**Religious Texts, Public Universities**

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**What Place does religion have Here?**

What place should the teaching of religion have in a public American university? This is a fraught question.

Our constitutional principle of separation of church and state makes a clear place in the American polity for private church sponsored colleges, but by the same token it leaves unspecified the exact extent and character of legitimate instruction in religion in public universities. Certainly it is not appropriate to use tax dollars to teach religion in universities as it was always taught up until the time of the Founding, as truths expounded by ministers and theologians to students who were assumed to share their faith, taking their principles from texts that were accepted on both sides as the inspired word of God.

Even apart from first amendment concerns, religion seems at first blush to be different from all other fields of study, and possibly even to have no place in the intellectual enterprise that is a modern university. A university is all about establishing facts, using the scientific, statistical, historical, and other analytic tools of modern scholarship. But religion is all about faith claims that can neither be proven nor disproven by any of our usual scholarly methods. Shouldn’t we leave it to parents, churches, synagogues, and other temples to teach religion, confining ourselves to subjects that can be analyzed by means of unassisted human reason?

Descending from the level of seemingly objective reasoning to that of messy emotion, the discussion of religion in a public university can evoke intense discomfort on all sides. This is especially true at a university deep in the Bible belt like the one I teach in, the University of Texas at Austin. Our student body includes large numbers of students with deeply-held but little-examined religious beliefs and scant knowledge of the history of religious thought (or even of the Bible), and a smaller number of equally passionate atheists. It is hard for the atheists not to feel unwelcome in a classroom full of Christians and for the Christians not to feel threatened by the scholarly approach of their professors. Can any good come of stirring up this potential wasp’s nest of contention?

Finally, ascending again to the level of reason, we are a nation founded on truths that we hold to be self-evident, truths accessible to all human beings everywhere by the light of reason alone. Our students are, as it is, woefully ignorant of the political principles that can and should bring all Americans together. Shouldn’t we focus our energies in liberal arts programs teaching the history and civic understanding that we need to function as a free nation, and on other studies that will unite a diverse student body rather than dividing them?

This would be a grave error. Religion is a fundamental part of human experience and history. It is a central source of the global and ethnic conflicts we desperately need to understand as well as of ethical principles that make the world a better place, and of philosophical ideas that help us understand the deepest questions. To be blind to religion is to be crippled in our capacity to understand the human things altogether.

A Bit of History

Some such mixture of considerations has prompted a variety of responses in our nation’s public universities. The two most prominent of these might be called the arm’s-length and the religious studies approach. The former was pioneered by Thomas Jefferson in founding the University of Virginia, the first nonsectarian university in the United States and the first to be dedicated primarily to educating leaders in practical affairs and public service rather than to preparing young men for the ministry. Jefferson established no chair of divinity at the University of Virginia but instead invited all the denominations to establish seminaries in the neighborhood. He did this with a positive civic aim in mind: “By bringing the sects together and mixing them with the mass of other students, we shall soften their asperities, liberalize and neutralize their prejudices, and make the general religion a religion of peace, reason, and morality.[[1]](#endnote-1)

American churches themselves adopted a similar strategy with more traditionally Christian purposes at the end of the 19th century with the “Bible Chair” movement. Bible Chairs were professorships in religious centers on the peripheries of public universities. Their stated purpose was “not to train men for the ministry or to equip them for theological professorships, but to meet the moral and religious needs of the students of the state university.” [[2]](#endnote-2) The first Bible Chair at the University of Michigan in 1893 was soon followed by others at many state universities, including the University of Texas at Austin in 1904. These full-time teachers of religion were appointed and paid by local churches, but their courses carried university credit and were listed in the regular university course catalogue. Normally their professors were also given formal or informal standing as faculty members in the university.

In 1985 North Texas State University proposed to regularize the appointments of its six Bible chairs by incorporating them fully into a new department of philosophy and religion, while continuing to receive funds from the churches to pay their salaries. This proposal sparked concerns that resulted in Texas Attorney General Jim Mattox issuing an advisory opinion on the constitutionality of the planned arrangement. He ruled that it was not constitutional. In his opinion Mattox cited the US Supreme Court’s three pronged test in Lemon v. Kurtzman: to pass muster under the establishment clause of the first amendment, a law or government activity must, first, reflect a clearly secular government purpose; second, have a primary effect which neither advances nor inhibits religion; and third, avoid excessive government entanglement with religious institutions. Mattox found that the proposal failed on both the second and third criteria, involving “an excessive entanglement with religion” and “the potential for and the appearance of advancing, endorsing, or favoring religion.” The university, he added, “may certainly offer courses on religion for academic credit, but it must structure the selection of teachers for such courses in a manner which does not differ from the way in which it selects the teachers for all of its other academic courses.[[3]](#endnote-3)

This ruling had implications not only for the proposed change at North Texas State but for all the existing Bible Chairs in Texas as well. Two years later, when asked for further clarification, Attorney General Mattox confirmed that he did indeed hold them all unconstitutional on the same grounds: they involved both excessive governmental entanglement with the churches and an improper appearance if not the reality of advancing religion.[[4]](#endnote-4) Ironically, the state’s very effort to keep an arm’s length relationship to the teachers of religion, leaving them to be selected and paid by others, created the problems of entanglement and favoritism that resulted in the Bible Chairs’ being declared unconstitutional.

The immediate effect of this ruling was to bring religious instruction at the University of Texas at Austin to a virtual halt. This was more than the people of Texas wanted, and more than the Attorney General had called for. To the contrary, in his 1987 opinion he had written, “There exists no question that a state college or university may itself offer liberal arts courses on the non-proselytizing aspects of religion. . . . Ideally, state colleges and universities would make the secular study of religion a standard part of their liberal arts programs.” In his 1985 opinion he also commented on the allowable content of religion instruction in the public schools on one hand and in universities on the other.

The study in public schools of the Bible specifically or of religion generally for literary or historic qualities as part of a secular program of education may be effected in a manner consistent with the Establishment Clause. Such courses, however, may not be taught in a manner which advances religion; they must focus on the nonsectarian aspects of religious history and writings. . .

Institutions of higher education stand on somewhat different footing from lower division schools because college students are presumed to be less impressionable and less susceptible to religious indoctrination than are elementary and secondary students . . . Although university classes may involve discussion of the tenets of various religions more deeply than lower division schools, a state institution may not allow teachers of religious studies to proselytize in classes which are officially offered or sponsored by the university.

The next chapter in religion instruction at UT Austin, as in many American public universities, involved the alternative approach of trying to adapt the study of religion to make it a secular discipline like any other. At UT Austin this effort came to fruition with the founding of a new Department of Religious Studies in 2007. The aim of this department is to study and teach religion as a human phenomenon, attending only to what can be assessed objectively with modern scholarly tools. If it is beyond the competency of a scholar qua scholar to say whether God exists and what his attributes might be, it is within his competency to study ancient religious communities and how they actually lived. If it is beyond the competency of a scholar qua scholar to assess whether the claimed miracles of the Bible ever took place, it is within his competency to bring linguistic tools to bear on the text of the Bible, to trace its construction, and to put its stories into historical context. Thus the Religious Studies faculty concentrate especially on history and archaeology, on the linguistic and literary qualities of the texts rather than their theological claims, and in general on practices that can be objectively assessed rather than doctrines that presumably cannot. As one professor put it, “instead of the creeds people claim they believe in, we’re interested in the more revealing matter of how they actually live.” In drawing these lines, the department might be said to “build a fence around the law” of the Texas Attorney General’s opinion. After all, even if university classes are permitted to discuss the tenets of various religions “more deeply than lower division schools,” how exactly will we know it when we have waded into doctrinal disputes too deeply? Might it not be better to stay out of that marsh altogether?

This approach is understandable and the concerns driving it are serious ones, but I believe it is too limited. True, religion consists in much more than creeds. But living beliefs, including the meaning they have for people and the way they inform their lives, constitute the absolute core of religion. True, religious beliefs, like all beliefs, tend to be fuzzy, shifting, and incompletely developed in the majority of people who hold them, but the greatest religious texts possess a power and a clarity and a wealth of subtle arguments that reward the closest study. The liberal arts are under assault; colleges and faculties of liberal arts are losing students and perhaps doomed already to extinction. If we do not make it our core mission to engage students in open and probing discussions about the meaning of life, we do not deserve to survive. If we do accept this mission, then the study of religious texts and ideas must be a central part of what we do.

There is a second problem with the religious studies approach—one that may look like only a problem of discomfort but that’s arguably deeper than that. Professors’ preference for staying on the dry, firm ground of historical, archeological, and textual analysis is evidently motivated by a laudable desire to maintain objectivity, but it is not so clear that this practice is neutral in effect. Especially for the conservative protestants who make up much of our student body, these approaches to religion challenge their faith on precisely the front where their faith is most vulnerable. Students come into college believing that their Bible is literal, historical fact; that belief holds up poorly to the scrutiny of modern historical analysis. Students come into college believing that their Bible is the inspired word of God; they are shown strong reasons to conclude that the text as we have it is at least in considerable degree the product of a messy human process. Some get angry, others refuse to listen, but still others find their faith faltering. What they find too seldom in their religious studies courses is a deep, sustained study of just that aspect of their own and others’ religious traditions that is intellectually most impressive and compelling: the thought of their traditions’ greatest minds.

Ironically again, then, the faculty’s very effort to be objective, to keep at arm’s length the real live animal that is vibrant religious faith, may be sickening the creature they seek only to study. But if that is the case, their program may not altogether pass constitutional muster any more than the old Bible Chairs did. For as Mattox reminds us, to be constitutional a law or government activity must not only reflect a clearly secular government purpose and avoid excessive government entanglement with religion, but it must have a primary effect which neither advances *nor inhibits* religion.

I return to my original question: is there a way to approach the study of religion in a public university in a way that has intellectual integrity and that fully passes constitutional muster in all three ways? I believe there is. To think about what this would entail, however, we need to return to spell out more fully the legitimate and essential goals of civic and liberal education in a public university.

Goals of Civic and Liberal Education

We have thought hard about these goals in or Program in Core Texts and Ideas at UT Austin, as the purpose of our program is summed up in the Jeffersonian aim of educating citizens and leaders to understand the meaning of liberty and to exercise it wisely. We agree with Jefferson and Washington and Franklin and all the founders who thought deeply about education: free self-government is not something that comes naturally to human beings. Our conclusion has been that the best civic education for leaders and leading citizens is a good liberal education, and the best liberal education is an education in the great books.

To this end, we have set for ourselves the following specific goals:

1) to equip students to think for themselves about the big questions about the meaning of life and the most important different answers that have been offered to them through history;

2) to help students understand the ideas that have shaped Western civilization and the world we live in; and to help them understand these ideas as rival answers to a limited number of really important questions—about what we can know of human nature, about happiness, about justice, and about we should live together.

In particular, as American citizens, students need a deep understanding of our own constitutional principles, of the ideas and the sources of the ideas that informed our founding; and of the major critics of these principles in the modern world and major rival understandings from other times and places.

3) Although we cannot teach moral virtue, we can and do try to teach thoughtfulness about moral virtue, beginning with showing students the inadequacy of the shallow relativism so many of them come to college thoughtlessly spouting.[[5]](#endnote-5)

4) We can and do work hard to teach intellectual virtues. These include especially civility in discourse and critical thinking—understood not just as a tool but as a way of life, an intellectual virtue that demands a hard practice of intellectual courage, honesty, openness, and self-examination.

In all this, the study of religion has a crucial part to play as a source of important answers to all the big questions that our program examines. In keeping with our mission as a provider of the highest-level civic education for young Americans, we focus on the tradition of western and American texts without excluding others. We have a required core of four courses with two electives, the requirements being a course on ancient Greece, one on the Bible and its interpreters, one on the history of political philosophy, and one on America’s constitutional principles.

**Religion and Freedom**

One of the key questions that we take up repeatedly is the question of religion’s place in a well-ordered civil society; one of the important answers we consider is that freedom requires it—that a healthy free society cannot thrive without a healthy religious life within it, setting the tone for society and taking a leading part in public discourse. Let me pause to offer a few reflections on this question, and sketch a few alternative answers.

The oldest view on this question in the history of political philosophy is that of Socrates and Plato, laid out, for example, in Plato’s *Laws*: healthy civic life absolutely needs an established religion.

At the other extreme is the view espoused by Francis Fukuyama in his development of the Hegelian idea of the end of history. However long and however messy a period of mopping up we face, Fukuyama argues, the secular principles of liberalism, aimed at security, prosperity, and individual liberty, are the true ones destined to win out everywhere—for they represent what everyone truly wants. No other really compelling political ideology remains in the world today.

More modestly, our founders argued that these are the true principles; they do bring what human nature needs and wants; but they might well lose. It takes careful cultivation of the soil—of habits, character, and understanding—for liberty to thrive. This is a sober and sensible position.

But maybe the true picture is darker. This is a possibility Jurgen Habermas explored in his dialogue a few years ago with Joseph Cardinal Ratzinger: that successful liberalism might in fact depend on a set of circumstances or preconditions that liberalism can’t itself guarantee. These conditions might include habits of patriotism, public spiritedness, and self-restraint, perhaps themselves only assured by particular local traditions or by religion of a certain moderate temper. If this is right—and Habermas doesn’t concede that it necessarily is, but he raises the question—then it has grave implications for the future of liberty. It would mean that what we think of as good for all people everywhere might be truly possible for a relative few as a result of a historical accident.[[6]](#endnote-6)

Or as Alexis de Tocqueville argued, putting his finger on what may be the key tension that makes liberalism vulnerable: liberty needs religion to provide the moral habits that successful self-government requires, and yet liberal democracy with its focus on comfortable self-preservation and its tendency towards narrow individualism tends to weaken religion. Neither liberal democracy nor Christianity in Tocqueville’s view is a mere historical accident. Each articulates and speaks to something very deep and very important in human nature. But they are not simply in harmony.

For my own part, I find this Tocquevillian argument a compelling one. Lockean, Madisonian liberalism seems to grasp correctly a large part of what we are and want, but fails to grasp another part, which the great religions grasp better. Without religion, a society that tries to steer itself by liberal or any merely rationalist principles will not preserve the moral fiber to defend itself and will leave a large swath of its citizens disaffected. But on the other hand, religion untempered by rationalism tends towards barbarism.

If this is right—and it certainly is controversial—then I think it follows that liberty absolutely depends on a friendly, respectful, vigorous debate between religious and rationalist ideas, and between thoughtful individuals and communities dedicated to them on both sides.

Joseph Cardinal Ratzinger suggested just this in his dialogue with Habermas: that reason and religion need each other as interlocutors. What Ratzinger calls for is a serious but respectful debate in which reason and religion should “restrict each other and remind each other” of their mutual limits. This approach, he adds, presupposes our willingness to “doubt the reliability of reason.”[[7]](#endnote-7) Of course the willingness to doubt the reliability of reason does not mean that we have to grant its unreliability, or even grant at the outset that either religion or reason is limited, but only that we have to be open and alive to the question of how far each can guide us to the truth.

To see the central importance of this debate between reason and revelation is to see what Nietzsche and Leo Strauss, among others, have both identified as the key to the richness and dynamism of the whole western tradition: the contest between Jerusalem and Athens, between two answers to the central question of what it means to live well: the first answering that it consists in loving obedience to God, and the second that it consists in the autonomy of a life guided by independent thought. This contest is mutually enriching because each side has pressed the other to sharpen its position and deepen its reflections. On an intellectual plane, both sides are essential because either alone threatens to fall into dogmatism. On a practical and political plane, both sides are essential because neither alone suffices to constitute a rich, dignified, free community.

Thus I think Ratzinger’s call for a vigorous, challenging, unsettling, honest dialogue or contest is exactly right. And it points directly to the kind of education successful self-government requires, education in the great books that includes a serious study of both religious texts and rationalist texts including the foundational teachings of liberalism, with the aim of creating a vigorous conversation between them. This at any rate, is our starting point, not one to be accepted as doctrine but one to be examined with courage and energy like any other.

Pedagogical Principles

Our contention, then, in the center for Core Texts and Ideas at the University of Texas, is that the teaching of religious texts and ideas can be done most responsibly precisely by engaging the ideas at the heart of each faith most directly and most searchingly, in the same way we do in philosophy and especially political philosophy. But everything depends on doing it in right spirit. Negatively put, that means, as the Texas Attorney General rightly said, not a proselytizing spirit. Positively put, the approach needs to be pluralistic, civil, historically informed, intellectually serious, morally serious, philosophic, and self-reflective. This is the challenge we set ourselves in our required course on religious thought, the Bible and its Interpreters. Let me elaborate.

**Pluralistic**: Courses should use a variety of contrasting texts and approaches to reading, bringing them into conversation, showing students the variety of impressive ideas and approaches that previous thinkers have developed. We focus on the Hebrew Bible and New Testament because these are the texts that have most shaped our own Western civilization, but we study a rich variety of interpretations of them. In particular, we want to show those who read the Bible most literally that other serious ways of reading it can be compelling and have a long and honorable pedigree. We strive to make the case for each thinker we study, so much so that the teacher’s own views are not easy for students to discern.

**Civil**: Open discourse in the classroom should extend to everyone present the same practice of attentive, active, respectful listening that we bring to texts themselves. All perspectives should be welcome; comments that disagree with the majority view should be especially welcomed as a needed reminder of different perspectives.

**Historically informed**: Courses should put texts in historical context—but without adopting an uncritical historicist assumption that their cultural milieu determines the thought within them. Good course on the Bible should teach the modern historical-critical method, but as one method of textual analysis among others. Since ours is a great books course, we like to use Spinoza’s *Theological-Political Treatise* to introduce this method. In this way and in others, the character of the text of the Bible as we have it should be made an explicit and sustained topic of inquiry, with various answers considered.

**Intellectually serious:** The serious reading of religious texts, like that of all great books, is both sympathetic and critical—a reading that gives the benefit of the doubt to and tries to understand a book or author’s position or project on its own terms. At the same time, an essential part of a truly respectful reading is to ask searching questions of a text and then try to find within it the answers to them.

**Morally serious:** All religious texts have important things to say about how we should live, just as all texts in political philosophy and ethics and all good literature does. Reading these texts well and profiting from them requires that we engage them on a practical level.

**Philosophical:** Putting these last two thoughts together, I would say that the best approach is one that is philosophical in the deepest sense. Philosophy cannot settle the question of whether there is a God any more than it can settle the question of what justice is or how we should live, but it can help us think more deeply and more clearly about all of these questions.

With each argument presented, we ask: what are the premises of this argument, stated and unstated? Is the logic cogent? Do the author’s conclusions follow rigorously from his premises, or are there alternatives that need to be considered? What are the practical implications of this author’s ideas about humanity and divinity for how we should live our lives? Working back the other way, we ask: if this is what it means to live according to these principles, what do we think of the principles? Is this a view of God or humanity that we still find compelling? This last part each student must do for himself, but the professor can and should encourage it to happen with the questions he asks about the text.

Finally, **Self-reflective**: Perfect objectivity is probably beyond the reach of human beings, and certainly beyond the reach of most of us. To live, we have to be at least provisionally committed to beliefs about what is good and bad. To study anything seriously, to do anything more than trivial bean-counting, we have to make judgments about what is good and bad. We have to distinguish central from peripheral questions and phenomena, distinguish deep from shallow answers. We have to distinguish statesmanship from demagoguery and somehow distinguish prophets who deserve to be studied from charlatans who probably do not. But if we cannot get outside of all our beliefs to see the world with perfect objectivity, we can become ever more aware of our assumptions and reflective about them. The goal in humanities thus should be not scientific detachment but rigor of thought, honesty about premises and commitments, and willingness to enter into dialogue with others about them with a view to subjecting them to ever more rigorous scrutiny and reflection.

What qualifications should we look for in faculty to teach in such a program? As the Texas Attorney General made clear in his decision, neither atheists nor committed believers nor even clergymen need be excluded; the instructors simply need to be evaluated on the same criteria as all others. Just as a good judge need not be free of or silent about his or her political opinions but does need to have a judicial temperament, so a good professor need not be free of or silent about his or her own political or religious opinions but must have a scholarly temperament. Good candidates will be well trained in religious thought and in modern scholarly approaches to religious studies; they will be prepared to teach in a serious and balanced spirit; they will be active scholars who engage a variety of perspectives in their scholarly work. They may or may not write works that address their own communities of faith, but if they do, they should do so in ways that demonstrate all the intellectual virtues we have been talking about: fair-mindedness, self-reflectiveness, intellectual rigor, courage, and openness to dialogue with contrasting views.

I have been having a productive dialogue over the past several years with members of our Religious Studies Department, which I have learned from and which I think has helped narrow the gap between us. I have also been having a delightful dialogue this year with one of our postdoctoral fellows, David Newheiser who I think exemplifies well the qualities and the spirit we try to embody in our program. Let me quote in conclusion a bit of what he says about his own teaching:

The main purpose of my teaching, even more than helping students understand big ideas and consider big questions, is to help them practice intellectual virtues. I assume that, on the whole, in 20 years they won't remember the details of Origen's fourfold interpretation, but I hope they will carry within them habits of careful, creative, courageous thought. Because the way that many people think about religion is sloppy (whether their own or others’), the study of religion is an excellent context in which to practice thinking and writing with boldness and rigor.

Relatedly, I believe that thinking well requires a posture of openness, and in fact this may be the hardest thing about it. We all approach the world with pre-understandings that are for the most part opaque to ourselves. In order to really think through a topic or text, we must learn to hold these instincts in abeyance, to subject them to critical scrutiny, to imagine what else might be. This is one reason why universities ought to exist: the seminar is (or ought to be) a finely-honed instrument for putting diverse perspectives into conversation, thereby demonstrating that more than one thought is possible. In addition to learning how to think (on their own, with their books), my students must learn how to think with others. Because religion taps into what's deep within us, and in more than one way, it's hard to talk about it, but (again) its difficulty makes it an especially useful site for this discipline.

I try to choose readings that model particular intellectual virtues to my students, or which sensitize them to aspects of intellectual life that they have yet to reflect upon, and in fact many of the classics of Christian thought are spectacularly suited for this purpose.

In sum: Christian colleges are not for everyone; Bible Chairs were a bit of an evasion of responsibility; the Religious Studies approach supports valuable scholarship yet too often gives short shrift to the very questions and texts that can benefit students the most. Education for a successful free society must give a key place to instruction in religion, and we think that a core texts approach can do it best.

**NOTES**

1. Jefferson to Dr. Thomas Cooper, 2 November 1822. [↑](#endnote-ref-1)
2. UT History Central, http://www.texasexes.org/uthistory. [↑](#endnote-ref-2)
3. Jim Mattox, Attorney General of Texas, Opinion No. JM-352, 6 September 1985, <https://www.texasattorneygeneral.gov/opinions/opinions/47mattox/op/1985/htm/jm0352.htm>; Lemon v. Kurtzman, 403 U.S. 602, 612- 13 (1971). [↑](#endnote-ref-3)
4. Jim Mattox, Attorney General of Texas, Opinion No. JM-711, 28 May 1987, <https://www.texasattorneygeneral.gov/opinions/opinions/47mattox/op/1987/htm/jm0711.htm>. [↑](#endnote-ref-4)
5. For more reflections on how to encourage this process, see my “Reclaiming the Core: Liberal Education in the Twenty-First Century,” *Perspectives on Political Science*, 42(2013):4, 207-211. [↑](#endnote-ref-5)
6. Joseph Cardinal Ratzinger and Jurgen Habermas, *The Dialectics of Secularization,* (San Francisco, CA: Ignatius Press, 2010), 21-23. [↑](#endnote-ref-6)
7. Ibid., 65-66. [↑](#endnote-ref-7)