

National/International Report

Father Curran won't teach, calls archbishop 'reckless'

By Jerry Filteau

Washington (NC) — Catholic University of America theologian Father Charles Curran said Jan. 15 that he won't defy the university's cancellation of his spring courses by trying to teach them anyway, but he may challenge in court his suspension from teaching.

He said Archbishop James A. Hickey of Washington, chancellor of the university, "was irresponsible and reckless" in threatening to invoke a controversial 1983 Church law in order to enforce the priest's suspension from teaching.

To defy his suspension and the cancellation of his classes by attempting to teach, Father Curran said, would "make my students hostages in this ongoing controversy" and would "risk injustice to them even as I struggle to attain justice for myself."

It would not be fair to students, he said, to ask them to take a course for which they might not receive academic credit.

Students supporting Father Curran said the sudden cancellation of his three spring courses affected some 30 to 40 students who had registered for them.

Father Curran also revealed that Archbishop Hickey had recommended three other teachers, outside the current Catholic University theology faculty, to replace Father Curran for his spring courses, but the theology department chairman, Oblate Father David Power, had declined to accept them. Father Curran refused to name the three.

Father Curran said that if Archbishop Hickey ultimately intends to invoke Canon 812 of the 1983 Code of Canon Law to prevent him from teaching, the archbishop ought to inform members of the just-formed Academic Senate committee reviewing the revocation of Father Curran's teaching license.

Invocation of the law would make the internal academic procedure "a charade" because it would replace any decision the review committee might reach, he said.

Canon 812 was put into the new code over vigorous objections from the American Catholic academic community. It gives the

local bishop direct authority over the hiring and firing of teachers in theology and related disciplines in all Catholic colleges and universities.

Some canon lawyers have argued from other principles of church law that Canon 812 does not apply in the United States, and a number of academic leaders have warned of dire consequences to U.S. Catholic education if any bishop decides to invoke it.

Father Curran said at the press conference that he thought use of Canon 812 in any U.S. Catholic academic situation "would be a great tragedy," and "I will not risk what Canon 812 would set afoot" for the sake of resolving the suspension order.

The primary issue is the revocation of his teaching license, and his suspension while that revocation is being reviewed is secondary, he said.

The Jan. 15 press conference, held in Caldwell Auditorium on the university campus, followed a flurry of activity on his case in the days surrounding the start of a new semester.

Last August the Vatican's Congregation for the Doctrine of the Faith, with approval of Pope John Paul II, informed Father Curran that it considered him unfit to continue teaching as a Catholic theologian in view of his refusal to retract dissenting positions on certain church teachings.

Because Father Curran was on sabbatical from the university in 1986, the attempt to revoke his teaching license was not put to the test until just before the current semester.

Shortly before Christmas, Archbishop Hickey notified Father Curran of his intent to suspend him, giving him until Jan. 7 to respond. Final registration for the spring semester was Jan. 12 and 13, with classes beginning Jan. 14. The first of Father Curran's courses was scheduled for the morning of Jan. 15:

From Jan. 7 on, events built up rapidly:

• **Jan. 7:** Father Curran informed Archbishop Hickey that he objected to the suspension and thought it would "prejudice my position" in the hearing on revocation of his teaching license. He contended that while the archbishop had legal authority to bar him from teaching students working for ecclesiastical degrees, the statutes gave the chancellor no authority to intervene in a theology teacher's classes with students working for civil degrees.

• **Jan. 9:** Archbishop Hickey replied that he could see no basis for contesting the suspension "when the highest authorities of the Church have expressly and finally declared that you are not suitable to teach Catholic theology." He formally suspended Father Curran "from teaching in an ecclesiastical faculty pending the outcome of the proceedings to withdraw your canonical mission" or license to teach as a Catholic theologian.

• **Jan. 12:** Father Curran informed Archbishop Hickey of his intent to teach the courses to students outside the ecclesiastical degree tracks and inform students for ecclesiastical degrees that they could not take his course for credit. He also released to the press copies of the latest correspondence between himself and Archbishop Hickey, telling reporters of his intention to teach despite a suspension.

• **Jan. 13:** Archbishop Hickey replied that he could not accept Father Curran's interpretation of the statutes and considered it "untenable for you to teach your proposed theology courses this spring in view of the Holy See's judgment." He demanded an assurance "by 12:00 noon tomorrow" that Father Curran would not teach, or an explanation by that time "why I should not exercise my authority under Canon 812 to revoke, suspend or deny the required mandate to teach."

• **Also Jan. 13:** The newly formed committee to review Father Curran's case announced, through the theology department's official bulletin board, that it held its first meeting Jan. 12. Urban Lester of the university's law school had been named chairman of the committee, and Anastas Suziedelis of the school of arts and sciences was vice chairman. Jesuit Father Avery Dulles was the only committee member from the school of religious studies. Others represent arts and sciences, the music school, and the National Catholic School of Social Service.

• **Jan. 14:** Following an inquiry from Father Curran to Archbishop Hickey as to the official university position on his classes, Father Curran was notified by university officials that all his classes were being canceled. An official notice to that effect was posted on the theology department bulletin board. Anne Smith, the university's information director, said the next day that the chairman of theology, dean of religious studies, academic president, executive vice president and president of the university all concurred in that decision.

• **Jan. 14:** Father Curran wrote back to Archbishop Hickey, saying that in light of the university action and possible implications of defying his suspension he would not press "my right to teach at this time" but might appeal "to the civil court for what I believe to be the correct interpretation of the statutes." He also warned of "great harm to Catholic higher education" that could come if the archbishop should carry out his "threat to invoke Canon 812."

• **Jan. 15:** Substituting a press conference for what was to have been his first class, Father Curran released the latest correspondence between himself and Archbishop Hickey. The bottom line on his confrontation with Archbishop Hickey over his suspension, he said, was that "Curran blinked."

Smith said neither Archbishop Hickey nor the other university officials involved had any comment on the latest events.

Annual McQuaid alumni dinner set for February 3 in Rochester

The third annual McQuaid Jesuit High School alumni dinner is scheduled for Tuesday, February 3, at Logan's Party House in Rochester.

The featured speaker will be Rick Thomas, '73, who is now an actor and writer in Chicago and New York City. The honored guest for the evening will be Rhodes Scholar Mark Ouweleen, '82.

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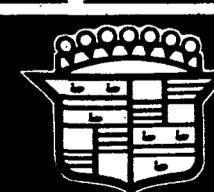
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