

WHAT HAPPENED TO NOTRE DAME?

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Many people were shocked when the University of Notre Dame, long thought to be America's premier Catholic university, in May, 2009, invited President Barack Obama to be its commencement speaker and to receive an honorary degree of Doctor of Laws. It was not the first time that Notre Dame had hosted a U.S. president, but since President Obama had come into office with such a pronounced and unapologetical pro-abortion stance—verified within the first few days of his administration when he quickly removed by executive order those obstacles to untrammelled abortion put in place by previous administrations—it was hard to understand how a Catholic university could single him out for special honors.

In 2004, in fact, the Catholic bishops of the United States had issued a statement on "Catholics in Political Life," in which, among other things, the bishops had declared that:

The Catholic Community and Catholic institutions should not honor those who act in defiance of our fundamental moral principles. They should not be given awards, honors, or platforms which would suggest support for their actions.

Notre Dame's honoring of President Obama was thus a direct contravention of the position that the Catholic bishops had expressly established on the question of honoring pro-abortion politicians. The bishop of the diocese in which Notre Dame is located, the Most Reverend John M. D'Arcy of Fort Wayne-South Bend, Indiana, pointedly declined to attend the university's commencement and declared that Notre Dame had chosen "prestige over truth."

In the controversy that blew up and lasted for several weeks after the announcement of Notre Dame's invitation to the pro-abortion president, more than 80 American Catholic bishops publicly spoke out against it. This was an unprecedented public reaction by bishops, but then the university's action was an unusually defiant and even crude and insulting rejection of the bishops' responsibility to lay out and make clear what the proper reaction of Catholic institutions ought to be on one of the principal moral issues of the day. Equally unprecedented were the more than 350,000 signatures of Catholics who signed a petition protesting the university's action and asking Notre Dame's president, the Reverend John I. Jenkins, C.S.C., to rescind the invitation.

Thus, many Catholics were scandalized and, indeed, shocked that a Catholic university would turn out to have so little regard or respect for Catholic teaching on the very grave issue of legalized abortion in America—against which the Church's opposition has been made so unmistakably clear in the numerous statements issued over many years by the bishops and the popes. Abortion is *not* just another neutral or indifferent or optional matter in the Catholic view.

According to Charles E. Rice, emeritus professor at the Notre Dame law school and the author of this new book which, ably and concisely, tells what *did* happen to Notre Dame, Catholics are right to be dismayed and scandalized by the university's action. However, according to him, they should not have been shocked by it, or perhaps even surprised. For according to him, what happened to and at Notre Dame went back a very long time. He shows that Notre Dame "made a wrong turn four decades ago," and has been acting on wrong principles—antithetical to authentic Catholic faith—ever since. Notre Dame, according to him, has not been a Catholic university in the true sense for quite a long time.

Professor Rice traces the university's wrong turn back to something called the "Land O'Lakes Statement," a manifesto

issued by a group of Catholic academics and college presidents meeting in Land O'Lakes, Wisconsin, back in 1967. This Statement was subscribed to (if not largely inspired by) the very well-known president of Notre Dame in those days, the Reverend Theodore M. Hesburgh, C.S.C. According to the Land O'Lakes Statement:

The Catholic university today must be a university in the full modern sense of the word, with a strong commitment to and concern for academic excellence. To perform its teaching and research functions effectively, the Catholic university must have a true autonomy in the face of authority of whatever kind, lay or clerical, external to the academic community itself. To say this is simply to assert that institutional autonomy and academic freedom are essential conditions of life and growth, and indeed of survival, for Catholic universities, as for all universities.

In practice, this claim to "autonomy and academic freedom in the face of authority of whatever kind," amounted to a declaration of independence by the university from the authority of the Church. The Church was no longer seen as necessarily defining what was authentically "Catholic" and what was not. In no way did Notre Dame and the other Catholic colleges and universities that subscribed to the Land O'Lakes Statement cease to be subject to the rules and laws of the state, or of accrediting, licensing or of funding agencies and the like. It was just the Church's rules that were effectively set aside. The Land O'Lakes Statement was very instrumental in the secularization of many Catholic institutions, beginning in the 1960s.

It was primarily to counter this pernicious secularization of Catholic higher education that prompted Pope John Paul II to issue his apostolic constitution on universities *Ex Corde Ecclesiae* ("From the Heart of the Church") in 1990. Subsequently, the U.S. bishops issued their own "Application" of *Ex Corde Ecclesiae* for this country in order to try to

modify or even reverse the secularization of so many Catholic colleges. However, the fact that Notre Dame nevertheless felt justified in honoring President Obama in defiance of the bishops' policy indicated that the bishops still have a long way to go to restore the integrity of Catholic higher education.

In this book, author Charles E. Rice accurately and effectively chronicles some of the deleterious effects of this straying off the right path of authentic Catholicism on the part of Notre Dame (and many other Catholic institutions!). By declaring the teaching authority of the Church to be "external" to the university, as the Land O'Lakes Statement did, these institutions, in effect, set themselves up as competing moral authorities to the Church. Henceforth, the university would decide what was right and wrong according to its own criteria, regardless of the Church's teaching.

Professor Rice discusses a number of cases where Notre Dame went off the moral tracks long before the Obama invitation. As early as the 1960s, for example, the university was holding conferences with such organizations as Planned Parenthood and the Population Council to examine whether there might not be an alternative "Catholic" position on birth control different from the traditional teaching which Pope Paul VI reaffirmed in 1968.

Later, in 1984, Notre Dame famously provided the platform for New York Governor Mario Cuomo to inform the world that Catholic politicians could be "personally opposed" to abortion while enabling and promoting it through the public offices held by them.

Then there was the inexplicable refusal of Notre Dame president Father John I. Jenkins, C.S.C., to come out against campus performances of the obscene play "The Vagina Monologues." Professor Rice records a statement of Father Jenkins that no anti-Semitic play or speech would ever be

permitted at Notre Dame since it would be “opposed to the values of a Catholic university.” Yet over a number of years Father Jenkins could never bring himself to affirm that this wretched play crudely exploiting women and depicting, yes, actual violence against them was even more opposed to those “values.”

The arguments of Father Jenkins aiming to justify the Obama invitation are no more convincing than his arguments justifying the performance of this obscene play on campus. They are embarrassing, in fact. One can only wonder how the trustees of Notre Dame could countenance such leadership as that of Father Jenkins. Professor Rice recounts the whole sad tale of the commencement fiasco in several brief but hard-hitting chapters. It is all here, not only the serial missteps of the university administration, but the admirable, dignified, and prayerful counter-steps, mostly led and inspired by students. The book thus fulfills the promise of its title in answering the question, in adequate and carefully documented detail, of what happened to and at Notre Dame.

In addition, the book contains a very informative Introduction by long-time Notre Dame Professor Alfred J. Freddoso throwing further light on the whole affair. It also reprints the inspiring talk to the Notre Dame Response Rally by Father Wilson D. Miscamble, C.S.C.—showing, thankfully, that not all of the Holy Cross fathers on the campus are of the caliber of Father Jenkins!

Although Professor Charles E. Rice thus provides as lucid and cogent account of the whole Notre Dame/Obama affair as could be expected—and abundantly shows what happens when the Church’s teaching authority gets laid aside!—it still remains something of a mystery *how* America’s one-time premier Catholic university came to such a sorry pass. One tantalizing clue, however, perhaps lies in the reported statement of former ND president Father Theodore Hesburgh that before a university can be “Catholic,” it must first be a “university” as

understood by the secular “modern world.” This was to get it exactly backwards: a university must first be in conformity with the Catholic Church as “the teacher of truth” (Vatican II, *Dignitatis Humanae*, 14) before it can be a true Catholic university.

Kenneth D. Whitehead's latest book is Mass Misunderstandings: The Mixed Legacy of the Vatican II Liturgical Reforms (St. Augustine's Press, 2009). He is a member of the Board of Directors of the Catholic League.