

# The Added Value and Prerogatives of Law Schools with a Faith Mission

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## Introduction—The Sectarian Meets the Secular

I appreciate the invitation of Dean Garvey to be part of this panel presentation exploring the contributions of religiously affiliated law schools. The core values of the Association—teaching, scholarship, academic freedom and diversity—each have dimensions that potentially play out in distinctive ways at religiously affiliated law schools, which I refer to synonymously as faith-based or faith-mission institutions.

In recent years, we saw an instructive example of the intersection of secular and sectarian perspectives within the legal education community. A long-running discussion regarding the character of faith-based law schools was occasioned by the application of the Association's non-discrimination provisions regarding sexual orientation. In that discussion, the law schools and the Association (as well as the ABA Section on Legal Education) faced seemingly inconsistent challenges arising from the schools' faith missions. Notwithstanding the initial difficulties of mutual accommodation, the interchange on this issue over several years produced positive results. In the end, there was a deepened understanding by those not familiar with religiously affiliated schools of the serious faith-based imperatives of these schools and, reciprocally, an appreciation by the faith-mission schools that our concerns were taken to heart in reaching a good-faith accommodation.

On this panel we are focusing upon on the question of how religiously affiliated law schools are different, if at all, from secular schools, in terms of curriculum, programmatic aspects or, generally, the type of experience we want to create for our students. I suspect that we (myself included) would admit that in most respects there do not appear to be significant or plainly observable differences. Indeed, of the nearly fifty religiously affiliated law schools, at all save perhaps a dozen, that affiliation is not especially apparent. This became evident during the sexual orientation non-discrimination discussions. Sometimes a religious or faith-mission distinctiveness that may not seem apparent on the surface, such as in the classroom or in faculty

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scholarship, or otherwise in the usual course of business, can become far more apparent in some other unanticipated circumstance or venue.<sup>1</sup>

### **What (Sometimes) Distinguishes a Law School with a Faith Mission from a Secular School?**

The integration of *faith and living* (and in particular, vocation) is not an “in your face” aspect of the Baylor program, but it certainly is a part of our mission that members of our faculty believe to be important, particularly in mentoring our students. Our small school provides a genuine sense of family and community not only because of its size, but also because of a shared sense of higher purpose in our lives. A faculty statement on our faith mission notes:

We are thus committed to preparing caring, competent and ethical lawyers because we know that people seek the assistance of lawyers in times of personal crisis—persons threatened with the loss of family, home, livelihood, aspiration, freedom, or life. Preparing our students to respond effectively to these personal crises is central to our Christian mission. We recognize that the ultimate measure of the greatness of a law school is the extent to which it transforms the lives of individual students, who in turn transform their communities for the better. The transformation that takes place in the lives of our students occurs largely because of the special relationships that they develop at Baylor Law School, including the special relationships that develop between students and faculty.<sup>2</sup>

Religiously affiliated schools—at least those that take their faith missions seriously as a felt and meaningful aspect of their programs rather than as an historical artifact—share a conviction that this mission enhances the academic and learning environment. While we can offer no empirical evidence, we nonetheless believe that at least some faculty members and students are drawn to our programs because they see opportunities for personal and professional growth that are specific to the faith mission (just as others are, no doubt, “turned off” by an institutional faith mission). This cohort seeks and expects their experience in the law and within the law school environment to unfold among others who not only have a similar moral and ethical world view, but who also draw on a divine power, presence, and revelation to inform that world view. They are at ease in an environment in which occasional, mostly informal, faith expressions are not considered strange or unwelcome. While some faculty and

1. Over the years at Baylor, I have been castigated by a few alumni for the appearances of various speakers at the law center from both the so-called “right” and “left” wings of the ideological and political spectra. Often the criticism is based on our school’s religious affiliation (which in my view is usually not really the point; the critic just disagrees with the views expressed by the speaker). As with other deans, I figure that so long as the criticism comes from both ends of the spectra, we must be doing a decent job of accommodating divergent voices in our community. And of course the threats “never to give another penny” to the school inevitably come from those who haven’t given many pennies, if any, in the past.
2. Baylor Law School Faculty Statement on the Christian Mission and Baptist Tradition (Feb. 2, 2006) (unpublished).

prospective applicants may find a faith mission intimidating or even stifling, that aspect of Baylor Law School is not ubiquitous or pervasive.

The faith mission of Baylor University is more strongly apparent at the undergraduate level than at the Law School. Undergraduates must attend a chapel program for two semesters and also are required to take two courses in Christian scriptures and the Christian heritage. Additionally, a significant array of voluntary programmatic activities sponsored by the University and affiliated organizations focus upon matters spiritual.

Because we deal with students who are far more “formed” as adults than typical undergraduates, the faith-linked aspects of the law school are much less obvious and are kneaded very lightly into the program and our curriculum. Still, Baylor law students, regardless of their faith, enjoy a distinctive liberty of expression common to students at other faith-mission law schools.

In our nation, there is a panoply of religious and faith traditions, and most Americans profess a belief in a higher divine power. In most western faith traditions, that power is believed to be personally accessible. Not surprisingly, political and cultural debate in this country is infused with appeal (often in a shallow and even cynical fashion) to concepts of morality, scriptural direction, and “values.” At the same time, matters of personal faith are considered to be private and inappropriate for open discussion. Given this dichotomy, it’s hard to overstate the importance of a law school where faculty and students who are so inclined can articulate and debate the intersections of the law, public policy, faith and vocation.

Pluralism within the legal academy (a pluralism that invites differing perspectives arising from life experience, the experience of race, ethnicity and sexual orientation, interdisciplinary insights and sub-discipline perspectives) is applauded as enriching the intellectual experience and our understanding of law and justice. We should similarly celebrate debate that draws upon our faith-based understanding of natural law and the Judeo-Christian origins of our common law.<sup>3</sup> A pluralism that encompasses this understanding along

3. See Henrici de Bracton, *De Legibus et Consuetudinibus Angliae* 13 (Travers Twiss trans., Longman, London, 1878) (1268) (“Justice, then, is a constant and perpetual will to award to each his right, the definition of which may be understood in two manners; in one manner as it is in the Creator, in another as it is in the creature. And if it be understood as it is in the Creator, that is in God, all things are plain, since justice is the disposal of God, which orders rightly and disposes rightfully in all things.”). Bracton echoed the natural law theories of his contemporary, Thomas Aquinas, and was followed in his thinking by the common law theorist William Blackstone. See *Summa Theologiae* (Commissio Piana, Ottawa, 1953) (1225); William Blackstone et al., *Commentaries on the Laws of England* (University of Chicago Press, Chicago, 2002) (1765-69). In contrast to a positivist approach, we expose law students to the higher law through Martin Luther King Jr.’s “Letter from Birmingham Jail:”

One may well ask: “How can you advocate breaking some laws and obeying others?” The answer is found in the fact that there are two types of laws: There are *just* and *unjust* laws. I would agree with Saint Augustine that “An unjust law is no law at all.” Now, what is the difference between the two? How does one determine when a law is just or unjust? An unjust law is a code that is out of harmony with the moral law. To put it in the terms of Saint Thomas Aquinas, an unjust law is a human law that is not rooted in

with other theories of the law, *e.g.*, realism, positivism, critical legal studies, utilitarianism, etc., creates the optimal marketplace of ideas in which to nurture developing legal minds. The good ends of this pluralism are reflected in the words of Justice Holmes: “The best test of truth is the power of the thought to get itself accepted in the competition of the market.”<sup>4</sup>

Any notion that faith perspectives somehow infuse the educational endeavor with illegitimacy suffers from a misunderstanding of pluralism. The classroom should not bar those faith perspectives that are integrated into the moral and cultural landscape of a society that is governed under a rule of law emanating, as noted, from the common law system and a Judeo-Christian heritage.

### **The Need for Intentionality in Preserving Faith-based Institutions**

The rise of the modern research university that elevates naturalistic and humanist values has undoubtedly been a central causal agent in the secularization of institutions that had roots in denominational and faith traditions. Many within the circles of the faith community have lamented that the religious affiliations of so many universities (and law schools) have dissipated or become historical artifacts. That secularization has not been an issue in public universities as those venues were never meaningfully part of their community conversations. Even religiously affiliated schools, however, need to think hard about why, in so many instances, faith-based intellectual inquiry has faded away. These institutions need to act with intentionality to preserve their identity in the face of a pervasively secular culture. In other words, the faculty of a school with a faith mission must embrace and actively advance that school’s mission for it to endure and color the experiences of those within that community.

### **How A Faith-Based Law School is Different...and Sometimes Not**

Baylor professes a Christian faith mission grounded within the Baptist tradition. We share the mission of the University to “educate men and women for worldwide leadership and service by integrating academic excellence and Christian commitment within a caring community.” This statement evokes two strong concepts. First, we are not merely preparing our students for careers

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eternal and natural law.

Letter from Martin Luther King Jr., Clergyman, to Bishop C.C.J. Carpenter, Episcopalian Bishop of Alabama (April 16, 1963) (on file with American Friends Service Committee). The heritage of the common law as derived from a conception of a higher law is, to be sure, evident in our thinking and perception of so many cultural and societal attributes, as illustrated by Prof. Dershowitz in *The Genesis of Justice: Ten Stories of Biblical Injustice that Led to the Ten Commandments and Modern Law*, which traces many of our baseline assumptions about the character of justice to narrative accounts in the Torah. Alan M. Dershowitz (Warner Books, New York, 2000).

4. *Abrams v. United States*, 250 U.S. 616, 630 (1919) (Holmes, J., dissenting).

or professions but are instead seeking to guide them in developing a sense of vocation—a passion for whatever we are led to do in life and in our work. Second, we are sounding a call to service.

Throughout our program, we emphasize that the law is not merely a career or profession, but is also a privileged opportunity to serve others. If one is not in the profession to meet human needs through service, he or she will find little lasting satisfaction or meaning in the work of lawyering. We believe that, even though our students are well along in their development of a world view which may or may not integrate faith, we can at least consistently suggest to them that as lawyers we are indeed in a serving profession. Any law school and any faculty member can do this, irrespective of the character of the school, but we like to believe that a faith commitment may—just may—keep that concept central in the minds and hearts of the members of the community. There certainly is ample evidence that despite the ills of religion and its misuse, a genuine and personal faith does cause individuals to order their lives in certain distinctive ways.

The words of Micah the prophet are inscribed on the front of our law center: “And what doth the Lord require of thee, but to do justly, and to love mercy, and to walk humbly with thy God?”<sup>5</sup> This is, by the way, the only inscribed sign that you will find anywhere at Baylor Law School that suggests a faith mission. Symbols of faith in Baptist communities often include stained glass art portraying scriptural narratives, a Bible prominently displayed, steeples that suggest a yearning for that which is “above,” and the like. The absence of such symbols from our community speaks to the character of our faith mission, which while muted is nonetheless deeply felt. Not every faith conviction need be shouted. As St. Francis of Assisi noted: “Preach the Gospel at all times and when necessary use words.”

In the law center dedication program, I offered reflections on the words of Micah, words that underlie our faith and mission and that speak to our faith-based assumptions regarding both the divine purposes of the law and our calling within the profession to serve as stewards of the gifts and talents that we are given:

[A]s we are blessed, so must we become a blessing. We indeed are the true owners of nothing. All is given to us for only a time. Hence we must be morally committed stewards of our resources. We must act with a divinely imparted sense of need to commit our resources, in whatever form, to the end of serving others. Without such a commitment, we serve only ourselves and we forego a precious—beyond understanding—opportunity to both touch the future and, indeed, to be the very extended hands of the Creator. Only in so serving the Creator do our lives have meaning in an eternal context.

The words of Micah the prophet—spoken in the context of a rhetorical court proceeding in which the chosen people of God stand accused—are inscribed

5. Micah 6:8 (King James).

upon our new home. Micah speaks of justice as a God-ordained standard that calls us to live in harmony with divine norms. Those norms speak to how we are to love God and how we are to love our neighbor. [The] concepts of justice and mercy coincide in a common injunction to serve others—by calling us to adhere to a moral standard of love prescribed by the Creator and by calling us to extend, in our weakness, compassion to those who are burdened.

[W]e are called to a commitment to our neighbor that is grounded in service—a service that has a significance and that endures into the ages, as those in whom we have invested ourselves in turn serve and bless others and the generations to follow. Indeed, walking humbly with God requires our acknowledgment that dreams are fulfilled only when we are instruments of His work.<sup>6</sup>

The Baylor Law School mission statement states that we are striving to develop “respectable citizens, educated leaders, dedicated scholars, and skilled professionals who are sensitive to the needs of a pluralistic society.” The latter reference recognizes that our faith-based program is preparing its students to practice in a secular environment where personal faith is sublimated, may trigger embarrassment, or is actively subordinated or marginalized. In this regard, our students have the advantage of exposure to a community of faith, yet they are not led to believe that the environment in which they learn will be replicated in their experience in the practice and profession.

Because students will inevitably find their views are not shared by many and given no heed by most, they enter the professional world without misconceptions. They are taught, though, that they are responsible for their moral and ethical behavior, irrespective of the ethic of the market or the public square. They also learn that the daily life of a lawyer does not generally provide fertile ground for open religious expression. The client wants preparation, not prayer. Opposing counsel wants cooperation and even concessions—not witnessing. The judge wants competence in advocacy, not piety and penitence. To be sure, Christian piety can never be a substitute for professional competence.

### **The Baptist Heritage and Christian Faith at Baylor University and in the Law School**

Despite the secular nature of the legal profession, Baptist themes and Christian culture nonetheless color Baylor’s environment.<sup>7</sup> To be sure, the law

6. Commemorative dedication book, *Ceremonies dedicating the Sheila & Walter Umphrey Law Center, the new home of Baylor Law School* (April 6, 2002).
7. The University amended its charter in 1990 to assure that the University would not fall under the control of the Baptist fundamentalist movement that had, at that time, been gaining strength since 1979. The board of trustees was, prior to that time, selected entirely by the state convention, the Baptist General Convention of Texas (the “BGCT”). In anticipation that the BGCT could come under fundamentalist control, the charter was amended to provide that the board would be largely self-perpetuating, with only a minority of members to be selected by the BGCT. The move, which occurred while the BGCT was still solidly

school is hardly Baptist-centric. Among our students, 23.4 percent are Baptist. Catholic and Methodist students follow at, respectively, 15.4 percent and 10.4 percent. There is a broad religious diversity among the rest. We do not inquire into the faith affiliation of any applicant for admission, however, the denominational information is required as part of the University matriculation process. Baptist faculty members comprise about 21.7 percent of the Law School faculty. The Law School has as many Catholic and Methodist faculty members as Baptists. Baylor Law School has not had a Baptist dean for forty-four years.<sup>8</sup> In all, we have nine faith traditions represented on the faculty.

In hiring faculty, among other criteria that the University and Law School articulate as important attributes characterizing the candidate are being “vigorous in the life of faith, easily at home with Christian confession and thus warmly committed to the fellowship and work of the church (for those of Jewish faith, there is an analogous expectation)” and “interested in broader intellectual questions, exhibiting the capacity to take into account concepts and relations of ideas transcending their specialization, particularly where ethical and theological points of engagement arise.”<sup>9</sup>

Also, before a campus interview, we request that the candidate identify his or her denominational affiliation or religious preference and describe the nature of their religious involvement including participation in a church, parish, or synagogue. We also ask the candidate to explain how he or she understands the link between faith and their work in the profession and the academy. We consider it important that there be a clear understanding between our school and the potential faculty member that in our environment faith matters. Whether expressed openly or obliquely through conduct, or even nuance, faith is fair game for expression, discussion and debate in the classroom and in the corridors.

I earlier noted the discussion some years ago of the Association’s non-discrimination policy in respect of sexual orientation. Baylor University does not discriminate on the basis of sexual orientation *per se*, but does discriminate on the basis of sexual misconduct, including, but not limited to, non-marital sexual misconduct or the encouragement or advocacy of any form of sexual behavior that would undermine the Baptist identity or faith mission of the University.<sup>10</sup> Hence, a distinction is made between the scholarly discussion of

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“moderate” (as it has remained), generated significant acrimony and recrimination between the University and the BGCT constituencies. The relationship was ultimately repaired, but the charter episode could be likened to someone telling his or her spouse “I love you now, but I don’t know who you might become in the future, so I want a divorce.” See *The Baptist and Christian Character of Baylor University* (Donald D. Schmeltekopf & Dianna M. Vitanza eds., with Bradley J.B. Toben, Baylor University Press, Waco, 2004).

8. The last Baptist dean was William Boswell, who served as dean from 1959-65. Angus McSwain (dean, 1965-1984) is Methodist. Charles Barrow (dean, 1984-1991) is deceased. He was Methodist. I have served as dean since 1991 and am a member of the Disciples of Christ.

9. Baylor Law School faculty candidate information document (Sept. 2008) (unpublished).

10. Baylor prescribes standards of personal conduct, including standards that bear upon sexual

political/moral/sociological issues and the actual behavior of a member of the community, i.e., homosexual relationships among faculty or students and the advocacy of a gay or lesbian lifestyle are impermissible and subject to sanction. Still, issues such as same-sex marriage, abortion, the death penalty and stem cell research, all of which evoke strong ideological and moral responses from the populace, present critical issues regarding the law, the legal system and the public policies that bear upon these matters. At Baylor Law School, consistent with both academic freedom and the best interests of our students' educations, our faculty members are open to and indeed welcome discussion of these public policy issues in the classroom and scholarly settings. We could not imagine it being otherwise.

This employment policy does not hinder the academic and intellectual freedom of faculty and students in the academic venue of the Law School. To illustrate, as at any law school, the classroom and other academic settings are fully open to study, exposition and argument regarding the constitutional and public policy issues bearing upon sexual orientation and gay or lesbian expressive sexual conduct, e.g., concerning the Supreme Court's opinion in *Lawrence v. Texas*.<sup>11</sup> Baylor's policies are intended to address conduct but have no application to academic discourse on the law and policy issues involved in the regulation of sexual behavior, including advocacy for changes in existing law. Discussions of these matters occur and are welcomed within our curriculum. The dividing line is the distinction between academic and intellectual debate, on one hand, and, on the other, faith-based proscriptions of certain expressive conduct and endorsements of such conduct.

While we can debate whether this formulation is "right" from a scriptural, ethical, psychological or sociological perspective, I vehemently support the right of a Baptist-affiliated university and law school to require that those voluntarily joining the community ascribe to the articulated faith values. Everyone has their eyes wide open and no one is dragged in kicking or screaming.

Baylor's curriculum—the pedagogy of the classroom and the content of course offerings—is faith value neutral. In many classes, intersections between faith matters and the law are not direct, but instead filtered through a discussion of professional ethics and the relationship between what is legally permissible and what is *morally* permissible. Each faculty member's comfort level in dealing with faith perspectives differs, given the many denominational and faith backgrounds represented on the faculty.

To be sure, within a secular environment, assessment and analysis of legal issues more often than not ignore or devalue faith-based perspectives. We enjoy the option—whether in the classroom, the courtroom, the lounge, or the corridor—of introducing a faith-based perspective when appropriate. Our legal

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misconduct, available at [www.baylor.edu](http://www.baylor.edu) (see Prospective Faculty & Staff, then Policies & Manuals, then Personnel Policies).

11. *Lawrence v. Texas*, 539 U.S. 558, 578-79 (2003).



heritage cannot easily be untwined from our philosophical thought traditions, our understanding of history, our appreciation of aesthetics, and our insights into sociology and literature.

Having the freedom to integrate our understanding of the law and related disciplines with our personal faith allows us to make larger “connects” than would otherwise be possible in a secular environment. How ironic it would be to exclude in the many discussions of public policy that we all have as teachers with our students—the future guardians of our justice system—viewpoints informed by rich faith traditions and fundamental Judeo-Christian understandings.

### **Addressing Public Policy Issues Through the Lens of a Faith Perspective**

Our legal system derives from public policy decisions that in turn reflect both empirical evidence and concepts deeply embedded in our faith heritage. Both empiricism and faith traditions are grounded in authoritative texts, reason, culture and experience.

At Baylor, particular Baptist faith perspectives infuse the tableau of students’ learning experiences and the intellectual life of our community. Among them is the concept of soul competency that encourages unfettered intellectual inquiry, with the seeker as the ultimate arbiter of truth. Added to this is a strong historical and theological commitment to intellectual and religious freedom grounded in the Baptist tradition advocating strict separation of church and state and a respect for religious tolerance and diversity.

Some may opine that these Baptist distinctives are values shared in secular settings. Perhaps so, but the degree of emphasis appears to be more emphatic in a faith-based environment than in secular venues.

Baylor does not offer courses with a specific intention to explore faith perspectives. Instead, faith surfaces—usually obliquely—in discussions of public policy, ethical matters and the distinctions between law and morality. One course in the advocacy curriculum draws upon the parallel rhetoric used in the jury argument and the congregational sermon. The course, team taught by a law professor and a professor of homiletics at the seminary at Baylor, employs the technique, style and strategy of the Baptist preaching tradition to examine elements of an effective jury argument.

A first year course on lawyers’ multiple roles opens discussion on the faith grounded concept of the law as a calling and vocation. The themes discussed include the lawyer as statesperson, guardian of liberty and the rule of law, counselor, peacemaker, defender of the weak, officer of an independent judicial system; and a devout person of faith. These roles certainly overlap and the course often serves as a catalyst for students to talk about why they chose to become lawyers and to link that motivation to other aims, including a desire to serve arising from a faith conviction.

I have co-taught, with a Baptist minister, a seminar on Law, Public Policy and Scripture. The goal of the seminar is to study the extent to which scriptural principles have influenced the moral, ethical and philosophical foundation of our legal system. We examine the scriptures as a source (or not) of legal principles, and the relationship of the scriptures to such topics as just war theory, civil disobedience, crime and punishment, family relationships and property, taxation, and bioethical issues. In the seminar, we try to dissuade “I think this” or “I think that” talk and instead encourage students to grapple with the hermeneutics of the scripture and the underlying philosophical, ethical, sociological and economic bases of policy choices made in the public square.<sup>12</sup> We want our students to develop an appreciation for the convergence

12. Below are some exam topics that we have posed in the seminar. I give them here to give the reader a sense of the sort of interpretative and analytical challenges we want our students to face.

Question #1—Leviticus 25 presents the concept of the Year of the Jubilee, which incorporates the attributes of a mandated remission of debt and a mandated return of land to its prior ownership. In Luke 4:14, Jesus, speaking in the synagogue, references with particularity to Leviticus 25 at the commencement of his public ministry (whether the choice of the reading was his own or was prescribed in the synagogue is uncertain). Drawing upon any of the three synoptic gospels, examine and comment upon the concept of debt remission and the repatriation of land ownership, focusing comprehensively upon the selected gospel, and in particular on evidence regarding whether Jesus spoke of, or was advocating, a new and radical social ethic that is not found in positive law addressing insolvency or in the laws and regulatory framework of social welfare benefits.

Question #2—Our consideration in the seminar focuses upon law, public policy and scripture, examining the intersection of “public policy” and scripture. While the claim is often made that the United States is a “Christian” nation (the use of the word Christian as an adjective describing an entity is regarded by many as a diminishment of the word) and there are frequent references to God in public life (some even institutionalized, such as the monetary reference to “In God We Trust,” and the words “under God” in the Pledge of Allegiance), what systemic place does the scripture play in the formation of our public policy? Consider, and account for, the fact that sound public policy must always be defined in reference to the legitimacy of the empirical and philosophical milieu within which it develops and also must be justified by some appropriate means when it is used to describe the political content of a nation’s public square—which in the U.S. includes the Establishment Clause as constitutional principle while at the same time the nation is characterized by a faith and religious pluralism that is part of the essential fabric of the nation.

Question #3—Examine the O.T. Scriptures for several paradigms of the family in which a family member(s) is certainly or apparently wronged by another family member. Then examine the N.T. scriptures for the Gospel references to family (whether noted by Jesus in parables, in narratives, or otherwise). Comment on the comparative thematic content of the O.T. and N.T. sources on families and relationships therein. How is the family portrayed and what principles of scripture, Mosaic law, and N.T. teaching are instructive on the moral and ethical content of family relationships? Is the family unit and the mutual treatment of members therein a paradigm for ethical norms, or is it instructive predominately in its negative portrayal of relationships? If the latter, what scriptural content specifically tempers the negative portrayal?

Question #4—Many matters of law and public policy appear to fall within the ambit of

of the tenets of faith and scriptural interpretation with the culture of justice in our society and nation—or be compelled to deal with the reasons for their apparent divergence.

### Conclusion

A religiously affiliated law school, whether evidencing its faith commitment directly or obliquely, can offer an environment that adds value to the learning experience, at least for those attracted on account of the school's faith perspective. A faith-based environment allows for a distinctive liberty of expression and offers challenging perspectives in the marketplace of ideas. To be sure, a faith-based program must realize that religious piety is no substitute for professional excellence in teaching, learning, scholarship or practice. The profession is, indeed, essentially secular in character. Moreover, such a program must practice an intentionality of focus to assure its continuing viability. Without a faculty in place to actively put the faith mission into action, a school nearly inevitably will become a pale imitation of a secular institution. Human intellect and reason, on one hand, and religious faith, on the other, appear in the absence of intentionality to diverge rather than integrate. Religiously affiliated schools with meaningful faith missions will always be tested in their resolve to remain true to the principles upon which they stand that call for the integration of the life of the mind with the life of the soul.

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Judeo-Christian morality and ethical teaching as expressed and revealed within the scripture, yet it is just as clear that the scriptures do not speak directly to such matters. This appears particularly so in regard to the morality and ethic of economic systems and labor and management issues (apart from a handful of very direct scriptural references to master and servant). By what systematic protocols, if any, can the comparatively brief and limited admonitions of scripture be extrapolated, if at all, to govern complex systems in a political economy, including the legitimacy of a system, e.g., capitalism, socialism, etc., as well as the instrumentalities of labor and management relations, e.g., unionization and collective bargaining, the minimum wage, wage and hour laws, health and retirement benefits (or the lack thereof), the subordination of worker interests to larger managerial and economic ends, etc.? Comment on how a scriptural ethic is developed when the scripture itself appears silent or speaks marginally, and justify any protocol(s) used to develop larger principles that are yet at least ostensibly based in a scriptural moral and ethic.

Question #5—The O.T. and N.T. address the “law” in many different contexts, ranging from the Hebraic expression of the Mosaic law in the Torah, to the law as a structure of moral righteousness that reflects the nature of the Godhead, to the very act of obeying the law (including, in the N.T., several examples of Jesus addressing the Pharisees’ exactitude demanded in compliance with the law), to Jesus’ declaration regarding the relationship of his ministry and message to the law, and to Paul’s discourses on the place of the law in Christian faith. When we consider the relationship of our secular law and public policy, from which source, or sources, of the law do we draw culturally and prescriptively, and does cultural and political consensus or discord attach or “play out” in modern times with any particular degree of affinity to one or more sources of the law? Also, in this regard, what “law” of the scripture is or should be in play (or not) in the formulation of public policy and secular legislation?