the Church or its general leaders; or
3. violates the Honor Code because the expression is dishonest, illegal, unchaste, profane, or unduly disrespectful of others.

Reasonable limits are based on careful consideration of what lies at the heart of the interests of the Church and the mission of the University. A faculty member shall not be found in violation of the academic freedom standards unless the faculty member can fairly be considered aware that the expression violates the standards.

These principles shall be interpreted and applied with persuasion, gentleness, meekness, kindness, and love unfeigned—in the spirit of D&C 121:41-44—and through established procedures that include faculty review. The ultimate responsibility to determine harm to the University mission or the Church, however, remains vested in the University’s governing bodies—including the University president and central administration and, finally, the Board of Trustees.

C. SYNTHESIS: Reasonable limitations mediate the competing claims of individual and institutional academic freedom. In practice, instances in which limitations are invoked against individual faculty conduct or expression are few and infrequent. This is because:

1. INDIVIDUAL ACADEMIC FREEDOM IS PRESUMPTIVE, WHILE INSTITUTIONAL INTERVENTION IS EXCEPTIONAL: Individual freedom of expression is broad, presumptive, and essentially unrestrained except for matters that seriously and adversely affect the University mission or the Church. By contrast, institutional intervention is exceptional and limited to cases the University’s governing bodies deem to offer compelling threats to BYU’s mission or the Church. The Board and administration most effectively exercise their freedom to preserve BYU’s institutional identity by setting general policies.

2. UNIVERSITY POSTURE IS ONE OF TRUST: The faculty is entrusted with broad individual academic freedom to pursue truth according to the methodologies and assumptions that characterize scholarship in various disciplines. This trust necessarily encompasses the freedom to discuss and advocate controversial and unpopular ideas. However, the Board and administration reserve the right to designate, in exceptional cases, restrictions
upon expression and behavior that, in their judgment, seriously and adversely affect BYU’s mission or the Church.

3. FACULTY POSTURE IS ONE OF LOYALTY: Faculty members, for their part, agree to be loyal university citizens according to the guidelines set forth in the BYU Handbook. It is expected that the faculty will strive to contribute to the unique mission of BYU. This expectation, which aims at the fulfillment of University aspirations rather than merely at the absence of serious harm, properly figures in advancement and continuing status decisions.

4. TONE OF THE BYU COMMUNITY IS CHARITABLE: The faculty, administration, and the Board should work together in a spirit of love, trust, and goodwill. The faculty rightly assumes its work is presumptively free from restraint, but at the same time it assumes an obligation of dealing with sensitive issues sensitively and with a civility that becomes believers. BYU rightly expects LDS faculty to be faithful to, and other faculty to be respectful of, the Church and BYU’s mission. Thus both the University’s governing bodies and the faculty obligate themselves to use their respective academic freedom responsibly, within the context of a commitment to the gospel. As Elder B. H. Roberts said, “In essentials let there be unity; in non-essentials, liberty; and in all things, charity.”

CONCLUSION: It is the intent of Brigham Young University to reaffirm hereby its identity as a unique kind of university—an LDS university. BYU intends to nourish a community of believing scholars, where students and teachers, guided by the gospel, freely join together to seek truth in charity and virtue. For those who embrace the gospel, BYU offers a far richer and more complete kind of academic freedom than is possible in secular universities because to seek knowledge in the light of revealed truth is, for believers, to be free indeed.

In 1968 a monumental book entitled *The Academic Revolution* appeared, culminating a ten-year sociological study of more than 150 colleges and universities in the United States. The authors, Christopher Jencks and David Riesman, documented the transformation of higher education in America from the church-related colonial college to the modern secular university.

Jencks and Riesman identified a few universities, among which was Brigham Young University, that did not conform to the trend. Referring to BYU as one of a few "holdouts against the onrush" of change, they summarized the chances of BYU embracing this academic metamorphosis with this assessment: "All in all, Brigham Young is probably as unlikely to be secularized as any Protestant college in America."¹

This prediction has now aged over thirty years. The pressures on BYU to accept outside norms have persisted if not intensified. Now, in light of a 1998 survey of BYU faculty, it is possible to measure the accuracy of the 1968 assessment and to gauge BYU's continuing commitment to higher education in a strong religious atmosphere. This article will examine the recent survey and how it confirms the accuracy of the Jencks and Riesman prediction.

**Historical Background**

Shortly after the Puritans founded Massachusetts Bay Colony, they laid the foundations for the first American college. They named their school Harvard

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and fashioned it after the English system with a church at the center of campus. After receiving a formal charter in 1636, they dedicated their educational program to training ministers and informing students that “the maine [sic] end of [their] life and studies [was] to know God.”2 Over half of Harvard’s graduates in its first hundred years pledged themselves to the ministry. Eight of the first nine universities founded in America followed this lead, and with few exceptions the church-controlled college dominated higher education in the United States well into the nineteenth century.3

During that century, a different system of higher education arose, largely in Germany. Based upon the epistemology that science and rationality are the reservoirs of truth, this new university model challenged the assumptions of colonial colleges. The freedom to learn and the freedom to teach were heralded as the twin virtues of the university system. Governance rested collectively with the professors, and religious connections were noticeably absent.

Following the Civil War, an ideological battle for the control of higher education commenced in the United States. Within a few years, the new university movement controlled the vanguard of American higher education, especially at state-sponsored institutions. A key aspect of this shift occurred as universities became the authoritative body for credentialing future professors and public-school teachers, enabling the university system to impose its philosophies on most educational institutions.4 This dramatic educational shift is what historians have called the “academic revolution.”

History of the BYU Survey

About 1990, a large research initiative commenced under the sponsorship of the national Lily Endowment Inc. Named “Religion and Education in American Public Life,” this project sought to assess the current role of religion in American higher education and predict what further changes the academic revolution might bring. Two researchers from Baylor University, Michael Beaty and Larry Lyon, received Lily support to conduct a case study at their Baptist university. They developed a questionnaire that probed sensitive issues surrounding religiously supported higher education. Their survey, first headed “Faith and Learning,” was distributed initially at Baylor during 1994 and

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subsequently at two leading Catholic universities, Notre Dame and Boston College.

After visiting Brigham Young University in 1996, Beaty and Lyon extended to me an invitation to have BYU participate in the study. The opportunity of comparing BYU with other facilities was appealing, even though some obstacles remained. The first of these challenges was to prepare an appropriate survey instrument for use at BYU that preserved the comparability of data gathered at the other institutions. We decided to keep as much of the original survey language, examples, and questions as possible, even though the phraseology might reflect a slightly different meaning in an LDS religious setting than elsewhere. Small adjustments were made in some questions to ensure proper comprehension, and to field-test these modifications, a few sample surveys were administered across campus.

Early in 1998 the BYU administration approved the survey. It was sent during February through campus mail to all 1,520 people on Mail Service’s full-time faculty list. A cover memorandum from the academic vice president’s office encouraged participation. In all, 876 surveys were returned, garnering a response rate of 58 percent. The BYU surveys were sent to Baylor, where they were read, tabulated, and codified and the results for key questions compared to those of Baylor, Notre Dame, and Boston College.

Survey Overview

The survey consists of three sections. Twenty-nine questions comprise the first section, which probes the faculty’s support of the BYU mission statement and asks about the extent to which BYU should emphasize certain teaching, research, or other educational goals and methods of achieving those goals. The second section consists of twenty-five questions examining the intersection of religion and academic life. The third section gathers basic information about the demographics of each participant. (See the appendix to this article.)

Admittedly, the survey has its shortcomings and limitations, especially because its questions were not crafted in the first instance with BYU circumstances and vocabulary in mind. Still, it offers at the present time the best comparative evidence currently available on the educational attitudes of the BYU faculty as a whole.

While the survey results yield information about faculty positions on many subjects, the most salient data pertains to the two fundamental modes of learning that are distinctive to church-related universities. Those two are captured well in the LDS scriptural mandate to “seek learning even by study and also by faith” (D&C 88:118). This dichotomy presents an ideal framework for understanding these twin virtues at BYU: faith (titled “spirituality” in this survey) and study (or “education”). The following discussion focuses on these
two educational virtues, their importance individually, their balance collectively, and whether or not one has preeminence at BYU.

The Intellectual Dimension

A frequent criticism leveled against most church-related universities follows the drumbeat of chiding them for weak intellectual values and poor scholarship. How strong is BYU's commitment to the intellectual dimension of higher education? Almost every question involves the intellectual component of learning to some extent. Certain questions, in particular numbers 2, 9, 21–23, and 33, focus on this value. The answers to these questions show that BYU is strongly committed to high intellectual pursuits, although not at the expense of faith.

Question 2 reads, "To what extent should BYU emphasize advancing knowledge through research?" Combining the 40 percent "maximum emphasis" with 54 percent "moderate emphasis," 94 percent of the faculty agree that research is important at BYU (see Wg. 1). While Boston College (59 plus 40 percent) and Notre Dame (76 plus 22 percent) are higher, BYU's numbers here are similar to Baylor's (37 and 58 percent).

Question 9 reads, "To meet its academic and faith-related goals, BYU should hire faculty who have achieved a high degree of academic prominence, and whose religious commitments are deeply significant to them." Of the BYU respondents, 96.3 percent marked either strongly agree (74.6 percent) or agree (21.7 percent) for this question. This high affirmative response necessarily endorses the intellect as essential, and as discussed below, it also produces significant evidence of the desire to balance the twin values of faith and reason.

Question 21 asks if the university should "require religion courses in the scholarly study of the scriptures." Here 88 percent marked either "strongly agree" (41 percent) or "agree" (47 percent). BYU's professors support this requirement to a considerable degree; interestingly, their total affirmative response is very close to that of Notre Dame (48 plus 41 percent) and Boston College (48 plus 40 percent) and considerably above Baylor (22 plus 52 percent), whose somewhat comparable question asks if their universities should "require courses in the scholarly study of the Bible." The operative word in this question relative to intellectual priorities is "scholarly," which may be understood in several ways.

Questions 22 and 23 inquire about helping students "develop a well-thought-out philosophy of life" and "a well-thought-out Christian philosophy of life" respectively. While all four universities are 96–97 percent in agreement with question 22, the percentage drops to 75, 73, and 49 percent with respect to question 23 at the other universities, but stands at an even stronger 98 percent at BYU. In other words, the need for careful thinking becomes stronger
when the faith dimension is added.

In addition, question 33 asks if BYU faculty "should use the resources of their academic disciplines to illuminate religious issues." To this, 83 percent either agree (56 percent) or strongly agree (27 percent) with this question, the highest scores of the four universities. And the nearly unanimous sentiment of 876 BYU respondents (99 percent) affirm to some degree that it is "possible for BYU to achieve academic excellence and maintain a Christian identity" (question 39), with 80 percent strongly agreeing. Such responses speak clearly to the issue of academic emphasis at BYU. A virtual consensus emerged that the BYU faculty sees the intellectual processes as valued and necessary.

In recent years, a number of respected Christian scholars have wondered if the intellectual dimension has been overlooked in religious circles and at their universities. Such notable works as The Outrageous Idea of Christian Scholarship by George M. Marsden⁵ and The Scandal of the Evangelical Mind by Mark A. Noll⁶ treat this aspect of declining intellectual priorities.⁷ Even though many of the predictions in these books are cautious, bordering on pessimistic, the results of the BYU faculty survey present a professoriate that prides itself on intellectual pursuits.

The Faith Dimension

As previously mentioned, faith as a system of learning has been either eliminated or greatly attenuated through the academic revolution in higher education. This revolution marginalizes the role of faith within the university system as an unwarranted limitation on the freedom to learn and the freedom to teach. Yet the LDS view fosters learning through faith. Brigham Young's statement to BYU founder Karl G. Maeser "You ought not to teach even the alphabet or the multiplication tables without the Spirit of God" publicly echoes within the walls of BYU.⁸ But what are the BYU faculty's private beliefs regarding the role of faith in a university environment?

Although it is difficult to separate the deeply interwoven dimensions of faith and reason in the survey, questions 10, 11, 23, 31, 34, and 41–43 are

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8. Reinhard Maeser, Karl G. Maeser: A Biography by His Son (Provo, Utah: Brigham Young University, 1928), 79.
posed in such a way as to specifically highlight the faith component.

Question 11 reads, “To meet its academic and faith-related goals, BYU should hire faculty who have achieved the highest levels of academic prominence, regardless of religious beliefs or commitments.” The faculty responded emphatically with 89 percent either disagreeing or strongly disagreeing with this statement (see fig. 2). While this query is framed only in the context of hiring seasoned faculty, it shows broad support for faith as a necessary element in the BYU learning environment. The BYU faculty is even willing, by an overwhelming margin, to function shorthanded for a time until an appropriate faculty member could be hired (question 10). By contrast, the faculties at the other universities are widely split on the issue in question 11 and are considerably opposed to the idea of functioning shorthanded.

Another question concerning faith as a philosophical foundation is number 31, the second element of which states, “BYU’s distinctive task is to provide an atmosphere congenial to authentic spirituality—that is to encourage spirituality and education.” Here a remarkable 88.5 percent indicate that they agree with this premise. While this statement does not read “provide learning by faith,” it does deal with an overriding “atmosphere” of faith or spirituality in which to learn. Certainly, the response to this question evidences the value of faith at BYU.

Closely following is question 34, which tests the proposition that “BYU faculty should use the truths within the Gospel to illuminate issues in the disciplines other than religion.” This statement places pivotal emphasis on using spiritual truths to open up intellectual issues. Each respondent had to choose whether or not faith is an important learning tool. A solid 93 percent either agree (54 percent) or strongly agree (39 percent) with this idea. The results of this question reinforce the case for high faith priorities at BYU. Whereas even more BYU faculty members see value in faith contributing to their disciplines than vice versa (see question 33, discussed above), this trend is reversed at the other universities.

Two parallel statements, questions 42 and 43, shed additional light on the faith issue. They are phrased as “My Christian beliefs are relevant to the content of my discipline” and “My Christian beliefs are relevant to the way I teach my discipline.” The “agree” and “strongly agree” responses total 89 and 95 percent respectively, considerably above the responses elsewhere. The slight difference (6 percent) between the results for these two questions is understandable, given the lower relevance of faith in some disciplines.

Further evidence for a faith-inclusive mind-set at BYU comes in the very first question of the survey. Question 1 restates seminal phrases from BYU’s mission statement and asks the participants if they endorse the declaration. Virtually all (99 percent) responded “yes.” To be sure, most mission statements tend to include a little bit of everything for everyone, and 91, 92, and 97
percent of the other faculties support their mission statements as well. Beyond this, however, BYU's statement unabashedly proclaims the necessity of faith in the university processes. Unequivocal phrases such as "to assist individuals in their quest for perfection and eternal life" and "to develop students of faith" place faith and spirituality at BYU in an exceptionally conspicuous position.

The Tandem of Faith and Reason at BYU

The history of higher education in America documents the harmony that characterized the educational foundations of the first colleges and universities. Seventeenth-century schools accepted completely the notion of the "unity of truth." This philosophy, which is a mixture of medieval scholasticism and Christian humanism, places God at the center of a circle of the arts. For two centuries, this philosophy prevailed with only slight modifications from the influences of the Enlightenment and Scottish common-sense realism. As late as 1874, the noted Harvard chemistry professor Josiah Cooke wrote, "All truth is one," meaning that ultimately "all truths . . . could be related to one another in a single system." But his voice was soon muffled by the educational revolution, which excoriated the idea that religion had anything to do with reason.

Not all colleges or universities accepted this academic metamorphosis. Two of these dissenting clusters chose different paths or responses. The first group, which comprised a small but ardent minority, opted to retain a colonial mind-set and pursue learning only through faith and religious lenses. These schools, which continue to the present, are generally referred to as "Bible" or "Evangelical" colleges. They pride themselves in their position that true learning occurs through God's word to man.

The second and larger group took a less reactionary stance and asserted that learning occurs through both reason and revelation. Where possible, these proponents sought to combine the two modes of learning in a symbiotic relationship. The colleges and universities that chose this path were numerous at the onset of the academic revolution, yet they have dwindled considerably in recent years. Perhaps the underlying factor for their decline is couched in a recent comment by Elder Boyd K. Packer. Speaking of reason and revelation, he declared, "They mix like oil and water mix—only with constant shaking or

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From its inception, Brigham Young University has built its educational foundations on both faith and reason. A glance at BYU's annals reveals an institution and a faculty that have experienced some of the "stirrings and shakings" of this mixing process. What then is the current climate among BYU's faculty as to the integration of both faith and reason? Questions 9, 10, 16, 21, 31, 32, 39, 40, and 46 from this survey were designed to key in on this relationship.

As discussed above, questions 9 and 10 (regarding faculty hiring) show the paramount importance at BYU of combining, in each faculty member, both academic prominence and deep religious feelings. Similarly, questions 16 and 21, on helping students develop in virtue and philosophy of life, strongly support the convergence of critical thinking, morals, scriptures, and scholarship.

Question 31, part 5, explicitly dealing with the integration of spirituality and education, moves to the heart of the integration issue by describing the "distinctive task" of BYU with the words "to identify and develop the relationships that exist between the Gospel and secular knowledge, as expressed in various academic disciplines." Of the faculty, 85.4 percent selected this assertion as an accurate description. The responses at the other participating universities range from 51 to 61 percent acceptance of essentially the same proposition.

Question 32 continues probing this issue from the opposite direction, proposing that spirituality and education are "separate tasks and ought not to be integrated." The combined responses of "disagree" (41.6 percent) and "strongly disagree" (52.7 percent) total an even stronger 94.3 percent.

Question 39 probes this mixture with the further assertion "It is possible for BYU to achieve academic excellence and maintain a Christian identity." Asked about the balance of reason and faith as a theoretical possibility, the faculty sound in virtual unison, as 99 percent agree with this statement (with 80 percent strongly agreeing, quite a few more than at the other universities). The BYU response does not decline when this assertion is rephrased in question 40 in terms of "an LDS identity." In contrast, the response declines at the other universities when question 40 is rephrased in terms of a specific form of Christian identity.

Question 46 is positioned as a sequel to question 39. It is one thing to


believe in a value but another thing to practice it. Question 46 asks whether or not BYU professors currently “discuss gospel-related questions raised by class material.” If not, the possible choices include “willing to experiment” or “not willing.” The faculty show their consistency with 93 percent saying “yes,” affirming that they already do this, and another 6 percent expressing a willingness to try (see fig. 3). Interestingly, questions 39 and 46 both yield the same nearly unanimous figure of 99 percent.

The academic revolution effectually forced all colleges and universities into choosing one of three educational epistemologies. The first is the heart of the revolution, demanding that all learning follow a rational, unrestricted scientific model. The second option spurns the university model outright and clings tenaciously to the faith-only approach. The third option promulgates the idea that learning can come through the venues of both faith and reason. BYU professors demonstrate emphatically in this survey that they not only acknowledge faith and reason as sound ideas, but also that they currently employ both of these learning modes in their university work. Their responses leave little doubt about their joint commitment to both faith and reason at BYU.

Preference of Faith over Reason at BYU

At the heart of the academic revolution ultimately stands the question of whether faith or reason will take precedence in the face of a conflict between the two. Initially, Darwinism epitomized and galvanized the rift between science and religion, but the gap between natural theology—the idea that nature and science work hand in hand to confirm the existence of God—and logical positivism or strict empiricism soon ran much deeper.

Academics who were not willing to abandon the benefits of both faith and reason were forced by the rapid advances of modern science to develop ways of dealing with irreconcilable differences in their learning communities. The most common solution is what Beaty and Lyon have called “the two spheres” model. This explanation proposes that the university enterprises be divided into two spheres, the material and the spiritual. In the material sphere, scientific methodology governs the academic disciplines, while in the spiritual sphere faith and religion govern the moral development and atmosphere of the college. Thus if a schism develops on campus, it is resolved by determining whether or not it involves the spiritual or the material side of learning.

Other options for resolving conceptual collisions are possible. For example, if impasses persist, an institution might follow, on the one hand, a

preestablished preference for reason; or on the other hand, one might be predisposed to opt for faith. Any choice poses complications. If the institution favors reason too frequently, it is in danger of complete secularization. If it favors faith too readily, it will position itself on the periphery of the educational landscape.

While the faculty survey does not reveal much about BYU’s approach to inevitable clashes between faith and reason, questions 12, 15, 38, 54, and 55 show a deliberate preference for spirituality over intellectuality. In particular, when faced with irreconcilables, the secular model typically emphasizes intellectual freedom, hoping that greater experimentation and individual preference will diminish the brunt of the clash. The majority of the faculty at BYU, however, do not see greater freedom as much of an answer but instead favor values and views that come with the support of credible spiritual credentials.

Thus, in response to question 12, which asserts that “BYU should guarantee its faculty the freedom to explore any idea or theory and to publish the results of those inquiries, even if the ideas question some orthodox LDS beliefs and practices,” about two-thirds (68 percent) of the BYU faculty disagree, but nearly a third agree (32 percent), with higher-ranking faculty supporting this proposition at a rate that is 5 percent higher than that of the other faculty. This result, preferring faith, is decidedly out of step with the preferences expressed in the survey at the other universities.

Question 15, regarding unrestrained academic freedom in the classroom, meets with similarly divided results. Still, more than half (58 percent) prefer faith over freedom; the other 42 percent, however, agree with the statement that “BYU should allow the faculty to read and discuss anything in the classroom they believe pertains to what they are teaching even if the material questions some orthodox LDS beliefs and practices.” This is the most closely contested question in the survey. The need for freedom in classroom discussions is felt the strongest in the humanities and law, followed by the social sciences, and then the physical sciences. Although the faculty is distributed on this question quite evenly by rank and sex, 9 percent more men feel “strongly” about their agreement or their disagreement than do the women. In an interesting way, the tension disclosed by this question can be taken as evidence that both forms of learning are highly valued at BYU, even though faith is given the nod when push comes to shove.

Another question, number 38, tackles the issue head on: “If conflicts develop between academic freedom and orthodox LDS doctrines, BYU should in most cases preserve academic freedom even if it reduces LDS support, financially and otherwise, for the University.” This proposition places faith and reason on a collision course with each other. It then calls for academic freedom
to be spared. BYU’s professors reverse this decision. 84 percent disagree, of whom 50 percent strongly disagree (see fig. 4).

Although these results may appear to say that BYU professors are willing to sacrifice freedom for faith, in actuality most of them do not feel that their freedom has been compromised. At the same time that half of the faculty feels that the emphasis at BYU has shifted away from academic freedom and toward faith (question 54), 88 percent of the women and 89 percent of the men say that they “have more freedom at BYU to teach” as they deem appropriate than they think they would have elsewhere, with no single college below 78 percent and no group by length of service, rank, or degree below 84 percent (question 55).\(^\text{15}\)

The comprehensive analysis of these questions reveals a sensitive balance between faith and reason. One third feel that even publishing nonorthodox religious ideas is appropriate, and yet, when irreconcilable differences demand a decision between faith and reason, most are unwilling to push the line any further. These numbers reflect a university faculty who has internalized what their former president, the late Rex E. Lee, articulated:

> It is almost inevitable that there will be some instances in which the rational method will lead us to some conclusion—not many, but some—which is at odds with what we know to be true because it has been revealed from God. ... In those few instances in which we find disparity between the conclusions reached by our rational and extrarational processes, the extrarational must prevail. We must recognize that in those few instances the seeming inconsistency is attributable to the fallible nature of our rational capacity. The answer is not to stop the rational struggle with the problem, but rather to recognize the fallible nature of the rational process.\(^\text{16}\)

Thus in the most difficult intersections of faith and reason at BYU, the large majority opt to favor their religious foundations. There are other options. BYU’s professors could favor their professional preparation. Over 84 percent of the respondents hold a doctorate (question 60). They also could prefer a two-separate-spheres approach. Instead they opt solidly to see both faith and intellect in tandem.

**Conclusion**

Thirty years ago, two renowned sociologists summarized the modern
history of higher education in America with the words "academic revolution." In part what they were saying was that higher education had revolutionized its epistemology. What once had been essentially a faith-based paradigm had been exchanged for an intellectually based system of scientific or logical positivism. In their summation, those researchers predicted that BYU (for reasons other than strict sectarianism) was as unlikely to become secularized as any institution they had reviewed. They also complimented BYU for its aura of professional competence and mature students.17

The 1998 survey of BYU's faculty substantiates those predictions through a variety of indicators. First, the faculty speaks as a group of intellectuals who fully accept the concept that "the glory of God is intelligence." With high-ranging scores, 79–97 percent, the faculty espouses the importance of bona fide intellectualism. Second, this emphasis on intellectualism does not preclude a tandem value of faith. The professoriate respond to faith-based issues with percentages of 85–99 percent agreement. Together, these responses resonate deeply with the LDS scripture "seek learning by study and also by faith." This survey also examines the intersection of reason and faith, disclosing near unanimity. Not only does BYU's faculty uphold the twin ideals of reason and faith, but they are willing to sacrifice to achieve their integration.

Not fully answered, however, is history's most vexing problem for integrated learning, namely, what happens when faith and reason collide? In a rare display of schools that possess both a professional professoriate and a foundation of faith, the majority of BYU's faculty subordinates reason to revelation, echoing the counsel of the Book of Mormon that "to be learned is good if they hearken unto the counsels of God" (2 Nephi 9:29).18

In a 1992 address at Brigham Young University, President Gordon B. Hinckley declared unequivocally:

This institution is unique. It is remarkable. It is a continuing experiment on a great premise that a large and complex university can be first class academically while nurturing an environment of faith in God and the practice of Christian principles. You are testing whether academic excellence and belief in the Divine can walk hand in hand. And the wonderful thing is that you are succeeding in showing that this is possible.19

18. For further discussion, see Robert L. Millet, ed. "To Be Learned Is Good If . . ." (Salt Lake City: Bookcraft, 1987), especially chapters 1 and 12–14.
This survey of BYU's faculty substantiates this prophetic declaration and provides the most specific evidence to date that the experiment of integrating faith and reason is indeed succeeding at BYU.
APPENDIX B—SURVEY

Spirituality and Education: A Survey of Brigham Young University Faculty

Compiled by Keith J. Wilson. (Values expressed in valid percentages.)

1. Do you endorse this [BYU’s mission] statement?
   - Yes: 99.1%
   - No: .9%

To what extent should BYU emphasize the following goals

1. Advancing knowledge through research
   - Maximum: 39.9%
   - Moderate: 54.2%
   - Minimum: 4.9%
   - Not a goal: 1%

2. Extending knowledge through undergraduate teaching
   - Maximum: 87.1%
   - Moderate: 11%
   - Minimum: .7%
   - Not a goal: 1.3%

3. Extending knowledge through graduate teaching
   - Maximum: 33.1%
   - Moderate: 56.7%
   - Minimum: 9.2%
   - Not a goal: 1%

4. Training students for productive careers
   - Maximum: 51.5%
   - Moderate: 39.1%
   - Minimum: 7.8%
   - Not a goal: 1.6%

5. Encouraging the students’ moral development
   - Maximum: 86.2%
   - Moderate: 12.2%
   - Minimum: 2%
   - Not a goal: 1.4%

6. Developing the students’ sense of civic responsibility
   - Maximum: 48.8%
   - Moderate: 44.6%
   - Minimum: 5.8%
   - Not a goal: .8%

7. Other (answers varied)

(9–29) To meet its academic and faith-related goals, BYU should:

9. Hire faculty who have achieved a high degree of academic prominence, and whose religious commitments are deeply significant to them.
   - Strongly agree: 74.6%
   - Agree: 21.7%
   - Disagree: 3.2%
   - Strongly disagree: .5%

10. Search for and hire faculty who share the institute’s religious commitments and have achieved academic prominence, even if it means that the department may have to function short-handed until such a candidate is found.
    - Strongly agree: 38.1%
    - Agree: 43.8%
    - Disagree: 14.9%
    - Strongly disagree: 3.2%

11. Hire faculty who have achieved the highest levels of academic prominence, regardless of religious beliefs or commitments.
    - Strongly agree: 2.2%
    - Agree: 8.9%
    - Disagree: 41.5%
    - Strongly disagree: 47.4%

12. Guarantee its faculty the freedom to explore any idea or theory and to publish the results of those inquiries, even if the ideas question some orthodox LDS beliefs and practices.
    - Strongly agree: 11.6%
    - Agree: 20.5%
    - Disagree: 40.4%
    - Strongly disagree: 27.5%

13. Admit students without preference based on their religious beliefs or commitments.
    - Strongly agree: 3.3%
    - Agree: 11.2%
    - Disagree: 47.9%
    - Strongly disagree: 37.6%

    - Strongly agree: 24.2%
    - Agree: 52.3%
    - Disagree: 19.1%
    - Strongly disagree: 4.4%
15. Allow the faculty to read and discuss anything in the classroom they believe pertains to what they are teaching even if the material questions some orthodox LDS beliefs and practices.
   strongly agree: 11.4%  agree: 30.8%  disagree: 33.9%  strongly disagree: 23.9%

16. Require specific academic courses designed to help students think more critically about their moral commitments.
   strongly agree: 23.7%  agree: 49.3%  disagree: 22.4%  strongly disagree: 4.6%

17. Require specific academic courses designed to help students to think more critically about their moral commitments and to help them live more virtuous lives.
   strongly agree: 40.3%  agree: 37.6%  disagree: 18.1%  strongly disagree: 4%

18. Require specific academic courses designed to help students think critically about their civic responsibilities.
   strongly agree: 17.5%  agree: 55.8%  disagree: 23.2%  strongly disagree: 3.5%

19. Require specific academic courses designed to help students think critically about their civic responsibilities and to help them be good citizens.
   strongly agree: 28%  agree: 45.2%  disagree: 23.5%  strongly disagree: 3.3%

20. Require courses that provide technical, work-related skills relevant to a successful career.
   strongly agree: 29.4%  agree: 47.1%  disagree: 19.9%  strongly disagree: 3.6%

21. Require religion courses in the scholarly study of the scriptures.
   strongly agree: 41.4%  agree: 46.6%  disagree: 10.6%  strongly disagree: 1.4%

22. Provide an academic environment that encourages students to develop a well-thought-out philosophy of life.
   strongly agree: 51.6%  agree: 45.6%  disagree: 2.1%  strongly disagree: .7%

23. Provide an academic environment that encourages students to develop a well-thought-out Christian philosophy of life.
   strongly agree: 59.3%  agree: 38.8%  disagree: 1.2%  strongly disagree: .7%

24. Encourage students to attend university devotionals.
   strongly agree: 37.8%  agree: 59.4%  disagree: 2.6%  strongly disagree: .2%

25. Encourage faculty to attend university devotionals.
   strongly agree: 34.1%  agree: 59.4%  disagree: 5.8%  strongly disagree: .7%

26. Require students to attend university devotionals.
   strongly agree: 1.1%  agree: 7%  disagree: 67.2%  strongly disagree: 24.7%

27. Require faculty to attend university devotionals.
   strongly agree: 1%  agree: 6.1%  disagree: 64.2%  strongly disagree: 28.7%

28. Require students to attend ward and stake meetings.
   strongly agree: 14.2%  agree: 31.6%  disagree: 38%  strongly disagree: 16.2%

29. Require faculty to attend ward and stake meetings.
   strongly agree: 20.3%  agree: 35%  disagree: 28.8%  strongly disagree: 15.9%

30. At BYU, spirituality and education issues:
   (Choose the one response that best fits your view.)
   • Need more discussion 38.4%
   • Are discussed sufficiently 54%
   • Are the focus of too much discussion 7.6%

31. BYU’s distinctive task is: (Check all those with which you agree.)
   • To offer the best possible education in caring environment 82.4%
   • To provide an atmosphere congenial to authentic spirituality—that is to encourage spirituality and education 88.5%
   • To prepare students for service within the LDS Church 66.6%
• To consider Christian perspectives more than others in the core curriculum 32.5%
• To integrate spirituality and education—that is, to identify and develop the relationships that exist between the Gospel and secular knowledge, as expressed in various academic disciplines 85.4%

32. Since BYU strives to be a Christian university, the encouragement of both spirituality and education are important tasks; but these are separate tasks and ought not to be integrated.
strongly agree: 1.7% agree: 4% disagree: 41.6% strongly disagree: 52.7%

33. To help integrate spirituality and education, BYU faculty should use the resources of their academic disciplines to illuminate religious issues (e.g., an anthropologist discusses cultural relativism in a World Religions class, or a psychologist discusses Freud's account of wish fulfillment in a religion class).
strongly agree: 26.5% agree: 56.1% disagree: 13.9% strongly disagree: 3.5%

34. To help integrate spirituality and education, BYU faculty should use the truths within the Gospel to illuminate issues in the disciplines other than religion (e.g., a faculty member discusses Joseph Smith's concept of time with a physicist, or a philosopher critiques Rawl's theory of justice in light of Christian love).
strongly agree: 38.6% agree: 54.1% disagree: 6.4% strongly disagree: .9%

35. Some faculty have had little experience in relating spirituality to education. If BYU were to offer a seminar on spirituality and education issues, would you be willing to participate? (Choose the one response that best fits your view.)
• would like to participate 35.8%
• would be willing to participate 46.2%
• would not be willing to participate 15.8%

36. To help integrate spirituality and education, some courses in BYU's core curriculum, beyond those in religion, should include discussions of Christian perspectives: (Check all those with which you agree.)
• on God (in philosophy, for example) 65.3%
• on the nature of the universe (in physics, for example) 61.5%
• on society (in sociology, for example) 63%
• on human beings (in biology and psychology, for example) 62.9%
• as opportunities arise in the various disciplines, but not systematically, in most disciplines 74.5%

37. If I wished to do so, I could create a syllabus for a course I currently teach that includes a clear, academically legitimate, Christian perspective on the subject.
strongly agree: 29% agree: 42.5% disagree: 21% strongly disagree: 7.5%

38. If conflicts develop between academic freedom and orthodox LDS doctrines, BYU should, in most cases, preserve academic freedom even if it reduces LDS support, financially and otherwise, for the University.
strongly agree: 6.6% agree: 9.4% disagree: 33.7% strongly disagree: 50.3%

39. It is possible for BYU to achieve academic excellence and maintain a Christian identity.
strongly agree: 79.6% agree: 19% disagree: .9% strongly disagree: .5%

40. It is possible for BYU to achieve academic excellence and maintain an LDS identity.
strongly agree: 79.1% agree: 19.6% disagree: 1% strongly disagree: .3%

41. Some church-related universities require faculty to subscribe to doctrinal affirmations or creeds. Do you think BYU's LDS identity requires adherence to certain orthodox theological or doctrinal affirmations (such as the existence of God and Christ as our Lord and Savior) by: (Choose one.)
• all faculty 49.1%
• majority of faculty 42.3%
• significant number of the faculty 3.4%
• no particular percentage of BYU faculty 5.2%

42. My Christian beliefs are relevant to the content of my discipline.
strongly agree: 57.4% agree: 31.6% disagree: 9.1% strongly disagree: 1.9%
43. My Christian beliefs are relevant to the way I teach my discipline.
   
   strongly agree: 63.5% agree: 31.9% disagree: 4% strongly disagree: .6%

The following are sometimes mentioned as appropriate practices at other Christian universities. Please mark those that you currently practice as a teacher with “CP;” those that you would be willing to experiment with “EX;” and those you would not be willing to adopt with “NW.”

44. Treat my students with respect
   CP 99.8% EX .2% NW 0%

45. Discuss, when appropriate, personal beliefs with students outside of class
   CP 95.2% EX 4.2% NW .6%

46. Discuss gospel-related questions raised by class material
   CP 92.5% EX 6.4% NW 1.1%

47. Share personal religious experiences in class
   CP 75.1% EX 17% NW 7.9%

48. Lead my class in public prayer
   CP 38.3% EX 44.1% NW 17.6%

49. Bear testimony in my class
   CP 58.4% EX 29.1% NW 12.5%

50. Other (answers varied)

51. Based on your understandings of BYU’s procedures and policies for interviewing and hiring new faculty: (Choose the one response that best fits your view.)
   • too much emphasis is placed on the candidate’s religious views 17.4%
   • about the right emphasis is placed on the candidate’s religious views 72.2%
   • not enough emphasis is placed on the candidate’s religious views 10.4%

52. During the last decade, the role of religion at BYU has: (Choose one.)
   • become more prominent 58.1%
   • become less prominent 35.4%
   • remained about the same 6.5%

53. The current approach to academic freedom and religious devotion (institutional values) at BYU is:
   • about right 74.6%
   • leans too much in favor of academic freedom 4.7%
   • leans too much in favor of religious devotion 20.7%

54. During the last decade has the emphasis shifted concerning the concepts of academic freedom and commitment to faith?
   • No, it has not changed 38.1%
   • Yes, it has shifted towards greater academic freedom 8.1%
   • Yes, it has shifted towards greater commitment to faith 53.8%

55. Do you have more freedom at BYU to teach your subject matter in the way you feel is appropriate than you would at other universities, or do you have less freedom here than you would have elsewhere?
   • more freedom 88%
   • less freedom 12%

56. I have been a faculty member at BYU for:
   • less than 5 years 21.9%
   • 5–10 years 20.8%
   • 11–20 years 23.7%
   • More than 20 years 33.6%

57. My College or School is:
   Biology & Agriculture 6.2%
   Library 4.8%
   Engineering 7.5%
   Fine Arts & Communications 5%
58. My rank is:
   full professor 44.4%  associate professor 29.8%
   assistant professor 20.7%  instructor 5.1%

59. I received a degree from BYU.
   Yes 71.9%  No 28.1%

60. The highest degree I have earned is:
   bachelor's 1.3%  master's 14.4%  doctorate 84.3%

61. My religious affiliation is
   LDS 98.5%  Other 1.5%

62. I am:
   Female 17.6%  Male 82.4%