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Adjunct Unionization on Catholic Campuses: Solidarity, Theology, and Mission

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AS THE ESSAYS IN THIS SPECIAL ISSUE make clear, the ethical challenge of contingent labor in the academy is no longer a minor debate. Nor are Catholic campuses exempt from the financial pressures, market conditions, and leadership decisions that have contributed to the crisis.[1] However, the unequal and unfair treatment of adjunct faculty is of particular concern on Catholic campuses because of the commitment of Catholic institutions to the norms of solidarity, justice, community, participation, and the dignity of work embodied by Catholic social teaching. Moreover, in light of the clear teaching of Catholic ethics, the exploitation of adjunct faculty by Catholic institutions is a fact that requires not justification but explanation: how have Catholic universities come to rely on highly qualified but poorly paid instructors to carry out the essential work of the university, and why have their administrations opposed efforts by adjuncts to organize for better working conditions? Through an examination of several recent cases, this essay shows that while financial pressures may have caused the adjunct crisis on Catholic campuses, claims about mission are behind current opposition to adjunct union organizing efforts, thus pitting the institution against itself. Moreover, I draw on Catholic reflections about the idea and purpose of the university to show that this opposition is not only ethically suspect but also missionally unsound.

In this essay, I give a brief overview of recent labor movements on Catholic campuses. I then highlight academic siloing as one contribution to the continuing abuse of adjuncts before considering a specifically Catholic reason that universities have opposed adjunct unions. Next, I question this Catholic rationale by examining the role of the

[1] Adjunct faculty are not the only source of labor troubles for universities. Universities often contract out dining, janitorial, security services, and even residence life functions, and many of these contractors do not receive the same level of benefits or pay as regular university employees (who also may be unionized). While many of the moral arguments made on behalf of adjunct faculty apply to these groups, they are outside the focus of this article.

faculty in the mission of the Catholic university and the theology faculty in particular. I also place Catholic universities in the context of other religious institutions within the marketplace of higher education and, subsequently, draw these threads together in a discussion of money and morality in higher education. Finally, I highlight two Catholic alternatives to union campaigns and union-busting that might serve as models for other Catholic universities. The paper concludes with a coda on mission and the academic vocation. Throughout the paper, the interplay of three forces is evident: internal Catholic dialog, larger pressures in the higher education sector, and trends in the fields of religion and theology.

FACULTY LABOR MOVEMENTS ON CATHOLIC CAMPUSES

According to the Catholic Labor Network's 2018 *Gaudium et Spes* Labor Report, of the approximately 200 U.S. institutions of Catholic higher education, fewer than ten percent have faculty union representation, which is less than half the rate of all universities combined. Of the Catholic faculty unions, eight are faculty unions, eleven are adjunct faculty only, and one institution, St. Xavier, has an unaffiliated union representing tenured faculty only.[2] By way of comparison, sixteen Catholic universities are reported to be members of the Workers' Rights Consortium, which certifies fair labor practices by vendors of college-branded goods and clothing.[3] These statistics suggest a mismatch between clear Catholic teaching on the rights and dignity of workers and the labor practices of Catholic institutions of higher education that begs for an explanation.

Yet, as the one-in-ten statistic indicates, individual Catholic institutions have offered a range of responses to adjunct organizing. For instance, when Jesuit Georgetown University's adjunct faculty organized to vote on union representation, the administration remained publicly neutral on the matter, explaining its position by reference to

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[2] Clayton Sinyai, "Gaudium et Spes Labor Report 2018," *The Catholic Labor Network*, catholiclabor.org/wp-content/uploads/2018/05/Gaudium-et-Spes-Labor-Report-2018.pdf, pages 27-33. At least one other Catholic institution with an adjunct union, Siena College (discussed below), is not on this list. Statistics on the number of universities overall with faculty unions are difficult to come by, but at least one source puts it at 35 percent of public universities and 21 percent of all universities (Andrew Hibel, interview with Timothy Reese Cain, "What Does the History of Faculty Unions Teach Us About Their Future?" *Higher Ed Jobs*, n.d., www.higheredjobs.com/HigherEdCareers/interviews.cfm?ID=315).

[3] The Catholic Labor Network, "Catholic Higher Education Institutions with Collective Bargaining," catholiclabor.org/catholic-employer-project/catholic-higher-education/.

the institutional commitments outlined in their "just employment policy."[4] The vote carried, and now many adjuncts have been converted from piecemeal employment to "half-full" contracts, granting them a measure of predictability, stability, and compensation that make a teaching career more sustainable for adjunct instructors.[5]

Other universities do not have adjunct unions but institutional policies more supportive of adjunct faculty than is typical. One example is Vincentian DePaul University, the largest Catholic university in the country, which employs many part-time faculty (according to one report, sixty percent of faculty are non-tenured). At DePaul, part-time faculty are assured of office space during the semester, given access to supplies, and paid for trainings and meetings attended in addition to their course-related duties. Moreover, the administrative elements of hiring and onboarding temporary employees have been streamlined to reduce the burden on adjuncts.[6] Amidst a union drive in 2016, DePaul established an Adjunct Faculty Task Force, and, by the fall of 2017, a new Workplace Environment Committee had been organized to address adjunct concerns.[7]

Some cited these and other outreach efforts by the administration as an attempt to prevent a successful vote for unionization, suggesting that for every positive story, a negative example is not hard to find.[8] Five years ago, Spiritan Duquesne University became briefly infamous over the dismissal and subsequent death of a long-term adjunct, Margaret Mary Vojtko, which seemed to epitomize every unethical faculty employment practice.[9] Vojtko was a loyal and dedicated mem-

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[4] Clayton Sinyai, "Which Side are We On? Catholic Teachers and the Right to Unionize," *America*, January 19-26, 2015, www.americamagazine.org/issue/which-side-are-we.

[5] Caroline Frederickson, "There is no Excuse for how Universities Treat Adjuncts," *The Atlantic*, September 15, 2015, www.theatlantic.com/business/archive/2015/09/higher-education-college-adjunct-professor-salary/404461/.

[6] This information is taken from my own experience as adjunct faculty at DePaul University during the fall 2010 semester. To the best of my recollection, adjunct pay was about the median national average of around $2700 per course.

[7] See DePaul University Academic Affairs, "Latest News for Adjunct Faculty" Faculty Resources Page, offices.depaul.edu/academic-affairs/faculty-resources/adjunct-resources/Pages/default.aspx. As of this writing, DePaul University adjuncts have not unionized.

[8] See particularly an anonymous letter to the campus newspaper, SEIU Organizing Committee, "Adjunct Faculty Calls for Allies," *The DePaulia*, October 3, 2016, depauliaonline.com/24684/opinions/letter-adjunct-faculty-calls-allies/. Public statements by DePaul's then-president Dennis H. Holtschneider against unionization are discussed below.

[9] Coverage of the affair includes a now-famous essay by Vojtko's lawyer, Daniel Kovalik, "Death of an Adjunct," *Pittsburgh Post-Gazette*, September 18, 2013, www.post-gazette.com/opinion/Op-Ed/2013/09/18/Death-of-an-adjunct/stories/20

ber of the teaching corps, whose hours and pay were cut as she struggled with aging, failing health, family, and financial difficulties. When her story was reported by the *Pittsburgh Post-Gazette*, it quickly went viral. There is then perhaps some irony in the fact that in September 2012, one year before *l'affaire Vojtko*, Duquesne's adjuncts voted 50-9 to form a union affiliated with United Steelworkers.[10] After initially supporting the right of workers to organize, the administration did an "about-face," hiring a veteran anti-union lawyer and arguing that its character as a religious institution exempted it from National Labor Relations Board (NLRB) oversight.[11] Had Duquesne recognized the union, Vojtko's story may have ended differently.

The details of Vojtko's story were unique, but it highlights a common concern in adjunct employment: high-skill, high-investment educational labor does not provide sufficient compensation to sustain a life, let alone a family. This concern is illustrated in the case of Franciscan Siena College, which employs adjuncts in a variety of roles to manage fluctuations in enrollment and the periodic need for expertise not represented among tenure-track faculty. For many years, the college also employed faculty off the tenure track on continuing, three-fourths time contracts that paid close to parity with full-timers, but were not benefits-eligible.[12] These stable positions provided a better part-time alternative to by-the-course adjuncting. Some (but not all) of the three-fourths adjuncts received health benefits through a spouse (some of whom were also employed by Siena). However, after the Affordable Care Act passed, the college would have been mandated to provide health benefits to these three-fourths employees, which it could not afford. Thus, the positions were terminated, and the classes were re-advertised piecemeal, at a much lower per-course rate. Occupants of the three-fourths positions now faced the choice of doing the same job for less than half the pay as fully adjunct faculty or seeking other employment. While precipitated by political events rather than institutional initiative, this change appears to have been a catalyst for

1309180224, but also the follow-up investigation in *Slate*: L.V. Anderson, "Death of a Professor," *Slate*, November 17, 2013, www.slate.com/articles/news_and_politics/education/2013/11/death_of_duquesne_adjunct_margaret_mary_vojtko_what_really _happened_to_her.html.

[10] Clayton Sinyai, "Union Organizing Efforts Advance for Catholic University Adjunct Faculty," *America*, October 21, 2012, www.americamagazine.org/content/all-things/union-organizing-efforts-advance-catholic-university-adjunct-faculty.

[11] Clayton Sinyai, "Which Side Are We On?"

[12] I held a position as Visiting Assistant Professor at Siena College from 2012 to2014, and some of this information reflects events that occurred while I worked there. The union campaign took place after my departure.

a successful unionization vote among adjunct faculty a few years later.[13]

The Siena College example highlights that in addition to institutional norms, universities are also subject to pressures of the wider economic and political ecosystem, as well as to what we might term "industry standards." Indeed, Siena College might serve as an object lesson in the wider ecology of higher education: as a tuition-driven liberal arts institution in upstate New York, it must contend with a shrinking revenue base caused not only by a national decline in the college-age student population, but also with a shift in student preference away from northeastern institutions in favor of warmer climates and larger institutions with deep enough pockets to win at the amenities game. As an institution with strong local ties, Siena's excellent regional reputation is no longer sufficient, as it once was, to ensure its long-term survival. Siena, and many institutions like it, must fight for a place in national rankings, while the Ivies and their peers draw not only from their traditional pool of Northeastern prep schools but also from the global moneyed elite. In this climate, many small institutions are unlikely to survive, and, as budgets and horizons contract, the economic pressure and workloads of faculty, particularly contingent faculty, continue. This compression occurs even though the salaries of top administrators—including at Catholic universities—have skyrocketed.[14]

SILOS AS BARRIERS TO SOLIDARITY

The recent history of faculty labor organizing partly explains why Catholic institutions have opposed unionization drives by contingent faculty.[15] Though the stated reasons are both financial and missional, given just how exploitative much adjunct employment is, financial reasons are the likely drivers. Considering the service-based missions of most Catholic institutions, why do not more institutional leaders express something akin to DePaul's recognition that adjuncts are an essential—even necessary—part of the university, and valued colleagues in carrying out the institution's mission? Why have so many

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[13] Bethany Bump, "Siena Faculty Contracts Include Better Wages, Job Security," *Times Union,* September 8, 2017, www.timesunion.com/news/article/Siena-faculty-contracts-include-better-wages-job-12183787.php.

[14] Michael J. O'Laughlin, "The Highest-Paid Catholic College Presidents," *America*, December 15, 2017, www.americamagazine.org/politics-society/2017/12/15/highest-paid-catholic-college-presidents. At some institutions with religious presidents, a donation equivalent to the market-rate salary of a lay president is made to the sponsoring order. While this helps sustain the mission, it does not help resist the trend towards outsized compensation for senior administrators.

[15] In "Death of a Professor," Anderson notes that, on average, adjuncts with union representation earn 25 percent more than non-represented adjuncts.

administrations failed to display basic solidarity with their co-laborers?

One possibility is the "silo mentality" that James Keenan describes in his recent book *University Ethics*.[16] Not only are hiring decisions and employment conditions for adjuncts localized, but those responsible for conducting faculty job searches and for the day-to-day supervision of contingent faculty rarely have power over adjuncts' wages, which are generally controlled by senior administrators. These senior administrators may never meet the adjuncts whose salaries they set, and department chairs who know adjuncts best generally cannot change their pay or automatically extend their contracts, even if the chairs want to do so. Moreover, the culture of individual achievement that pervades the academy means that every scholar is a "silo of one" as he or she must focus primarily on advancing his or her own research career as the only reliable means of ensuring employability. From this perspective, organizing presents both a career risk and a career impediment.

This "silo of one" mentality is therefore a significant barrier to solidarity. Anecdotally at least, many faculty (regardless of rank) are reluctant to engage in the advocacy for labor justice that solidarity demands. Rarely is there just one reason for this reluctance; a variety of explanations coexist. Faculty at smaller colleges may simply not see it as their issue, believing it is happening at big state universities but not at their own institution. Tenured faculty in general may be ignorant, oblivious, uninterested, unsympathetic, self-interested, overwhelmed, or powerless. (Although, it is increasingly hard to believe that any member of the profession is unaware of the disgraceful working conditions of many of their adjunct colleagues, particularly in cases where those colleagues were also part of their graduate school cohort, disabusing them of the idea that tenure-track jobs are awarded strictly on merit.) Non-tenured faculty may be afraid to rock the boat for fear of retaliation or harming future job prospects. At all faculty ranks, time spent in research or advocacy for contingent faculty is time taken away from other goals and responsibilities, particularly the all-important research agenda.

Alongside these pragmatic concerns, tenure-track faculty may be reluctant to see themselves as wage workers or laborers subservient to an employer rather than as a scholars whose professional output is somewhat decoupled from their institutional affiliation and obligations. Yet the idea that academics are professionals is largely a myth. According to the *Oxford English Dictionary*, a professional is defined as a person engaged in "a paid occupation, especially one that involves

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[16] James F. Keenan, *University Ethics: How Colleges Can Build and Benefit from a Culture of Ethics* (Lanham: Rowman and Littlefield, 2015), *passim.*

prolonged training and a formal qualification." A Ph.D. is certainly prolonged training. However, for a scholar-teacher, a Ph.D. degree is neither a necessary nor sufficient credential for practicing one's profession. Many non-Ph.D. holders teach, research, and write both inside the academy and outside it, and the majority of Ph.D.-holders will never occupy a tenure-track position.[17] Moreover, the academy also has a faculty-level "back door," as persons without a Ph.D. who have distinguished themselves outside the academy are often invited back to teach, run research institutions, or administrate, often with higher rates of pay, lighter workloads, or more flexible job descriptions than those trained in traditional ways.[18]

This state of affairs is possible in part because unlike medicine, law, architecture, accounting, or engineering, there is no standardized licensing exam certifying the scholar, no professional organization that regulates employment (though some groups do advise), and no national union or board. Unlike members of other professions, a Ph.D. scholar-teacher cannot go into private practice—the "independent scholar" designation is a marginal one—and cannot generally sell the primary "products" that a Ph.D. is trained to produce—post-secondary education and academic scholarship—outside of an accrediting institution. In large measure, those with Ph.D.'s do not set their own salary rates, can only rarely change positions for a better deal, and do not have reasonable assurance of employment in the field for which they trained. This describes a career pattern far closer to the artist than to the professional, yet aspiring academics are still trained as if a professional future awaits them after they successfully complete their training. *On its own*, this state of affairs represents a grave injustice. With the mistreatment of its adjunct members, the injustice only multiplies.

The silo mentality runs straight through a profession that is already fractured, working against the development of solidarity and other attempts to address a collapse in the market for faculty employment.

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[17] The figure that seems to come up most frequently is that 25 percent of Ph.D. graduates across all fields will end up in a tenure-track position. This is true even in the hard sciences, whose poor academic job outlook is tempered by the availability of jobs in industry for which a Ph.D. is a desired or required qualification. In English, the ratio of Ph.D.s to academic positions has been reported to be 10 to 1. The overall picture is given in the Academy Data Forum, "A Path Forward as Academic Job Market in Humanities Falters," American Academy of Arts and Sciences, n.d., www.amacad.org/content/research/dataForumEssay.aspx?i=22902.

[18] Several people have noted that adjunct hiring was once a way for institutions to get field-specific expertise that their faculty lacked. At prestigious institutions, this practice still exists in the form of the celebrity adjunct—recent examples include offers given to former Trump administration officials by Harvard and the University of Virginia—as well as in many professional schools, which often hire working professionals and practitioners. On the other hand, adjuncts with traditional academic training are often treated as disposable.

Some of these factors may be mitigated in a Catholic institution like DePaul, which endeavors to walk the talk in its treatment of adjunct faculty. However, even the pervasiveness of siloing is not a compete explanation for Catholic opposition to faculty unions, particularly adjunct unions. To understand that, we must consider further how faculty fit into the modern university.

THE *CATHOLIC* REASON FOR OPPOSING ADJUNCT UNIONS

It is clear that the unjust treatment of adjuncts violates norms of solidarity, fairness, and the dignity of work. The magisterium has consistently supported the formation of unions as a vehicle for protecting workers and realizing those values, particularly when management has taken a hostile stance towards workers.[19] In addition to promoting more equitable conditions of employment for contingent faculty, union contracts can also extend to contingent faculty something like a guarantee of academic freedom. Despite many universities' stated commitment to academic freedom, true academic freedom comes only with tenure—with the right not to be fired (or unhired) for just about anything short of "gross moral turpitude," as it is sometimes quaintly phrased. A union contract can also offer some of the same legally binding protections against firing for ideological reasons to non-tenured faculty as tenure does to senior faculty. As more and more contingent academics organize for unionization, Catholic universities have few morally defensible reasons not to recognize those unions.[20]

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[19] See Michael Sean Winters, "Catholic Universities and Unions," *National Catholic Reporter*, December 15, 2015, www.ncronline.org/blogs/distinctly-catholic/catholic-universities-unions.

[20] See Dave Jamieson, "Catholic Teaching Says Support Unions. Catholic Colleges Are Fighting Them," *HuffPost*, January 13, 2016, www.huffingtonpost.com/entry/catholic-colleges-adjuncts-unions_us_56942dc0e4b09dbb4bac4f84; Michael J. O'Laughlin, "Labor Board Rules in Favor of Workers at Catholic Universities," *America*, April 13, 2017, www.americamagazine.org/faith/2017/04/13/labor-board-rules-favor-workers-catholic-universities; and Kaya Oakes, "Union Busting for God: Catholic Colleges Invoke 'Religious Freedom' to Violate Catholic Teaching," *Religion Dispatches*, June 23, 2017, religiondispatches.org/union-busting-for-god-catholic-colleges-invoke-religious-freedom-to-violate-catholic-teaching/. On the issue of "Catholic enough," see Menachem Wecker, "Can Adjunct Unions Find a Place in Catholic Higher Ed?" *National Catholic Reporter*, October 14, 2016, www.ncronline.org/news/justice/can-adjunct-unions-find-place-catholic-higher-ed: "A key question is how religious the duties of most adjunct professors are." Wecker quotes Scott Jaschik, editor of *Inside Higher Ed*: "'If we were talking about tenured professors of theology, I suspect Seattle would prevail,' Jaschik said. 'But many adjuncts are teaching first-year composition or math, and they report that their jobs—and their desire for better pay and benefits—aren't that different at religious or secular institutions.' The desire for better pay and benefits for adjuncts comes at a time that the academic landscape has changed drastically, experts said."

However, several Catholic universities—Duquesne, Loyola Marymount, Manhattan, and Seattle among them—have argued publicly that the Constitutional guarantee of free exercise of religion prohibits oversight of adjunct faculty union drives by the NLRB. In essence, these institutions argue that they cannot be legally compelled to recognize faculty unions. These universities contend that maintaining their Catholic identity means keeping control over personnel decisions, particularly faculty hiring. In one noteworthy case, a Catholic university argued that even the unionization of its janitorial staff posed a threat to its religious identity.[21] Institutions making this case appeal not only to their mission statements but also to legal precedents. When the NLRB was established in 1935, both farmworkers and religious workers were exempted, making it difficult to impossible for those groups to gain legal recognition for their unions. Subsequently, the Supreme Court affirmed in *NLRB v. Catholic Bishop of Chicago* (1979) that the First Amendment guarantee of free exercise of religion extended to matters of hiring and firing of teachers by religious educational institutions.[22]

Given that other Catholic institutions have not opposed adjunct unionization, some critics have argued that these institutions (or their leaders) are acting in bad faith: because Catholic social teaching has long supported the rights of all workers to unionize, any opposition is uncatholic. Michael Sean Winters makes this point about Loyola University of Chicago:

> [H]ow can Loyola invoke its religious character to defend against a union organizing effort when denying the right to organize runs completely contrary to that religious character? I see that the school offers a minor in "Catholic Studies," and that they pledge to help students "[l]earn about the developing nature of Catholic beliefs and practices through history, especially Catholicism's relationship with modern Western culture and political institutions." Surely, part of that history would include the role of America's greatest churchman, Cardinal James Gibbons, in prompting Pope Leo XIII to write the encyclical *Rerum Novarum*.… Subsequent popes have reaffirmed the right to organize in equally clear terms. The U.S. bishops have stated, "No one may deny the right to organize without attacking human dignity itself."[23]

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[21] See O'Laughlin, "Labor Board Rules in Favor."
[22] See Dennis H. Holtschneider, "Refereeing Religion?" *Inside Higher Ed*, January 28, 2016, www.insidehighered.com/views/2016/01/28/new-nlrb-standard-could-have-major-consequences-catholic-colleges-essay.
[23] Winters, "Catholic Universities & Unions."

On this account, Catholic universities' opposition to unionization is disingenuous at best, cynical institutional self-interest at worst. Moreover, universities making this argument recently have lost in court.[24]

There is one area, however, in which the religious freedom argument against faculty unionization has been successful: in the case of instructors in religion and theology. By classifying them as "religious workers," universities have a stronger legal case against unionization based on religious identity.[25] This was the case in the recent Duquesne, Loyola Chicago, and Seattle NLRB decisions.[26] These decisions narrow the anti-union precedent of *Catholic Bishop,* which extended to all faculty, and grant the government authority in determining which faculty duties entail constitutionally protected "religious activities." They also conform to an earlier 2014 NLRB ruling stating that faculty may be excluded from collective bargaining only if they occupy "a specific role in creating or maintaining the university's religious educational environment."[27] On this new, theology-exclusive interpretation, for the majority of faculty, there is no distinction between working at a Catholic university and working at a secular institution. Their teaching, research, responsibilities to students and colleagues are judged identical to that of their counterparts at non-sectarian institutions.

The issue of adjunct faculty unionization, then, leads directly to the heart of the mission and identity of a Catholic university. What does it mean to say that a university is "Catholic?" What does it mean to call a Catholic educational institution a "University?" What does it mean to be a "professor" of theology (or any other discipline)? While the Church's social teaching on unionization is clear, the answers to these questions of mission and identity are contested and shifting. Although Catholic institutions are guided by their own internal cultures, missions, charism, and theology, they are also subject to the same legal, financial, accreditation, and cultural standards as their secular and Protestant counterparts. How Catholic institutions negotiate these various demands influences, for better or worse, how they approach the issue of adjunct unionization.[28]

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[24] See Wecker, "Can Adjunct Unions Find a Place."
[25] Oakes, "Union Busting for God."
[26] O'Laughlin, "Labor Board Rules in Favor."
[27] See Scott Jaschik, "Big Union Win," *Inside Higher Ed*, January 2, 2015, www.insidehighered.com/news/2015/01/02/nlrb-ruling-shifts-legal-ground-faculty-unions-private-colleges. However, other regional NLRB decisions have addressed all faculty.
[28] While these free exercise arguments can apply to inclusive faculty unions, union drives have primarily found purchase among the ranks of exploited contingent faculty, as tenure-line faculty at most institutions have been able to retain their pay and benefits at reasonable levels. Carroll College may be the notable exception in which the entire faculty of a Catholic institution sought union representation.

FACULTY AND THE MISSION OF CATHOLIC UNIVERSITIES

How much of a threat does the presence of union protections for theology faculty actually pose to a university's Catholic identity and mission? To answer that question, I turn to three major documents have shaped the discussion of the faculty's role in Catholic universities' identity and mission. The first, John Henry Newman's monumental *The Idea of the University*, remains widely discussed 150 years after its initial publication. Second, the documents of Vatican II, particularly *Gaudium et Spes*, sparked a new openness that led to the drafting of the brief "Statement on the Nature of the Contemporary Catholic University" (popularly known as "Land O'Lakes" or in context, simply "Lakes") by a group of lay and clergy educators spearheaded by Theodore Hesburgh, then president of the University of Notre Dame. The final document is John Paul II's *Ex Corde Ecclesiae*, which some view as an elaboration and correction of the Land O'Lakes statement.

All of these documents highlight the central role of theology in the life of a Catholic university, though with slightly different emphases. Newman, in particular, staked the claim that in a truly Catholic university, theology is the essential organizing principle of its intellectual life and in fact without it, no university can claim to be a university. This is a Thomistic epistemology undergirding a Thomistic ontology of the university: the pursuit of knowledge must be oriented to its proper end, which is knowledge of God and the world God has made. Consequently, theology should and must occupy the unifying guiding role in the activities of the university. Yet Newman was fairly pessimistic about the actual place of theology in the modern university, due in part to modern secularizing attitudes in the academy.[29] Regardless, and despite changes to the landscape of higher education since Newman's time, his account set the parameters of the subsequent debate on the nature of the Catholic university.

Perhaps in reaction to a perceived limitation of this Thomistic vision on new research, the Lakes statement declared that Catholic universities must have "true artistic and academic freedom" (1), with no "theological or philosophical imperialism" (3). It also acknowledged and welcomed the presence of non-Catholics in the university (preamble). At the same time, it acknowledged the primary importance of scholars in all parts of theology (2), and of Christian scholars in all areas of study (4), in order that the university could be the "critical intelligence of the church" (5). This was an interpretation of the passages of *Gaudium et Spes* that commend the human search for truth

[29] John Henry Newman, *The Idea of the University* (Oxford: Oxford University Press, 1976), part 2, sections 3-5, esp. no. 397 on pages 321-322.

within the bounds of morality and common utility (no. 60), involvement in the arts (no. 62), and direct both laypersons and academics to blend, harmonize, or bring together the teachings of theology with science (no. 61-62). As with Newman, for the authors of Lakes, the character of the university applies not only to the pursuit of knowledge, but also to the "appropriate participation by all members of the community of learners in university decisions," up to and including "basic reorganizations of structure" (10).

In Lakes, theology and theologians are still clearly essential to the life of the Catholic university, but it is not clear that they are as central as Newman envisioned. There is an impression that a Catholic university is not the standard for all who would claim true university status but rather that a Catholic university is a species of the broader category "university," which exists in both secular and religious versions (1). Noting another distinction, in an assessment of Lakes on its 50th anniversary, John Jenkins, current president of the University of Notre Dame, wrote that because of their confidence in the future of Catholic higher education, the drafters of Lakes perhaps underestimated "the difficulty of finding scholars to implement the vision[,]" and as a result "plac[ed] an enormous burden on theologians" to sustain the Catholic mission of the university, one that likely contributed to contemporary union carve-outs for theology faculty[30]

In *Ex Corde Ecclesiae*, John Paul II offered a positive vision for the Catholic university that did not fully resolve the challenges encountered by earlier thinkers. He described the university's endeavors in dialogic terms: faith and reason, gospel and culture, science and theology, Church and university, Christian and non-Christian, all engaged in the shared pursuit of truth and meaning. This is not the secular-university-plus-theology implied by Lakes. Under "The Nature of the Catholic University," John Paul II wrote, "Catholic teaching and discipline are to influence all university activities, while the freedom of each person is to be fully respected" (Part II, Article 2, no. 4). This statement echoes Newman's ideal of a universe held together by Catholic reflection, while offering a more limited and nuanced account of academic freedom than Lakes affirmed. In the section titled, "The University Community," he also emphasized the centrality of the entire faculty to the catholicity of an institution: "The identity of a Catholic university is essentially linked to the quality of its teachers and to respect for Catholic doctrine....[T]he number of non-Catholic teachers should not be allowed to constitute a majority within the institution,

[30] John I. Jenkins, "The Document That Changed Catholic Education Forever," *America*, July 11, 2017, www.americamagazine.org/faith/2017/07/11/document-changed-catholic-education-forever.

which is and must remain Catholic" (Part II, Article 4, nos. 1, 4). Cumulatively, the message is clear. Faculty play a key role in constituting a Catholic institution as Catholic, and the theology faculty has a distinct and irreplaceable role within the wider faculty for stewarding Catholic doctrine and ethics in a manner that is faithful to magisterial teaching (no. 19).

THE EVOLUTION OF THEOLOGY AND CATHOLIC UNIVERSITIES

At the same time as the Second Vatican Council was charting the Church's response to the changes wrought in the twentieth century, the leading lights of the academic establishment were reforming the discipline formerly known as theology into a field called religious studies. The history of the American Academy of Religion (AAR) is an instructive case. Now the world's largest association of scholars of religion, the AAR was founded in 1909 as the Association of Biblical Instructors in American Colleges and Secondary Schools. In 1922, members voted to change the name to the National Association of Biblical Instructors (acronym NABI, transliteration of the Hebrew word "prophet"). By 1933, the Association launched the *Journal of the National Association of Biblical Instructors*, changing the name to the *Journal of Bible and Religion* in 1937. Through all of these changes, the emphasis of the Association on the teaching of scripture was clear, although by 1937 some widening of subject matter is apparent. However, according to the AAR's own web site, "By 1963, the association, sparked by dramatic changes in the study of religion, was ready for another transformation. Upon the recommendation of a Self-Study Committee, NABI became the American Academy of Religion (AAR) and was incorporated under this name in 1964. Two years later, the name of the journal was changed to the *Journal of the American Academy of Religion* (*JAAR*)."[31] Encompassing all faiths and none, the field no longer purported to make intelligible the things of God to humankind but became instead an examination of human beings' response to intimations of transcendence, real or imagined.

Academic rigor, then, rather than orthodoxy or faithful practice, came to define the field. At many schools, formerly Christianity-centric departments of theology were reconstituted as multi-religious,

[31] See American Academy of Religion, "History of the American Academy of Religion," www.aarweb.org/about/history-american-academy-religion. The webpage does not mention that for many years, the AAR and the Society of Biblical Literature held their annual meetings jointly. In the early 21st century, the two associations decided to part ways and meet separately, making the AAR's transformation complete. However, subsequent leadership reversed this decision, as large numbers of members belong to both organizations. Now they meet independently but concurrently.

multi-disciplinary departments of religion or religious studies. Sometimes, this transformation was spurred on by external pressure from accrediting bodies or funding stipulations. Concomitantly, at some institutions, religious commitments came to be viewed as a hindrance to objectivity or to the pursuit of truth, while other universities sought to police the boundaries of orthodoxy by hiring only theologically acceptable faculty. In response, the American Academy of Religion attempted to make hiring practices more transparent through a raft of questions on its standard job listing form, including whether or not an institution required assent to a statement of faith, whether same-sex partner benefits were offered, and whether the institution had an explicit non-discrimination policy. While this made hiring processes fairer from the perspective of the generally progressive environment of the academy, it also functioned to shame and isolate institutions which sought to hire faculty aligned with a more traditional or sectarian Christianity.

Together, these secularizing trends changed the face of the faculty at many Catholic institutions. Fewer and fewer were led by members of religious orders and staffed by religious faculty.[32] Catholic theologians were replaced by professors from a variety of religious traditions or none. Theology departments supported the study (and therefore the maintenance and growth) of many faiths. These trends reflected shifts within the broader academy as well as Catholicism's post-Vatican II openness to the secular world, along with a desire to escape the "second-tier" reputation of much of Catholic higher education. They mirrored the evolution of Protestant institutions, small and large, many of which shed their odder sectarian practices,[33] and the opening of higher education more generally towards those formerly excluded: women, Jews, people of color, and the middle and working classes. This was also an era of growth for higher education overall: first the GI bill sent returning veterans to college *en masse*, and then the baby boom sustained higher enrollments for a generation. For a time, desires for expansion, integration, and secure faculty employment went hand-in-hand.

However, this expansion had some unintended consequences that play a role in today's debates over unionization. In at least some cases—perhaps even in a majority—the theology faculties of these

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[32] Denise Mattson, "Faculty and Staff are the New Vincentians," *Newsline*, April 26, 2018, www.depaulnewsline.com/strategic-directions/faculty-and-staff-are-new-vincentians: "60 percent of presidents at U.S.-based member schools of the Association for Catholic Colleges and Universities are lay women and men."

[33] Some of these which I have heard are requiring women to wear pantyhose to gym class and maintaining separate sidewalks for men and women. Less odd but more widespread were required chapel attendance and prohibitions on consuming alcohol, dancing, gossip, and extramarital sex.

modernizing Catholic institutions became the last bulwark of Catholic identity amidst faculties whose members were no longer majority Catholic.[34] Even within relatively inclusive or pluralistic religious studies departments, certain positions are reserved—formally or informally—for Catholic candidates only (often through wording such as "must be familiar with the Roman Catholic moral tradition"). To paraphrase a comment made to me by one former department chair, "We'll hire a Jew or a Protestant to teach Bible, but we aren't going to hire a non-Catholic to teach moral theology."[35] While entirely reasonable from a religious identity perspective and in line with magisterial teaching, this compromise presents several ethical and missional challenges for the university which seeks to be truly Catholic in the Newman sense. These challenges are to maintaining academic freedom, the integration of theology across the curriculum, and the integrity of theology or religious studies within the university—including the catholicity of the curriculum itself.

In the first case, requiring professors of religious studies—and of ethics or moral theology in particular—to carry the weight of an institution's Catholic identity can hamper academic freedom for those members of the faculty. Even without requiring an STL or a *mandatum*, faculty who teach or write things which stretch the bounds of orthodoxy may find themselves under pressure to redirect their inquiry in a more acceptable direction. In spring 2018, Tat-siong Benny Liew, professor of New Testament at the College of the Holy Cross in Wooster, MA, found himself under fire for an essay he published in 2009 in which he applied queer theory to the gospel of John.[36] First reported in March by the conservative campus journal *Fenwick Review*, whose mission statement proclaims it a defender of "traditional Catholic principles," the story was soon picked up by major outlets including *The National Review*, *First Things*, the *Boston Herald*, and *Inside Higher Ed,* the latter of which reported both the College's defense of Liew's work and academic freedom, and President Philip L.

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[34] While I do not have data on the current composition of faculty at Catholic universities, the stipulation in Pope John Paul II, *Ex Corde Ecclesiae*, Part II, Article 4, no. 4, noted above, that "The number of non-Catholic teachers should not be allowed to constitute a majority within the institution, which is and must remain Catholic" suggests that either some institutions had majority non-Catholic faculties or that hiring trends indicated a realistic potential for it to happen on a significant scale.

[35] Conversation with author, c. November 2012.

[36] Tat-siong Benny Liew, "Queering Closets and Perverting Desires: Cross-Examining John's Engendering and Transgendering Word Across Different Worlds," in *They Were All Together in One Place: Toward Minority Biblical Criticism*, ed. Randall C. Bailey, Tat-siong Benny Liew, and Fernando F. Segovia (Atlanta: Society of Biblical Literature, 2009), 251-288.

Borough's defense of Liew but disavowal of Liew's 2009 interpretation of John's gospel. The College's response was followed by a statement by Robert J. McManus, bishop of Worcester, MA, which questioned both Liew's work and the College's invoking of academic freedom and called on Liew to recant. As word spread, more than 14,000 people signed an online petition calling for Liew's dismissal.[37] This episode illustrates the potential minefield for religious studies scholars taking on controversial subject matter.

However, in a university setting, which presumes a commitment to the pursuit of truth discernible through reason and observation, all faculty should be free to follow academic inquiry wherever it leads, both to teach the tradition as it has been but also, following the great medieval casuists, to apply it to novel circumstances. It is difficult to teach and write with integrity, no matter the setting, if certain arguments or points of view are off the table because they are judged beyond the pale of campus orthodoxy. More to the point, the Catholic intellectual tradition has consistently maintained that there is no conflict between faith and reason, and, therefore, no honest intellectual pursuit can threaten the foundations of the faith. This should be as true in matters of theology and religion as it is in matters of biology, geology, or physics—unless theological inquiry is a fundamentally different endeavor from the other academic disciplines. And, if it *is* fundamentally distinct, it is hard to escape the conclusion that theology (and perhaps, by extension, religious studies) is not an academic discipline at all, and that it belongs in the church and not the university.

A lack of academic freedom leads to a second challenge to the Catholic university: the concentration of Catholic identity in the theology department increases the pressure on the theology or religion faculty to do the religious "work" of the whole university, the rest of which has essentially been secularized. If and when a university argues that its theology faculty should be exempt from union protections, it agrees with NLRB claims that the work of the rest of the faculty is indistinguishable from faculty work at a secular university. Consequently, unlike in Newman's vision in which theological questions were engaged across the curriculum and even set the unifying agenda for the entire university, the theology faculty simply becomes a service department, offering the same two or three required introductory courses to provide a religious gloss on undergraduates' career-prep coursework. Taken to its logical end, this approach means that, as long as a few Catholic theology faculty are maintained, the rest of the university is free to engage—or not—with the deep questions of

[37] Scott Jaschik, "Holy Cross Defends Professor Attacked as Blasphemous," *Inside Higher Ed*, April 2, 2018, www.insidehighered.com/new/2018/04/02/holy-cross-defends-professor-under-attack-his-writings-jesus-and-sexuality.

meaning and transcendence on which a Catholic education purportedly centers.

In the third challenge, a theology faculty that must be keepers of Catholic orthodoxy in an institution in which the rest of the faculty has full religious and academic freedom also contributes to an increasing isolation of the theology department from the rest of the faculty, as the theology faculty is *de facto* and *de jure* governed by different norms. It is in danger of becoming a vestigial and academically suspect department that is regarded as little more than a center for catechesis of mostly uninterested or unwilling students. In this role, it cannot provide intellectual leadership for a Catholic institution and is far from the ideals espoused by Newman, Lakes, or John Paul II. A Catholic institution of this sort may still officially be guided by Catholic values, but these values will lack substantive theological support or coherence. They are much more likely to sound like the social justice platform of the left or the social conservative platform of the right. Neither serves the institution or its members well. Ironically, exempting theology faculty from union protection may lead not to a *more* but to a *less* authentically Catholic institution than the alternative.

RELIGIOUS INSTITUTIONS AND THE MARKETPLACE OF HIGHER EDUCATION

As discussed so far, the current state of adjunct unionization on Catholic campuses results from the "silo mentality" that acts as a barrier to solidarity with adjunct faculty and from the grounds on which some Catholic institutions oppose faculty or adjunct unions. Moreover, Catholic opposition to unions finds strange support in a view of faculty that—in contrast to Newman, Lakes, and John Paul II—does not view them as essential to the mission of the university and makes theology faculty into a different kind of faculty altogether.

This situation is exacerbated when institutions try to maintain a distinctive, religious identity in a competitive higher education marketplace. Many mainline Protestant institutions are now either entirely secular or identify as religious only in "heritage," including some of the oldest and most prestigious American universities. Others, such as Baptist-affiliated Baylor University, have attempted to retain their religious identity even while increasing in rank and size. Still others leverage their distinctive identity for growth. In this category, the televangelist-founded, religiously and politically conservative Liberty University is the most visible. A cadre of smaller religious liberal arts colleges have managed to stay solvent, despite sailing into economic headwinds, through a combination of good leadership, loyal alumni

base, distinctive programs, desirable location, denominational support, or patron largesse. Others have faced merger or closure as their only viable options.

Of the colleges that have maintained a religious identity, several have explicit faith or conduct requirements of faculty as part of an institutional commitment to the integration of faith and learning, which is usually a key aim of their degree programs.[38] Faculty members who can no longer affirm the institution's statement of belief or abide by its community standards are expected or required to tender their resignations. Others do not offer tenure, opting instead for continuing, multi-year contracts, or annual contracts signed alongside the statement of faith. In these ways, such institutions attempt to ensure not only that all faculty support—or at least do not oppose—the mission of the institution, but also that in substantive measure they believe the key doctrines of the faith to be true. At these institutions, all of the faculty are considered teachers of the faith; all are seen as integral to the religious mission of the institution.

This creedal orthodoxy approach is not without its pitfalls. In 2015, Wheaton College, considered by many the flagship evangelical institution of higher education, was in the news over a disagreement with tenured associate professor of political science Larycia Hawkins, who wore a hijab during advent as a gesture of solidarity with Muslims. Some of her public comments about her actions and the subsequent controversy that arose appeared to suggest that she held beliefs that were in conflict with the institution's stated theological commitments. The disagreement escalated and eventually resulted in her termination but not before it had become a national scandal.[39] Hawkins' story exemplifies the risks and harms of enforcing boundaries of belief and practice at the institutional level. Not every belief, practice, or person can be accommodated within an institution that exists not only to further knowledge but also to be faithful to a tradition; inclusivity has its limits. How best to protect the religious character of a university while also protecting the rights of faculty employees is not entirely clear.

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[38] Colleges which take this approach include Wheaton College (IL), Calvin College (MI), and Westmont College (CA).

[39] Ruth Graham, "The Professor Suspended for Saying Muslims and Christians Worship One God," *The Atlantic*, December 17, 2015, www.theatlantic.com/politics/archive/2015/12/christian-college-suspend-professor/421029/. Graham notes that Wheaton also dismissed a professor for converting to Catholicism and another for issues surrounding the professor's divorce.

WHEN MONEY AND MORALITY MIX

The demands of this education marketplace make it difficult to distinguish between financial and theological reasons for institutional opposition to adjunct unionization. Three more cases illustrate this tension. In a significant 2014 ruling, the NLRB denied Pacific Lutheran University's (PLU) argument that their adjunct faculty should not be able to form a union. The university's position relied in part upon an earlier precedent, *NLRB v. Yeshiva University* (1980). In that case, the Supreme Court ruled that faculty were classified as managerial employees with significant control over the way the institution was run and therefore were exempt from union protections. For almost thirty-five years, *Yeshiva* had made it difficult for faculty at private colleges and universities (regardless of religious affiliation) to unionize. This makes the NLRB's denial of PLU's petition significant: it opened the door for full-time adjunct faculty at private institutions to be classified as workers and therefore for their organizing efforts to come under the jurisdiction of the NLRB.

Aside from creating a precedent that increased the potential for adjunct faculty union recognition at Catholic institutions, the NRLB also rejected PLU's claim that its adjuncts were religious employees and therefore exempt from NRLB oversight, a claim made despite the fact that PLU has no institutional religious requirement for either faculty or students—a fact the NRLB cited in its decision. For Catholic institutions which recruit similarly broadly, the PLU decision has significant implications for any future unionization efforts. However, the mixing of administrative and mission-oriented opposition to an adjunct union in PLU's argument, as well its claim that it paid its adjuncts better than most, suggests that PLU was simply seeking the strongest argument against unionization, rather than the most principled.

If principle was used as cover for cost-savings at PLU, the exact opposite situation occurred this past year at Catholic University of America (CUA). Faced with the same financial pressures to which nearly all universities are subject, this year administrators floated the possibility of laying off tenured professors. Called "A Proposal for Academic Renewal," the plan met with vigorous faculty opposition. Faculty responses to the proposed cuts clearly referenced Catholic social teaching: "Making cuts to faculty and staff positions while repeatedly raising administrators' salaries … flies in the face of solidarity … and contravenes Catholic social teaching as enunciated in key papal documents. Rebuffing multiple good-faith efforts by the faculty and staff to assist in solving the financial and academic challenges faced

by the University also runs roughshod against the tenet of subsidiarity"[40] In the end, needed reductions in the faculty ranks were met through buyouts and early retirements. Nevertheless, the CUA case highlights the fact that in the modern university, faculty are merely another cost to be managed. Even if the principle of solidarity did not demand tenure-track faculty to advocate for and with contingent members of their university, pure self-interest dictates it as a counterweight to the ongoing consolidation of power by a growing managerial class of professional academic administrators—which the NLRB recognized in PLU's case as the real holders of institutional power.

While the financial reasoning is similar in both cases, on the website savecatholic.com, some faculty anonymously expressed the opinion that financial exigency was being used as a cover for ridding the faculty of tenured members deemed insufficiently Catholic: "Many of us see a connection between these [proposed] firings and the direction the university has taken in the last five years.... It certainly would facilitate President Garvey's stated goal of hiring Catholic faculty. 'We should expect Catholics to carry the ball,' he writes in a column on the university's website."[41] A direct link between the retrenchment and a doctrinal purge would be difficult to prove, but this example illustrates how funding can be used to justify mistreatment of adjunct faculty not just for financial reasons but also for theological ones.

This kind of theological and financial entanglement took an almost perverse turn at Duquesne University. The restriction of the adjunct union to non-theology faculty called into question whether there would be enough "yes" votes among the remaining adjunct pool to form a union. In other words, a large proportion of the adjuncts at Duquesne are in the theology department. This is not surprising, given that many Catholic institutions have a religion requirement for students and that even at Catholic universities, the number of religion majors is often not large enough to support a significant number of upper-division courses. When the bulk of a department's courses are introductory courses, conditions are ripe for reliance on disproportionately large numbers of adjuncts. This demonstrates again the centrality of the theological carve-out to achieving justice for adjuncts: if ad-

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[40] See the group-authored blog post, "Save the Catholic University of America," SaveCatholic.com, savecatholic.com; See also the June 6, 2018 update, "After the Vote," SaveCatholic.com, savecatholic.com/after-the-vote/.

[41] "Follow the Money," SaveCatholic.com, May 22, 2018, savecatholic.com/follow-the-money/. The post further links this conservative turn with donations to The Catholic University of America by the Koch brothers, and suggests that these donations are influencing hiring and curriculum, citing recent revelations of Koch brothers' involvement in faculty hiring at George Mason University.

juncts in theology or religion are prevented from voting on union representation, unionization drives at Catholic institutions are less likely, perhaps much less likely, to be successful.

More worryingly, the theological exception increases the vulnerability of theology and religious studies faculty to other forms of harm and harassment, when religious studies professors may be in particular need of the protections offered through unionization. Protestant ethicist David Gushee wrote recently about a religion professor at a state institution who contacted him for advice: "Professor Alison Downie of Indiana University of Pennsylvania…described herself as the subject of a right-wing social media harassment campaign initiated by an aggrieved student against whom she had taken a disciplinary action." The student had felt "silenced" for expressing his conservative beliefs in the classroom and when chastised took to the media in protest. Professor Downie is protected by a union contract, but, writes Gushee, "The case of Professor Downie teaches many lessons, among them the disturbing one that anything a professor says or writes in any context can be used against us [sic] in a national campaign if we [sic] become somebody's target, and that targeting can quickly move from being annoying to being genuinely dangerous. All the evidence I have seen suggests that it is especially adjunct, non-tenured, female, non-white, and other relatively powerless professors who face a disproportionate amount of this kind of harassment, and that cautious administrators may not defend their faculty."[42] How much less likely a faculty member is to be defended if she is contingent, especially if there are financial ramifications.

SOLIDARITY AND MISSION

Despite all of these real and potential hazards, religious institutions are themselves a distinctive good, both for the Church and as part of an ecosystem of higher education. To maintain that good, Catholic institutions must heed the dictates of justice and solidarity toward adjunct faculty employees. Two examples illustrate what is possible when Catholic universities do this.

The first is a coda to the DePaul University unionization drive. After taking a relatively neutral stance to early efforts to organize DePaul adjuncts, then-President Dennis H. Holtschneider came out in opposition to unionization following the PLU decision, which gave the NLRB authority to determine which employees were responsible for carrying out an institution's religious mission:

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[42] David P. Gushee, "Religion Professors Become Flashpoint in Campus Culture Wars," *Sightings*, June 7, 2018, divinity.uchicago.edu/sightings/religion-professors-become-flashpoint-campus-culture-wars.

> Crucially, for any Catholic institution, there can be no sharp division of the educational process or that institution's mission into mutually exclusive realms of religious and secular. The church's teaching, developed most powerfully by St. Thomas Aquinas and carried to the present, has always emphasized the integration of faith and reason. For a Catholic institution, as for individual Catholics, elements such as science, mathematics, service, charity, history and faith form an integrated whole that infuses all aspects of university life.
>
> Yet, in practice, the NLRB proposes to decide which of our faculty are contributing to the religious mission of the institution, with a narrowness we reject, thereby ignoring Catholic universities' explanation of the integrated function of faculty across the university.... Yet as a matter of religion, a Catholic institution must insist on the unified integrity of its teaching faculty into a single overarching mission. The faculty cannot be divided into "religious" and "secular" faculty by government fiat without impugning the Catholic mission itself.[43]

Holtschneider stepped down in 2016, stating that after achieving many of the goals set for his tenure, it was time for new leadership. In line with trends toward a smaller Vincentian presence on campus, his successor is the first lay president in DePaul's history. Many voiced concern that DePaul's Vincentian distinctives and mission were in danger of disappearing, prompting two initiatives to be included in the draft of its new strategic plan: preparing lay people to sustain the mission, where "faculty and staff are the new Vincentians," and providing leadership in the Catholic and Vincentian intellectual tradition.[44] This vision is incompatible with the theological exception of the NLRB, but, as Holtschneider noted, it is entirely consistent with solidarity and justice for adjuncts.

The second example comes from St. Catherine University, a small Catholic college in St. Paul, Minnesota. At a recent meeting of the College Theology Society, Claire Bischoff, a St. Catherine University adjunct, described how the theology department responded to a directive to cut one full-time position from their department. When the directive came, Bischoff assumed that as the newest member of the department hired, her position would be the one cut. Instead, all the members of the department gave up something—a course release, administrative task pay—so that no one lost their job. This act of solidarity avoided several alternatives that theologian Gerald Beyer says have the potential for "appropriating evil," including "accepting

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[43] Holtschneider, "Refereeing Religion?"
[44] Mattson, "Faculty and Staff Are the New Vincentians."

lighter course loads, time for research and funding for conferences" while relying on low-paid adjuncts to pick up the slack. On Beyer's view, true solidarity is not merely refraining from union-busting; it may also require "solidarity salary cuts, if necessary, when there are real budget crises, with higher earners — including administration — giving back proportionately more."[45] Of course, if an institution's expenses continually outstrip its income, this kind of salary solidarity is only a short-term solution. However, it represents a moral alternative to the theological carve-out or pitting tenure-line faculty against adjuncts. Real solidarity can also eliminate the need for adjuncts to seek union protection, thereby preserving the independence of Catholic institutions from intrusive or improper government oversight.

There is one other option for just treatment of adjuncts that is likely both to meet the demands of Catholic social teaching *and* Catholic mission, which would also likely reduce demand for an adjunct union to levels below viability: *pay adjuncts what they ought to be paid*. If adjuncts were paid for their teaching hours as a proportion of a full-time, tenure-track assistant professor salary—that is, if a full-time, tenure-track assistant professor is paid $60,000 per annum for a 4/4 load, an adjunct should be paid $7,500 per course—and if that pay were indexed to inflation and there was a path for promotion and pro-rated benefits eligibility, adjuncts would have much less reason to pursue unionization. Moreover, good pay and benefits would attract and retain wider pool of applicants, which in turn would give universities more latitude in hiring. To date this option has not been widely pursued.

CONCLUSION

Despite the challenges and pressures facing academics and academic institutions, teaching at a Catholic university must still be considered, in some measure, a *vocation* (from the Latin *vocare*, to call). Though this term has a specific meaning in the Catholic religious context, the language has been widely adopted by laypersons across the religious spectrum to describe work that goes beyond the mere exchange of goods and services and into the realm of meaning or transcendent purpose. By referring to university teaching—particularly in theology—as a vocation, we recognize that those pursuing the vocation are responsible to something beyond themselves, which is the grounds for their pursuit. Recognizing a calling means being faithful to that calling. It means recognizing that the freedom to pursue a vocation is contingent upon fulfilling the duties of that vocation. This

[45] Heidi Schlumpf, "Theologians Question Catholic Universities' Use of Contingent Faculty," *National Catholic Reporter*, June 12, 2018, www.ncronline.org/news/justice/theologians-question-catholic-universities-use-contingent-faculty.

vocational way of thinking can, perhaps, provide moral justification for hiring preferentially, for seeing that sense of calling or mission a prerequisite for the job.

However, vocational language can also be dangerous. If one's teaching is a calling, pecuniary concerns are secondary, or even incidental, to the work. The most destitute of adjunct faculty are often also the most committed. They are the ones who see their work as a calling so strong that practical concerns like housing or security in old age or even health are ignored.[46] In this way, the language of vocation has contributed to the deteriorating labor situation within faculty ranks. The person who sees his or her work as a sacred calling is unlikely to walk away from it, even when prudence or justice would indicate otherwise. This person can be more easily convinced to accept higher workloads or lower pay. A sense of vocation—of doing it for a higher reward or purpose—perhaps also deters faculty from organizing to seek better working conditions.

To this distortion of calling or vocation, unionization offers a corrective. It reminds faculty that, while their labor may be a calling, they are also employees, workers in solidarity with other workers in their department, in their institution, and in their society. Unionization may not be able to return universities to the more covenantal ideal of shared or faculty governance, but it may at least prevent the worst abuses. Over the past fifty years, as Catholic universities sought to increase their academic standing, they fell subject to many of the same trends operating across higher education, including over-reliance on adjuncts and a managerial approach to education. Building a truly Catholic university is not merely a theological matter. It is a matter of re-integrating into one whole—or universe—that which has been segregated into academic silos, through actions of intellectual, economic, and human solidarity. M

[46] This seems to have been true in Vojtko's case, which is not an isolated incident. In 2015, *The Seattle Times* published a profile of a Seattle University adjunct whose life story was heartbreakingly similar to Vojtko's; see Danny Westneat, "Gifted Professor's 'Life of the Mind' Was also Near Destitution," *The Seattle Times*, September 25, 2015, www.seattletimes.com/seattle-news/gifted-teachers-life-of-the-mind-was-also-life-of-near-destitution/.