

Church (College) State Conflicts Looming?

By Edythe Westenhaver
Religious News Service

The small number of Christian colleges in this country which have opted to remain clear of government entanglements, especially direct financial aid, have been heartened by two recent victories in federal court.

In a March decision in Pittsburgh, Grove City College was upheld in its refusal to sign an "assurance form" demanded by the Department of Health, Education and Welfare for students to continue receiving federal tuition assistance.

The United Presbyterian-related college in northwestern Pennsylvania denied on grounds that it did not want any direct involvement with the state.

The form in question was a pledge of non-discrimination in sexual matters. Actually, the government did not seek to prove discrimination existed and college officials said that as a matter of principle there is none.

In the second case, a federal court in Trenton, N.J., ruled last January that Sheldon College, a fundamentalist Christian institution at Cape May, N.J., did not have to comply with state licensing requirements. New Jersey education officials had sought an injunction to close the college over the Thanksgiving holiday last year because it was operating without a state license.

Unlike Grove City and Sheldon colleges, most Protestant and Catholic institutions of higher learning decided a decade ago to declare themselves

"sufficiently denominationally neutral" to qualify for whatever help federal and state governments would accord them.

Many administrators, however, remain uneasy about the massive "secularization" that took place on their campuses during the 1970s. They are also being pressured by parents, alumni and church officials as part of a conformist trend back to orthodoxy and tradition that is cutting across all Christian institutions in the United States.

Last January, the government held up payment of \$75,000 in tuition grants to students at Dallas Bible College until officials stopped requiring faculty and staff to sign a "loyalty oath" of adherence to orthodox Christian beliefs as a condition of employment. Payment was restored in April after the college dropped the requirement.

At Catholic colleges, theology professors and administrators alike are wary of attempts by the Vatican to place the teaching of doctrine under the same norms now required for certain seminaries and institutions like the Catholic University in Washington, where professors receive a formal "mandate" or license from the local bishop.

The Vatican, under a proposed new canon law, would require such a mandate for teaching theology at all Catholic colleges.

The Church is a model of highly centralized authority, while Baptists, by contrast, have a tradition of imposing only loose control over individual church in-

stitutions; recent developments are thus an indication that the problem of resistance to secularization and doctrinal change is becoming endemic.

"I don't know of a church in this country that doesn't have discipline problems over doctrine today," says Edward McGlynn Gaffney, Jr., director of Notre Dame University's Center for Constitutional Studies. He also cited the divisions within the Lutheran Church/Missouri Synod over seminary studies and the split-off of some parishes from the Episcopal Church in the controversy over women's ordination.

Efforts of colleges like Grove City to stress their Christian witness appear to be making them extremely attractive to some potential students. There are three applications for every place in the 2,200 member student body of the Pennsylvania institution, according to Robert W. Smith, the college's public relations director.

On the other hand, "Federal aid is enabling us to survive," a department chairman at one large Catholic university says, "but the price is high. I'd like the assurance that the people we hire believe in what they're teaching, but we can't ask them."

"I'd still like a crucifix in my classroom, and I'd like to start with a prayer now and then. I'm told I can't."

However, Notre Dame's Dr. Gaffney says he thinks some Catholic institutions have gone further than needed to satisfy government requirements.

Regarding religious art, he says, "the Constitution does

not give preference to symbolic religion or to non-symbolic religion. It doesn't try to protect us from religious influence but rather to preserve us from control by a particular denomination."

Dr. Gaffney points out that in some cases, state laws regarding aid to church-related colleges are much stricter than the federal requirements. New York's Bundy laws are very strict. So are New Jersey's regulations.

In the case of Sheldon College, William B. Ball, the school's attorney, argued that imposition of the state's licensing scheme upon this institution was unconstitutional because it violated the free exercise of religion clause as well as infringing rights to property, privacy and equal protection under law.

"The carefully crafted regulations which gave the appearance of affording the institutions great liberality" gave the state "absolute and final authority" over all aspects of private higher learning, including the right "to pass on whether a religious college was living up to its own religious purposes," Ball said.

The attorney is a Catholic who has specialized in constitutional law questions, and has represented numerous Protestant institutions in church-state questions in the past two decades.

Catholic institutions of higher learning began to apply increasingly for government funds after a 1968 study for Fordham University by Walter Gelhorn of Columbia University and Kenneth A. Greenwalt of the American Civil Liberties Union

suggested that they could become eligible by adopting certain "religiously neutral" characteristics.

The Supreme Court endorsed this idea in its landmark *Tilton v. Richardson* decision in 1971, decreeing that four Catholic colleges in Connecticut were sufficiently neutral to qualify for direct grants for construction.

One of the characteristics of the colleges mentioned by the high court was respect for academic freedom. The court's action is being cited by Catholic theologians protesting the Vatican's plan to tighten up the teaching of doctrine by use of the canonical mandate.

Father Charles Curran, the Rochester diocesan priest who is a professor at Catholic University, asserts that such a restriction on academic freedom will mean that "canonically erected Catholic institutions cannot be true universities in the accepted sense of the term in the United States."

Fears that the Vatican may try to force American bishops to fire theology professors for unorthodox teachings lies behind at least some of the controversy in this country over the German bishops' action revoking Father Hans Kueng's mandate to teach on a Catholic faculty at the University of Tuebingen.

A report on the implications of the proposed changes in the Code of Canon Law is being prepared for the Catholic Theological Society of America. The society has enlisted the support of the American Association of University Professors in its campaign to prevent enforcement of the mandate in their schools.

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Auriesville Rites To Mark Beatification

Auriesville — Ceremonies marking the beatification of Kateri Tekakwitha will be held at the Shrine of the North American Martyrs here on Sunday, June 22.

The shrine is the birthplace of the "Lily of the Mohawks."

Bishop Joseph M. Pericone of the Archdiocese of New York will offer a Pontifical Mass at 4 p.m. for the several thousand pilgrims

who have already registered for the event.

Pope John Paul II, in Rome, will proclaim Venerable Kateri blessed on the same day.

In attendance at the Auriesville rites will be a large contingent of members of the Mohawk Nation, Kateri's people, from both the St. Francis Xavier Mission, Caughnawaga, Quebec, and

St. John Francis Regis Mission at the Akwesasne Reservation near Massena.

The Auriesville rites will also include a procession over the shrine grounds to what is believed the site of Osserenon, the village where Kateri was born in 1656. The procession will begin at 2 p.m.



Director Named

Fred Costello, an entertainer and teacher here in Rochester, has been named McQuaid Jesuit High School's first full-time music director. He has appeared in Las Vegas, Hollywood, the Bahamas, and on national radio and TV spots. He is a native of Syracuse, settled in Rochester in 1967 and currently serves as organist for the Rochester Red Wings and Rochester Americans.

Civic Club Award

The Italian Women's Club presented Sister Serafine Herbst, SSJ, principal of the School of the Holy Childhood, with a check for \$2,000 recently. The money was raised at the Civic Club's Spring Project, an annual event aimed at helping worthy civic agencies.

Tie a Ribbon 'Round Plant Give Its Bloom to Another

The Southwest Human Development Committee (St. Monica's and St. Augustine's parishes) has a suggestion for gardeners.

Why not, the committee asks, tie a ribbon around one of your plants and nurture it for someone else? Then give that person what the plant produces.

Perhaps the gardener might consider an elderly couple who no longer keep their own garden but would still love flowers. Or how about an unemployed neighbor? Or the child who has no garden of his own.

The committee reminds anyone interested that their church cupboard or missions know the needs of others. For suggestions, the committee recommends a call to Kathy Murty, 436-1284, or Liz Pollack, 235-0517.



STUDY/THEATER/DRIVER ED: THE HARLEY SCHOOL'S SUMMER PROGRAM

Summer School — A fully accredited High School program offering review and advanced instruction in all academic subjects matters: mathematics, English, social studies, foreign language, and review in science. The School also offers skills review in English and mathematics and Social Studies for grades 6-8. This year we will offer remedial reading sections, and high school Health.

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For Further Information:
Mr. Alan M. Pavlic, 442-1770
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