

University of Dayton  
Dayton, Ohio 45469

**THE PURPOSES AND NATURE  
OF THE  
UNIVERSITY OF DAYTON**

Approved by Board of Trustees, October 20, 1977

Prepared by Objectives and Purposes Committee, Board of Trustees, under the Chairmanship of:

The Very Reverend William J. Ferree, S.M., 1970-1976

The Very Reverend William R. Behringer, S.M., 1976-1977

Members of the University Community,

This document represents the combined efforts of members of the faculty, student body, administration and Board of Trustees who have met for over a period of five years in order to express the objectives and purposes of the University of Dayton. After receiving comments and criticisms from the entire University Community on their "first draft" and after many subsequent revisions, recastings, and polishing, this group, the Committee on Objectives and Purposes, has produced a statement of what it believes the University of Dayton stands for and ought to be.

The document is comprised of two sections: 1) the Purposes of Objectives of the University of Dayton; and 2) a Correlation of More Recent Statements. The second is a commentary and re-interpretation for today of the first. The Committee had envisioned initially a third section which would have specified operational principles and priorities. In the course of its discussions however, the Committee came to realize that it was in no position to work out the specific applications. Such a task, it became clear, belonged properly to the members of discrete sectors of the University Community.

What remains then is for the entire University Community to study this document with the intention of working out the many and varied ways by which it may be implemented in the day-to-day life of the University. In the course of such a study it should be kept in mind that all statements of purposes are dynamic entities expressing in contemporary language the implications of the more stable document, like a constitution, upon which they are based. If they are to be responsive to the changing needs of changing times, they need, of necessity, periodic review. For that reason the Committee has proposed that in three years (Spring, 1981) this statement be reviewed in the light of the modifications and refinements recommended on the basis of the efforts to implement it.

During the discussions of the Committee, especially those which dealt with comments made by various members of the faculty, it became evident that several important questions will have to be taken up by the entire University Community in the future. What role, for example, is to be played by the members of the faculty who do not consider themselves "Catholic" or "representatives" of the Judeo-Christian tradition or who would describe themselves as individuals committed to some religious values, but not to the religious tradition of a particular institution? As a related question, the Committee would like to study at some length, and especially with the participation of the faculty, what it means to be a part of a University which is "Committed" to a tradition. What, in that context, differentiates "academic freedom" in modern times from the more traditional "committed academic freedom" which this document has attempted to outline in a preliminary way?

In particular, I would like at this time to initiate a University-wide dialogue on the nature of academic freedom. References to this concept are made in paragraphs 57, 60, 62 and passim. It would be worthwhile to read careful paragraphs 51-65 of the document on this whole question. These paragraphs drew the most comments from the faculty. It was upon these same paragraphs that the Committee of the Board spent the better part of its time this past year, first discussing at length the comments of the faculty and administration, and then revising the document in the light of those discussions.

The experience of the Committee convinces me all the more of the need we have to examine together the important question of the meaning of academic freedom. I ask therefore the entire University Community to consider the following question:

In what ways, if any, should the concept of academic freedom operate differently in a University which is committed to the Christian world-view?

I invite any member of the University Community to respond to this question in writing. What I have in mind are not as much "scholarly articles," but brief considerations (preferably 2 or 3 pages) which together would then be published in a booklet which could become the basis for a University-wide discussion perhaps in the Spring of next year. I would appreciate having these considerations by Tuesday, January 24, 1978. I am looking forward to this discussion. I am depending on the benefit of your own experience and insights to develop this dialogue.

I wish to thank all the members of the University Community who have helped the Committee in their long, painstaking work over the past five years. My special thanks and appreciation are extended to the members of the Committee themselves for their dedication to a task which demanded so much of their time and attention.

Sincerely,

Raymond A. Roesch, S.M.  
President

Excerpt from  
**AMENDED ARTICLES OF INCORPORATION**  
  
**OF**  
  
**UNIVERSITY OF DAYTON**

**THIRD**: The purposes of the corporation are as follows:

The purpose or purposes for which said corporation is formed are establishing, maintaining and conducting, under the influence of religion, an institution of learning for the purpose of offering instructions in the arts and sciences; promoting education in all departments of learning and knowledge, and especially in those branches usually comprehended in academic, collegiate and university courses; promoting the work of education, religion, research, public service and charity; acquiring and holding for such purposes money, real estate and other property necessary or proper to carry out said objects; and doing any and all things and engaging in such enterprises necessary or incident to the accomplishment of such purpose.

(s) William J. Ferree  
President

(s) Raymond A. Roesch  
Secretary

Approved by Ohio Secretary of State:      November 9, 1970

Excerpt from

Constitution of the University, Article I, Section 2, paragraphs (a) - (g)

NATURE OF THE UNIVERSITY

(a) The University of Dayton is a church-related institution of higher learning conducted in the living tradition of the Society of Mary (Marianists), a Catholic teaching order.

(b) As a University, its fundamental commitment is to the discovery, dissemination and application of truth.

(c) As a private institution in a pluralistic society the University has chosen as its option the Christian world-view as a distinctive orientation and insists only that human problems be first approached from that philosophical position.

(d) As a Catholic University, it accepts the validity of revealed as well as of reasoned truth and is committed to genuine and responsible academic freedom supported by proper respect for the Church's Magisterium.

(e) The living Marianist tradition further dictates the University's emphasis on those values which culminate in the highest development of the human person.

(f) By reason of Man's essential nature, this commitment involves a recognition of the need to promote individual fulfillment through self-transcending service.

(g) Fidelity to the ideal, as thus defined, in the discharge of all essential functions and in initiating and conducting special activities to meet the changing needs of society, constitutes the first principle of the organization and operation of the University of Dayton.

## STATEMENT OF PURPOSES

**Approved by Board of Trustees, May 14, 1969**

The University of Dayton, by tradition, by legal charter, and by resolute intent, is a church-related institution of high learning. As such, it seeks, in an environment of academic freedom, to foster principles and values consonant with Catholicism and with the living traditions of the Society of Mary. Operating in a pluralistic environment, it deliberately chooses the Christian world-view as its distinctive orientation in carrying out what it regards as four essential tasks: teaching, research, serving as a critic of society, and rendering public service.

The University of Dayton has as its primary task to teach—that is, to transmit the heritage of the past, to direct attention to the achievements of the present, and to alert students to the changes and challenges of the future. It regards teaching, however, as more than the mere imparting of knowledge; it attempts to develop in its students the ability to integrate knowledge gained from a variety of disciplines into a meaningful and viable synthesis.

The University of Dayton holds that there is harmony and unity between rationally discovered and divinely revealed truths. Accordingly, it commits its entire academic community to the pursuit of such truths. It provides a milieu favorable to scholarly research in all academic disciplines, while giving priority to studies which deal with problems of a fundamentally human and Christian concern. It upholds the principle of responsible freedom of inquiry, offers appropriate assistance to its scholars, and endeavors to provide the proper media for the dissemination of their discoveries.

The University of Dayton exercises its role as critic of society by creating an environment in which faculty and students are free to evaluate, in a scholarly manner, the strengths and weaknesses found in the institutions developed by man. While, as an organization, it remains politically neutral, objective and dispassionate, it encourages its members to judge for themselves how these institutions are performing their proper tasks; to expose deficiencies in their structure and operation; to propose and to actively promote improvements when these are deemed necessary.

The University of Dayton recognizes its responsibility to support, with means appropriate to its purposes, the legitimate goals and aspirations of the civic community and to cooperate with other agencies in striving to attain them. It assists in promoting the intellectual and cultural enrichment of the community; it makes available not only

the resources of knowledge that it possesses, but also the skills and techniques used in the accumulation and dissemination of knowledge; and, above all, it strives to inspire persons with a sense of community and to encourage men of vision who can and will participate effectively in the quest for a more perfect human society.

## THE PURPOSES AND NATURE

### OF THE

## UNIVERSITY OF DAYTON

1. The purposes and nature of the University of Dayton are set forth in the Articles of Incorporation which, on March 15, 1952, separated the University of Dayton from its parent Corporation, The Marianist of Ohio, Inc. The latter, for more than a century, had “established, maintained, and conducted” the University as an integral part of its own corporate structure.

2. The somewhat archaic language of the parent Corporation’s Charter was deliberately maintained in the new document as much as possible, so as to emphasize the University’s continuity and identity from the time of its foundation in 1850.

3. More recently, several parallel statements of purposes have been elaborated to better express the internal consistency and interrelationship of the statutory purposes, and to show their relevance to contemporary problems and preoccupations.

4. Such official formulations, precisely because they are designed for a certain timeless validity, must be constantly reinterpreted and clarified in the changing conditions and appreciations of human existence. It is to supply a firm basis for this continual work of restatement and clarification that the Committee on Objectives and Purposes of The Board of Trustees has elaborated the following statement as a point of departure for specialized or practical formulations to be addressed to the various constitutive elements of the University community, or to its various publics, as the need arises.

5. The Statement will consist of two sections, as follows:

- 1) An explication and analysis of the university’s purposes as set forth in the Articles of Incorporation; and
- 2) A correlation of this and two more recent Official Statements, arranged in the order of precedence established by the Constitution of the University.

6. In order to reduce as much as possible the repetitions inherent in this procedure, the first section will be largely limited to matters of definition and history; and more extended developments will be placed in the second section.

## SECTION I

### AN EXPLICATION AND ANALYSIS OF THE UNIVERSITY'S PURPOSES AS CONTAINED IN ITS ARTICLES OF INCORPORATION

7. The Articles of Incorporation of the University of Dayton are printed at the beginning of the booklet: Basic Governing Documents of University of Dayton, AS REVISED, June 1974. The purposes of the corporation are enumerated in Article Three as follows:

- a. "establishing, maintaining and conducting an institution of learning
- b. under the influence of religion
- c. for the purpose of offering instruction in the Arts and Sciences;
- d. promoting education in all departments of learning and knowledge; and especially
- e. in those branches usually comprehended in academic, collegiate and University courses;
- f. promoting the work of education,
- g. religion,
- h. research,
- i. public service,
- j. and charity;
- k. acquiring and holding for such purposes money, real estate or other property necessary or proper to carry out said objectives,

- I. and doing any and all things and engaging in such enterprises necessary or incident to the accomplishment of such purposes.”

8. All of these broadly stated purposes must be constantly rethought and rephrased to bring them to that degree of specificity which is necessary for consistent and effective action in constantly changing practical situations. The following commentaries are intended to facilitate this ongoing task.

**a. ESTABLISHING, MAINTAINING AND CONDUCTING AN INSTITUTION OF LEARNING**

9. The singular “an institution” departs from the wording of the parent Charter, which uses the plural: “Institutions of learning.” The parent Corporation, in fact, conducts numerous institutions of learning at all levels in various parts of the world. This limitation of the university’s Charter, however, in no way restricts the organizational variety or institutional complexity open to a University in modern conditions. The University will feel free to employ, modify, or create whatever institutional patterns seem called for in a rapidly changing world in order to meet with the resources it can command the needs to which it must address itself. It is for this reason that the word “establishing” was retained in the text, though the new Corporation was being set up to maintain and conduct an already established institution.

**b. UNDER THE INFLUENCE OF RELIGION**

10. The reason for the generality and indefiniteness of this formula in the parent Charter was the need of the parent organization, the Marianists of Ohio, to respond to widely varying cultural and religious conditions in its establishments throughout the world. The formula was retained without change in the University’s Charter as an adequate expression of the University’s commitment to function as a “church-related” institution. The implication is that the church-relatedness is a voluntary and autonomous option exercised by a private institution, not a direct dependence on church governance or church support. Further development of this important concept will be left for the detailed discussions of Section Two.

**c. FOR THE PURPOSE OF OFFERING INSTRUCTION IN ARTS AND SCIENCES**

11. This is the first statement of the academic purpose of the university. It uses the general term “Arts and Sciences” which has succeeded the historic term “liberal arts” as the designation of the University’s unifying component, while the term “sciences” now appears in recognition of the strong contribution which the behavioral and natural sciences have made to the development and enrichment of modern culture. The University retains its

dedication to the humanities as a sustaining element in all its instructional components. At the same time, the statement brings to the fore the central task of offering instruction. Although the elements of humanities and instruction, as will be seen immediately in the next paragraph, by no means exhaust the academic enterprise, their abstraction here into a "separate chapter" is intended to indicate that no matter how widely the University's interest may range, these two characteristics are to be strongly in evidence.

**d. PROMOTING EDUCATION IN ALL DEPARTMENTS OF LEARNING AND KNOWLEDGE**

12. Here the basic activity of "instruction" is immediately amplified to "education" which extends far beyond the domain of simple knowledge to the whole complex reality of personal "development" and human "liberation." This subordination of instruction to the more comprehensive process of education is, as will be seen later, a cornerstone of Marianist educational theory.

13. The University aspires to reach out beyond the already noted basic humanities core to devote significant attention to man's historic, technological and managerial tasks. Even from the days when it was a small liberal arts college, the University has a long and honorable record of achievement and service in the natural sciences, in business, in engineering, and in research.

**e. AND ESPECIALLY IN THOSE BRANCHES USUALLY COMPREHENDED IN ACADEMIC, COLLEGIATE AND UNIVERSITY COURSES**

14. This statement accepts with some reservation ("especially," "usually") the organization of academic life at the time it was written. The words "academic, collegiate, and university" set the levels of instruction as secondary, undergraduate, and postgraduate; and the word "branches" returns us to the operation of the Department on the practical or course level. Not only was the University as a whole organized around the notion of departments or disciplines, but each course was also so organized. The necessary interdisciplinary approach to the problems of real life was largely and implicitly entrusted to the organization of the whole curriculum.

15. The separation in the University's statutory purposes between "education in all departments of learning and knowledge" and the "branches usually comprehended in academic, collegiate and university courses" seems to foreshadow the modern development in which the traditional role of the Departments as depositories of competence remains both valid and viable, while their role as exclusive arbiter of the content and implementation of instruction is coming under increasing pressure from interdisciplinary forces and from rising expectations of greater interface and interaction with ongoing life.

16. Recent manifestations of the effort to transcend a narrow vision of departmental control of course material were evident in "Planning for the Seventies," in "Project Interface," and in the use of the Assistant Provost's Office as an Office of Educational Development. Present manifestations of the same effort are the new Metro Division's adult outreach, the Self-directed Learning Program which develops individually designed courses, the Senior Synthesis requirement in Arts and Sciences which encourages interdisciplinary effort, the Mini-Course Program which permits close correlation of instruction with problems of actuality, and the Cooperative Education and Internship Programs.

**f. PROMOTING THE WORK OF EDUCATION**

17. This and the immediately following more general purposes seem more applicable to the parent Corporation than to the University, but were retained in the University's Charter to claim a participation in these broader purpose in a manner consonant with the special nature of a University.

18. The School of Education has long been a chosen instrument of the University in carrying out this more general promotion of the work of education, but it is not the only instrument. At a time when "schooling" in the traditional sense is coming under widespread scrutiny and adverse criticism as society's principal—even almost exclusive—instrument for the education of its children, the whole operation of the University becomes a response to this challenge. The educational process must seek to fill the ever-lengthening time of preparation required by an increasingly complex civilization and simultaneously provide young people with realistic contact with adult values and responsibilities.

19. This new agenda leads the University to seek ways of opening up the academic process to interaction with the nonacademic aspirations and responsibilities of the real world, and consequently to experiment and alternate agencies and methods of the total educational process within which the academic enterprise should function.

**g. PROMOTING THE WORK OF RELIGION**

20. It is principally in this section that the statement made in the preceding paragraph holds true; namely, that the goals of the parent Marianist Charter were retained in the new University Charter "in this manner, consonant with the special nature of a University." In its claim to be a private, church-related institution the University, as has already been pointed out, regards its commitment as a spontaneous and voluntary one, and

maintains no executive or financial dependence on any ecclesiastical body. It aspires to be an autonomous corporation, under civil charter, which has made its own commitment to religious and moral values in the Catholic tradition within Western Civilization. It implements this commitment by consciously recruiting from among professionally competent men and women those who share its vision and wish to preserve it. At the same time, however, it intends to engage representatives of other traditions in sufficient numbers to assure the internal dialogue necessary to define and enrich its own commitment; and from this position it intends to dialogue ecumenically with differing traditions in the country and in the world.

21. In asserting its autonomy of commitment, the University recognizes the right of Ecclesiastical Authority to question, criticize, and judge the integrity of its implementation of this commitment. In this action, however, Ecclesiastical Authority must act in its own name and with its own due process and accountability structures, not by enjoining those of the University. The methods and processes of this delicate relationship, and the University's understanding of its responsibilities in this regard, will be developed in the Second Section.

22. The purpose of operating "In the Marianist tradition of education" which occurs in recent formulations is curiously absent from the statutory purposes we are now analyzing. The reason was that it was the Marianist purposes themselves which were being adapted to the University Charter, and no one thought of giving them special mention! The oversight can be made good, however, simply by including it in this paragraph as the principal way in which the University intends to safeguard its church-relatedness.

23. In professing to operate in the Marianist Tradition of Education of its foundation and of its continuous history of more than a century, the University intends to rely on the presence and contribution of Marianists appointed for their professional competence through appropriate use of the ordinary appointment procedures of the University, with the degree of "affirmative action" on the part of the University itself which will assure to it a sufficient continuity in its purposes.

24. An essential complement to this role of the Marianists at the University is the vital presence of a large number of lay faculty members whom the Marianists associate fully in their professional, educative, and apostolic work. Such an association, to be truly effective, implies of necessity both an initial orientation to the Marianist Tradition of Education and, subsequently, a perduring relationship between Marianists and their colleagues of a mutually shared spirit and purpose.

25. The characteristic features of the Marianist tradition, and the modalities of its action within the University, will be developed in the Second Section.

**h. PROMOTING THE WORK OF RESEARCH**

26. With this statutory purpose, we return to the direct field of the University's operation. The Departments and Institutes of the University carry on considerable research activity in implementation and enrichment of their more immediate purpose of instruction in their respective disciplines. Outside of the formal academic processes but in close collaboration with them, a special Research Institute carries on contract or "Sponsored" research for outside agencies as partial fulfillment of the University's goal of Public Service.

27. The research role of the University also extends to far larger issues, and is in constant need of reflection and reassessment. The University, as a private, church-related institution, is committed to the continuance and development of the Catholic tradition in constant dialogue with other institutions which are committed to other traditions. As such traditions are always evolving through the centuries in response to changing conditions and advancing human development, the University's commitment implies a constant effort of research and integration to tailor its instruction and dialogue to this ongoing evolution.

**i. PROMOTING THE WORK OF PUBLIC SERVICE**

28. Both the instructional and research activities of the University are in themselves an outstanding public service; in addition to which the University aims to bring its intellectual resources to bear on the evaluation, criticism, and promotion of effective public administration, and on the use of natural and human resources for the Common Good.

**j. PROMOTING THE WORK OF CHARITY**

29. This statutory purpose is partly a reflection of the fact that Ohio Corporation Law classes as "charitable" all not-for-profit corporations, regardless of their more immediate purposes. But this is by no means the whole story. The Christian commitment of the University leads it to aspire to the fullest exercise of appreciation, acceptance, and development of the human personality as the image of God, and to the promotion of personal virtues and social institutions best suited to human dignity and welfare. This goal can be summarized as the promotion of personal and social charity; and influences the formulation and administration of the University's fundamental statements of rights and duties of all members of the University Community.

**k. ACQUIRING AND HOLDING FOR SUCH PURPOSES MONEY, REAL ESTATE OR OTHER PROPERTY NECESSARY OR PROPER TO CARRY OUT SUCH OBJECTS**

30. The University recognizes that a proper “academic environment” involves not only the intellectual, moral, and operational factors already enumerated, but also the physical factors conducive to their realization in practice. It consciously intends to acquire and accumulate as a public trust such facilities and resources as are necessary and supportive to its task.

31. Among the principal goals still unfulfilled is the accumulation of an endowment commensurate with the present size, importance, and autonomous status of the University to replace the “endowment of dedicated lives” on which it largely relied during the first century of its existence.

**I. AND DOING ANY AND ALL THINGS AND ENGAGING IN SUCH ENTERPRISES NECESSARY OR INCIDENT TO THE ACCOMPLISHMENT OF SUCH PURPOSES**

32. This statement is largely a lien on the future and its as yet unsuspected de-developments. The University recognizes the growing importance of forms of education that will continue throughout life; of growing interface and interaction with ongoing adult life in all its forms; of increasing reliance on institutions of education which up to now occupied a rather peripheral position to the classroom; and of increasing involvement in the social and cultural readjustments made necessary by vertiginous technological change.

33. These demands of the future may well carry the University far beyond the rather well-defined parameters of an institution of higher learning as history has developed these parameters up to now; and the final stated purpose of the University is to be ready to face such developments if and when they become necessary.

## SECTION II

### CORRELATION AND ANALYSIS OF THE PURPOSES AND NATURE

#### OF THE UNIVERSITY AS FOUND IN THE

#### "STATEMENT OF PURPOSES" AND THE CONSTITUTION

34. The statutory purposes of the University's Corporate Charter, which were reviewed in Section One of this study, have recently been subjected to analysis and restatement during the reorganization of the University and the "Planning for the Seventies."

35. Out of this effort have come two official formulations:

- 1) the "Statement of Purposes" approved by the Board of Trustees on April 14, 1969; and
- 2) the Article on the "Nature of the University" which was incorporated at Art. I, Section 2 of the new Constitution (November 4, 1970). The Purposes of the University are not repeated in this Constitution, but it is clear at a glance that the Article on the "Nature of the University" was abstracted from the "Statement of Purposes."

36. The Constitutional Article is therefore the most recent effort at a clear and logical arrangement, and for that reason it will be used to determine the sequence of ideas in the correlation and analysis which follows. It is to be presumed that changes introduced into the more historical formulation of Section One will represent responses to the profound changes through which the University, like all other human institutions, is passing at this moment in history.

37. The University Community recognizes, in fact, that in this latter part of the Twentieth Century, it is participating in some of the most profound changes through which humanity has passed in all its long experience; namely, in that passage of civilization from "Subsistence" to "Development" which many theologians like to characterize as "Mankind coming of age." There may, of course, be legitimate differences of opinion as to whether our situation at the moment is on the adolescent or the adult side of this profound change; but there is no questions but that the change itself is profound.

38. We will now take up paragraph by paragraph the constitutional statement.

(From): **ARTICLE I, SECTION 2: NATURE OF THE UNIVERSITY**

a. **THE UNIVERSITY OF DAYTON IS A CHURCH-RELATED INSTITUTION OF HIGHER LEARNING CONDUCTED IN THE LIVING TRADITION OF THE SOCIETY OF MARY (MARIANISTS), A CATHOLIC TEACHING ORDER**

39. This paragraph is a general statement whose ideas are taken up singly and further developed in the following paragraphs (b) to (g). For this reason no further development will be made here except for some historical highlights concerning the way in which the distinctive character of the University came into being.

40. What is now the University of Dayton was founded in 1850 under the Charter of the Society of Mary of Paris by Marianists who had arrived from France the year before, in 1849. The first American Charter was the "Act of Association" of 1863 under the title of "Society of Mary."

41. From this point on, it is clear from the basic legal documents enumerated in the Footnote to Art. I, Section1, (a) of the Constitution, that the University developed as an integral part of the legal structure of the Society of Mary, Province of Cincinnati, with a gradually greater corporate identification through successive revisions of the charter until full corporate independence was attained in the Articles of Incorporation of the "University of Dayton, Inc." which was issued on March 5, 1952.

42. This Corporate independence was further implemented in 1970 when the then Board of Trustees, composed exclusively of members of the Society of Mary (Marianists of Ohio, Inc.), turned over the governance of the University to a free-standing Board of Trustees broadly representative of the civic community, on which the Marianists retained a minority membership of at least 20%.

43. The former all-Marianist Board of Trustees retained its position as "Members of the Corporation: with the addition of three Officers of the Board. Its functions were limited to the safeguarding of the charter and trust and the nomination of Trustees for election by the Board. This is an innovative solution of the problem of trust and governance for a church-related university which seems to hold better promise for the future than other arrangements which have been suggested or adopted by other institutions; its potentialities are now to be

explored for carrying out the purpose of the University with the broadest possible opening to the needs of the community and to the exigencies of our rapidly changing culture.

**b. AS A UNIVERSITY, ITS FUNDAMENTAL COMMITMENT IS TO THE DISCOVERY, DISSEMINATION, AND APPLICATION OF TRUTH.**

44. In the "Statement of Purposes" this "fundamental commitment" is preceded by an introductory paragraph corresponding to (a) above (which will be included in the analysis of the respective paragraphs to follow); and by a listing of "essential tasks" of which this is the first: "(The University) regards as its four essential tasks: teaching, research, serving as a critic of society, and rendering public service."

45. Then the first of these essential tasks is developed: "The University of Dayton has as its primary task to teach—that is, to transmit the heritage of the past, to direct attention to the achievements of the present, and to alert students to the changes and challenges of the future. It regards teaching, however, as more than the mere imparting of knowledge; it attempts to develop in its students the ability to integrate knowledge gained from a variety of disciplines into a meaningful and viable synthesis."

46. The more recent (May 25, 1972) "Statement of Rights and Responsibilities for Members of the University of Dayton Community" has, in its first paragraph, undertaken to express the results of further reflection on this basic purpose:—"to pursue and integrate knowledge and teach in an atmosphere conducive to the free exchange of ideas." Also, in Section IV, paragraph 2: "The right to pursue those purposes set forth in its Charter and Constitution emphasizing its fundamental commitment to the discovery, integration, dissemination and application of truth."

47. The word "integration" as used in these two passages does develop an idea clearly contained in the paragraph of the "Statement of Purposes" which we are now analyzing ("to integrate knowledge gained from a variety of disciplines"); but just as clearly it further develops this idea as a result of deeper reflection on the further commitment enunciated in the next three paragraphs: to be voluntary or "private," church-related, and Marianist.

48. This insight is that it is by a process of dynamic integration into a coherent whole that truth becomes, in the first place, a "heritage" which can be "transmitted." Furthermore, this transmission down through history requires a constant effort of integration to incorporate elements of growth while maintaining historical identity and effectiveness. Finally, it is only a strong concern for integration that can give a tradition a respected

and influential place in the great dialogue with other traditions that is becoming increasingly recognized as essential in man's endless quest for truth.

49. As a result of this increasing realization, the concept of integration of knowledge within a tradition is rapidly passing from an implicit assumption to an explicit declaration in the University's purposes.

**c. AS A PRIVATE INSTITUTION IN A PLURALISTIC SOCIETY THE UNIVERSITY HAS CHOSEN AS ITS OPTION THE CHRISTIAN WORLD-VIEW AS A DISTINCTIVE ORIENTATION AND INSISTS ONLY THAT HUMAN PROBLEMS BE FIRST APPROACHED FROM THAT PHILOSOPHICAL POSITION.**

50. The more extended formulation of this point in the "Statement of Purposes" is as follows: The "University of Dayton, by tradition, by legal charter, and by resolute intent, is a church-related institution of higher learning. Operating in a pluralistic environment, it deliberately chooses the Christian world-view as its distinctive orientation in carrying out what it regards as (its) essential tasks."

51. "The University holds that there is harmony and unity between rationally discovered and divinely revealed truths. Accordingly, it commits its entire academic community to the pursuit of such truths. It provides a milieu favorable to research in all academic disciplines, while giving priority to studies which deal with problems of a fundamentally human and Christian concern. It upholds the principle of responsible freedom of inquiry, offers appropriate assistance to its scholars, and endeavors to provide the proper media for the dissemination of their discoveries."

52. In this paragraph, some of the dynamics of "integrating" research and teaching with the purposes of the University begin to be spelled out. The first of these dynamics is that "human problems be first approached from that philosophical position." This fundamental approach does not so much refer to particular propositions appropriate in a given argument but rather to a general attitude and orientation. In other words, while the Christian world-view over the centuries has been and will continue to be expressed through the concepts of various philosophies, it remains the University's integrating perspective, providing the basic framework within which this institution confronts all human problems. Those engaged professionally by the University are to be informed of this orientation and are expected to have the personal integrity to respect it in their teaching, research and other professional pursuits.

53. To pursue the goal of working out an institutional commitment to this Christian world-view, the University constantly tries to maintain within itself and within the context of its own tradition a dialogue on fundamental human problems. A successful dialogue requires participants who hold different positions and yet respect positions which are not their own. The principal groups which carry it on are those whom the University engages professionally as representatives of the tradition which is its own and the representatives of other traditions whom the University desires to attract for the very purpose of enriching the dialogue.

54. This first principle then might be stated a bit more clearly as follows: Those whom the University engages professionally as representatives of its own tradition are expected to make every effort to mine the resources of this tradition in their search for solutions before committing themselves personally to solutions of another tradition. Should such an individual be unable to represent the University's commitment in some fundamental way, this fact should be made known by the individual in order to maintain both personal and institutional integrity. Such "responsible freedom of inquiry" within a committed institution preserves the parameters of the necessary dialogue.

55. It may be asked how this responsibility is exercised by the professed adherents to other traditions whom the University always tries to attract for the very purpose of the dialogue. By the very fact that their positions are recognized as representative of these different traditions, their participation contributes to the necessary conditions for honest dialogue. They are expected to acknowledge the University's option as a viable element in an ongoing dialogue for which they furnish other elements. In other words, while maintaining personally their own options, they in turn respect the right of the University to express institutionally its own fundamental orientation. For members of either group, those engaged to represent the University's tradition or those engaged to dialogue with it, to oppose constantly their own tradition in a fundamental way makes the necessary dialogue impossible.

56. This whole complex discussion can be summed up in a single line: "Sufficient personal integrity to respect institutional integrity."

**d. AS A CATHOLIC UNIVERSITY, IT ACCEPTS THE VALIDITY OF REVEALED AS WELL AS REASONED TRUTH AND IS COMMITTED TO GENUINE AND RESPONSIBLE ACADEMIC FREEDOM, SUPPORTED BY PROPER RESPECT FOR THE CHURCH'S MAGISTERIUM.**

57. Part of this paragraph has already been discussed under the University's option of the "Christian world-view." This world-view, based on the Judeo-Christian Scriptures, is committed to the revelatory action of

God in the affairs of all people; but integrally bound up with a multi-millennial human experience, it finds itself refracted in various ways as to the content and bearing of this revelation. Here the University further specifies its option: "As a church-related institution of higher learning it seeks, in an environment of academic freedom, to foster principles and values consonant with Catholicism."

58. As already pointed out in the discussion of the statutory purposes (Section I of this study), the University operates under a civil charter and assumes the stance of a Catholic University by free and voluntary option, without executive control by the Church of financial dependence upon it. This stance is respected by those accepting a professional engagement in the University, implemented in various ways by those personally sharing the University's institutional commitment, and particularly nurtured by those professionally engaged by the University to deepen the understanding of religion in general and the Roman Catholic faith in particular.

59. In maintaining the autonomy which it judges necessary for its academic task, the University at the same time recognizes the Magisterium of the Catholic Church as the authentic definer and interpreter of what is and is not Catholic. The meaning here is that while the University voluntarily chooses to work within the Catholic tradition, it does not and cannot claim to define authoritatively what is and what is not Catholic. This latter task must be performed by a different kind of institution, the Church, with its own special competence, methods, procedures, and accountability structures.

60. Normally, the scholarly criticism, for example, of theologians' views by their colleagues will constitute within academic freedom the self-regulation which will render unnecessary any direct involvement of ecclesiastical authority. However, in times of great controversy, the institution's commitment may be challenged just as one's personal stance may be called in question. Just as in the ordinary course of events, these times of crisis are to be characterized by a "proper respect for the Church's Magisterium."

61. The University, therefore, as already indicated in paragraph 21, recognizes the right of the Church's magisterium, through its own due process (see, for example, Thesis 12 or the International Theological Commission's Theses on the Relationship Between the Ecclesiastical Magisterium and Theology," June 6, 1976)<sup>1</sup> to

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<sup>1</sup> Thesis 12:

"Before opening an official examination of a theologian's writings, the competent authority should exhaust all the ordinary possibilities of reaching agreement through dialogue on a doubtful opinion (e.g., personal conversation, or inquiries and replies in correspondence). If by these forms of dialogue no real consensus can be reached, the magisterium should employ a full and flexible

make public its judgment that a given professor in the University, who professes to represent the Catholic tradition on a certain issue, does not, in fact, do so. It is important to note that such a public judgment by the Church's Magisterium does not necessarily constitute a condemnation of either the individual or the University. Rather, it is to be considered as an indication to the University Community that the professor in question does not represent the Catholic tradition in the respects cited.

62. At that point, the individual and the University must come to an understanding on how institutional integrity and academic freedom can best be maintained in view of such a finding. If the individual completely

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stock of responses, beginning with various forms of warning, "verbal sanctions," etc. In a very serious case, the magisterium—after consulting theologians of various schools and having exhausted the means of dialogue—for its part must necessarily clarify the compromised truth and safeguard the faith of the believers.

According to the classical rules, the fact of one's professing "heresy" can only be definitively established if the accused theologian has demonstrated "obstinacy," that is, if he closes himself off from all discussion meant to clarify an opinion contrary to the faith and, in effect, refuses the dialogue. The fact of heresy can be established only after all the rules of the hermeneutics of dogmas and all the theological qualifications have been applied. In this way, even in decisions which cannot be avoided, the true "ethos" of the dialogue-procedure can be preserved." (—International Theological Commission [a group of theologians appointed by Pal VI after Vatican II]: June 6, 1976)

ceased to represent the Catholic tradition, then the University would have to inquire as to whether the individual could usefully or conveniently perform a quite different function such as that of the representation of a different tradition for which it consciously engages a considerable minority of its faculty, as noted above.

63. Due process in such sensitive and difficult circumstances will be more effective in the measure in which the faculty member's proper function in the University's commitment, whether of representation of the Roman Catholic tradition or of dialogue with it, is identifiable. In the teaching of theology on the undergraduate level for example, course description could indicate such information.

64. The concern to identify the specific function of a professor with relationship to the University's commitment should not be understood as an opposition to a legitimate pluralism within a tradition. For example, theologians in their work are free to question, to develop their own hypotheses, to search for more adequate interpretations and formulations, to publish and defend their views on a scholarly level and to study theological sources, including pronouncements of the Magisterium; although in their teaching they must take prudent account of the maturity and previous preparation of their students. The encouragement of scholarly contributions to the development of Church teaching is, in fact, one of the functions of a Catholic University within the Church.

65. It may well be that the different roles and procedural norms of the University and of the Magisterium have been set forth here in a unique way. Here, as elsewhere, the University is conscious of breaking new ground.

**e. THE LIVING MARIANIST TRADITION FURTHER DICTATES THE UNIVERSITY'S EMPHASIS ON THOSE VALUES WHICH CULMINATE IN THE HIGHEST DEVELOPMENT OF THE HUMAN PERSON.**

66. This paragraph brings together a series of emphases which occur at various places in the "Statement of Purposes": As a church-related institution of higher learning it seeks to foster principles and values consonant with the living traditions of the Society of Mary, a Catholic teaching order . . . it regards teaching as more than a mere imparting of knowledge . . . giving priority to studies which deal with problems of a fundamentally human and Christian concern . . . Faculty and students are free to evaluate the strengths and weaknesses found in the institutions developed by man . . . to propose and actively to promote improvements when these are deemed necessary . . . It strives to inspire person with a sense of community and to encourage men of vision who can and will participate effectively in the quest for a more perfect human society."

67. Some reference to these characteristics has already been inserted at paragraph 22 ff. in order to supply an element that was left implicit when the statutory purposes were formulated. The evolution of the University from an integral part of the Marianist corporate structure and operation to its present autonomous corporation status was traced in paragraph 40 ff. above.

68. Not only were the purposes and legal structures of the University thus derived from Marianist purposes and structures, but for three-quarters of a century (from the foundation in 1850 to the building of Alumni Hall in 1925), all capital investment in the University was made by the Marianists from their own carefully husbanded resources. Moreover, since the faculty during this period was entirely Marianist, a large part of the operating budget came from their contributed services.

69. Since 1925 the University has turned increasingly to public voluntary support and governmental loan assistance for capital expenses; and to sponsored research and rising tuition charges for operating income; but the contributed services of the Marianists still exceed a quarter of a million dollars annually, even after they have been severely curtailed by the religious crisis of the past decade, and by increasingly strict application of retirement rules.

70. Despite this constant and massive investment of their resources over a period of almost a century and a quarter in the creation and operation of the University, the Marianists do not regard their interest as a proprietary one, as their recent entrusting of its governance to a free-standing Board of Trustees bears witness. Rather, they consider themselves as in a role of service to the University in the special field of maintaining, through ever-changing pressures and constraints, its fundamental purposes.

71. It is characteristic of the Marianist tradition which is thus continued in the University that the educational process is viewed not simply as "instruction" or intellectual development, as already noted in paragraph 12, but as a total "education," that is, as a total maturation and liberation of the human personality in both individual and social life.

72. The social orientation in the Marianist tradition is particularly accentuated as a result of its origins and immediately after the French Revolution when civic and religious institutions had to be rebuilt from their foundations. The understanding thus acquired of the profound influence of social institutions on human development?an understanding strengthened by American University tradition?prompts the University to be broadly open to the goals of constructive social criticism and of public service, within its wide range of professional competencies and research activities.

73. The same openness, supported by the strongly innovative stance which Marianist education assumed from its first beginnings, predisposes the University to take very seriously the growing pressures for experiment and innovation in the face of change.

74. The Marianist Spirit also finds expression in a preoccupation with moral and human values. This is manifested in such programs as the Office of Moral and Religious Education, the Strategies for Responsible Development, the Center for Values in Education, the Peace Studies Institute, and the Institute for Christian Renewal which helps sustain these and other initiatives.

75. The same Spirit places human values to the fore in all questions of administration, of working conditions, and of discipline. This leads to a personal and community emphasis which strongly characterizes and influences life on the campus.

76. Finally within the Catholic tradition, the Marianists are particularly dedicated to studying and developing the role of Mary, the Mother of Christ, in the economy of salvation. They recognize that this role has been one of the great humanizing factors in the building of Western Civilization. One example of this preoccupation is the setting up of the Marian Library on campus, and its rapid development into an international center with remarkable resources for Marian Research.

6. **BY REASON OF MAN’S ESSENTIAL NATURE, THIS COMMITMENT INVOLVES A RECOGNITION OF THE NEED TO PROMOTE INDIVIDUAL FULFILLMENT THROUGH SELF-TRANSCENDING SERVICES.**

77. This “service role” of the University is developed at length in the final two paragraphs of the “Statement of Purposes”:

78. “The University of Dayton exercises its role as critic of society by creating an environment in which faculty and students are free to evaluate, in a scholarly manner, the strengths and weaknesses found in the institutions developed by man. While, as an organization, it remains politically neutral, objectives, and dispassionate, it encourages its members to judge for themselves how these institutions are performing their proper tasks; to expose deficiencies in their structure and operation; to propose and actively to promote improvements when these are deemed necessary.”

79. “The University of Dayton recognizes its responsibility to support, with means appropriate to its purposes, the legitimate goals and aspirations of the civic community, and to cooperate with other agencies in striving to attain them. It assists in promoting the intellectual and cultural enrichment of the community; it makes available not only the resources of knowledge that it possesses, but also the skills and techniques used in the accumulation and dissemination of knowledge; and, above all, it strives to inspire persons with a sense of community and to encourage men of vision who can and will participate in the quest for a more perfect human society.”

80. Some elements of this statement have already been commented on insofar as they derive from the Marianist tradition of education as total personal and social development. The particular bearing of this paragraph is to set forth clearly and unambiguously both the field and the methods of action which are proper to a university. In the vast field of social structures and administration, other agencies are also at work to whom other methods are appropriate; and the University has no intention of accepting the confusions of role and method which are so tempting—and so dangerous—in a time of profound and massive change like the present.

81. In particular, the University is committed to a doctrine of social justice formed and animated by social charity. The first requisite for social justice, which demands the continuing restructuring of the institutions of life into more human and more liberating forms, is the prior acceptance of these institutions, with the understanding and sympathy of social charity, as the only common good we have at the moment, despite their all too human shortcomings. Imperfect as they may be, they are the only starting point we have for the better things toward which we can aspire.

7. **FIDELITY TO THE IDEAL, AS THUS DEFINED, IN THE DISCHARGE OF ALL ESSENTIAL FUNCTIONS AND IN INITIATING AND CONDUCTING SPECIAL ACTIVITIES TO MEET THE CHANGING NEEDS OF SOCIETY, CONSTITUTES THE FIRST PRINCIPLE OF THE ORGANIZATION AND OPERATION OF THE UNIVERSITY OF DAYTON.**

82. There is no passage corresponding to this paragraph in the “Statement of Purposes.” Unlike the other paragraphs of this Second Section of our study, this one does not point up and summarize the “Statement of Purposes,” but rather looks ahead to all the detailed provisions which follow in the Constitution of the University of Dayton and its derived documents.

83. It is thus also a natural transition to a necessary sequel to this study, which has been entrusted to the Administration of the University. This is the elaboration of Operational Objectives and Policies which apply the abstract principles here analyzed to the practical problems and procedures of the University’s Operating units.

The derived documents already published in the booklet “The Basic Governing Documents of the University of Dayton” following the Statutes, Constitution, and By-Laws already mark a good beginning in this work. In fact the University is in the process of assembly one of the better documentations in the field.

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