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Repository Citation

Lynn R. Buzzard, *A Christian Law School: Images and Vision*, 78 Marq. L. Rev. 267 (1995).

Available at: <http://scholarship.law.marquette.edu/mulr/vol78/iss2/3>

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A CHRISTIAN LAW SCHOOL: IMAGES AND VISION

LYNN R. BUZZARD*

"Every idea is an incitement"—Holmes¹

*"Where there is no vision, the people perish"*²—Prov. 29:18

The "idea" of a *Christian* law school has been a vision of many. Certainly opportunities for legal education in the context of fundamentally Christian perspectives have been perceived as essential if the church is to maintain effective dialogue about law in our culture. But what does it mean to think as a Christian about law and legal education? To what does the idea of a Christian law school incite us?

Humility requires that we admit that, as with all visions, there is inevitably a certain amount of distortion as each sees the Christian law school through his or her own perspective. It will certainly take many viewers and vantages to reconstruct the multiplicity of images that we individually receive into a coherent pattern. This is a report from one observer. Why the concern?

The attempt to ascertain an inciting vision is motivated, even made urgent, by two principal sets of factors: those related to our *identity*, and those related to the *environment*.

I. THE IDEA OF A CHRISTIAN LAW SCHOOL

A. *Identity: The Christian Character of Education*

While education, especially in a university context, requires freedom to discover truth, an openness to discovery, and innovation that may challenge long cherished notions, no educational process begins *ex nihilo*. Nor is it merely cumulative. It is purposive. It is driven by commitments and perspectives about mankind, and about truth, about ultimates. A university knows that education is ideological, inevitably theological.

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1. ARTHUR F. HOLMES, *THE IDEA OF A CHRISTIAN COLLEGE* (1975).

2. Proverbs 29:18.

I believe this is true of all education.³ It is, however, especially true of Christian education. A Christian does not come to the educational process without orientations as to the source of truth and goodness. Lloyd Averill noted the uniqueness of the Christian college is precisely "its freedom to declare itself openly on the source of human good."⁴ We come declaring that there is indeed a "way, truth and life." We do not apologize for that conviction. We find it not confining, but liberating, sparing us from the tyranny of momentary ideologues and the oppression of immediacy. It places us in an historic stream and we do not wish to step outside of it.

Herbert Butterfield in *Christianity and History* notes:

In these days also when people are so much the prisoners of systems — especially the prisoners of those general ideas which mark the spirit of the age — it is not always [realized] that belief in God gives us greater elasticity of mind, rescuing us from too great subservience to intermediate principles, whether these are related to nationality or ideology or science. . . . There are times when we can never meet the future with sufficient elasticity of mind, especially if we are locked in the contemporary systems of thought.⁵

Legal education is especially ideologically rooted. Even to consciously seek to avoid ideology would itself reflect an ideological commitment. Law is grounded in certain postulates and principles, many of which are derived from Judeo-Christian sources. To the extent law ceases to be grounded in such norms it loses its authority, continuity, and moral character.⁶

Therefore, a Christian law school need not shrink from acknowledging that it operates within a philosophic perspective, a particular understanding of the world, human nature, and its purposes.

3. "Every Philosophy is tinged with the coloring of some secret imaginative background, which never emerges explicitly into the trains of reasoning." A.N. Whitehead, *Science and the Modern World* 15 (1925).

4. LLOYD AVERALL, *A STRATEGY FOR THE PROTESTANT COLLEGE* 60 (1966).

5. HERBERT BUTTERFIELD, *CHRISTIANITY AND HISTORY* 145-46 (1949).

6. Harold J. Berman insists that indeed the "historical soil of the Western legal tradition is being washed away" because those postulates are disappearing. HAROLD J. BERMAN, *LAW AND REVOLUTION: THE FORMATION OF THE WESTERN LEGAL TRADITION* 39 (1993). Jacques Ellul notes that absence of such norms from natural law results in law being "molded according to economic and political necessities and becomes absurd" and "strikes no truly responsive chord in man." JACQUES ELLUL, *THE THEOLOGICAL FOUNDATION OF THE LAW* 34 (Marguerite Weiser trans., 1960).

A lesson from history warns: “[t]he foe that is always around the corner is dilution . . . [by] a series of small but fateful compromises.”⁷ The history of Christian colleges mirrors a pattern in human nature—the loss of ideals and vision, the triumph of mediocrity, and the seduction of the spirit. The temptations before Christian schools to gain secular credibility, to attract funding, and to assure institutional survival have led many such institutions to sell their birthright.

Pattillo and Mackenzie, in their report on religious higher education, cite a Danforth Commission study noting how easily such schools have relinquished their character. Only a “loose, vaguely defined religion” is reflected on the campus of many church-related colleges today.⁸

Charles McCoy, author of *The Responsible Campus*, suggests that the “crisis of identity” of the Christian institution is between a sectarian past and a public present.⁹ Sadly, many institutions have seen just such a dilemma—inferring that a “public” presence required a diminution of religious vigor and identity. Such a way of describing the issue suggests the irrelevance of religion, its lack of marketability, or its academic integrity. We dare not see our choice in such terms. Rather, the issue is whether we shall bring to the public and to the legal profession those insights and perspectives, informed by faith, which can enrich the profession’s self-understanding and its service to society, or, whether institutions shall surrender their heritage and “buy” a perception of relevance, integrity, and quality largely shaped by forces unsympathetic to religious commitments.¹⁰

Surely there is an urgency for a Christian law school today to seek and bring principled reflection of our Christian commitments to the complex issues of our day. Law bears enormous ethical freight in our society. We live in a culture torn with controversies in which religion and law are major actors. The Brookings Institute’s ten year study on

7. BERNARD RAMM, *THE CHRISTIAN COLLEGE IN THE 20TH CENTURY* 115 (1963).

8. See DANFORTH COMM’N REPORT, *CHURCH SPONSORED HIGHER EDUCATION* 88. The image may outlast the reality, however. McCoy notes “the rhetoric of statements prepared for ecclesiastical bodies and church oriented parents stands in sharp contrast to descriptions the college provided for accrediting agencies, government agencies or charitable foundations.” CHARLES MCCOY, *THE RESPONSIBLE CAMPUS* 35 (1972).

9. CHARLES MCCOY, *THE RESPONSIBLE CAMPUS* 35 (1972).

10. If by “sectarian” one means a focus on those narrower distinctives characteristic of specific Christian groups, Baptists or Presbyterians for example, then of course such sectarianism will severely limit the reach of the institution and a strong case can be made for minimizing such sectarianism. If, however, “sectarian” means simply an institution with a firm commitment to Christian doctrine and lifestyle, then “sectarian” may well simply reflect integrity.

religion and society has recently concluded that social institutions require religious underpinnings. Yet, our pluralism and constitutional principles have resulted in public confusion and dispute over the role of religion and law. Issues in bioethics, world peace, human rights, allocations of power, and environmental protection are all value laden. Lawyers play prominent roles in shaping public debate on these issues. These observers and certainly others suggest that Christian law schools may be the most effectively postured for contribution to a national debate.

B. *Environmental Factors*

While the most critical factor in shaping the urgency of a Christian mission is internal, other factors are external. One such external factor is a recognition of the enormous secularizing forces whose effect and occasional purposes would distort a rich vision of Christian identity. Such forces often cause suspicion of the relevance of religious values, the potential academic integrity of one whose life is of deep spiritual commitment, and critical of the transcendence at the root of Christian conviction. Likewise, the secular forces cause us to minimize our commitments to the point of trivialization. In the context of law, these forces are prominent, if not at times dominating. The secularization of law itself, the development of professional models of value and success, and the institutional structures of law often reflect perspectives at odds with Christian convictions.

Law schools are under enormous social and professional pressures to adapt to the prevailing legal ethics. Accrediting associations add to the pressures to reflect a secular orthodoxy.

The authors of a 1984 article in the *Journal of College and University Law*, noted that most religiously affiliated law schools have "bowed in many respects" to accreditors' demand for "quality," which was a "code word for a loaded package of values, usually unarticulated or even unconscious."¹¹ The authors noted that because of the accrediting expectations, it is now very difficult for a religiously oriented school to "insure that its law school reflect[s], let alone foster[s], its moral and ethical views."¹² The conclusion they drew was that the accrediting bodies have a secular orthodoxy which severely limits free exercise of religion. Omi-

11. April Kestell Casson & Robert F. Curran, *Secular Orthodoxy and Sacred Freedoms: Accreditation of Church-Related Law Schools*, 11 J.C. & U.L. 293, 296 (1984).

12. *Id.* at 298.

nously they warn that if "the institution ever loses control of the religious nature of its law school, it will never gain it back."¹³

II. THE CHRISTIAN LAW SCHOOL

What specifically and concretely should a Christian law school stand for? Some caveats follow:

A. *Affirming a Diversity of Models*

It is important to recognize that there is not just one compelling vision for a Christian law school or university. The richness of Christian traditions and the uniqueness of our callings will produce diversity in the Christian education community.

B. *Wholeness and Diversity*

The elements suggested here do not imply that every single person or component of a Christian law school must achieve or even advance each objective. Rather, the enterprise as a whole must move toward these. There will undoubtedly be a proper division of labor, and identification of special gifts in which different components have more limited goals. Further, these objectives may be advanced by a wide variety of institutional structures and forms including not only formal curricula, but aspects of institutional life as well.

C. *Avoiding Cultural Religion*

To speak of a Christian law school is not to commit oneself to a narrow, culturally conditioned understanding of religion, which is often employed to sanction contemporary prejudice. Biblical religion refuses such "use" of religion. To be Christian in a rich biblical sense is to recognize that all cultures, all legal systems, and all political ideologies stand in judgment.

III. CORE COMMITMENTS

Finally, what are the marks of a Christian law school or university? By what shall it be known? What ideas incite it?

13. *Id.*

A. *A Christian World View—Weltanschauung*

"The first mark [of a Christian college] is the penetration of the total college life by the central Christian convictions."¹⁴ This is, I believe, the most central feature which ought to characterize a Christian law school. It embodies the scope of our inquiry, the conviction of coherence, and a declaration of the source of that unity. "In him we live and move and have our being."¹⁵

Ernest Becker declared that "man . . . needs a living and daily concern with ultimates, with the mystery of being . . . and rational technical knowledge . . . cannot give this."¹⁶ This concern with ultimates must energize every aspect of our institutional life, and demands that we resist temptations from whatever sources, including students, to compromise their own educational process with a purely technical knowledge.

A world view for a law school must seek to develop an understanding of law, government, justice, and culture in the context of a biblical Christian faith. It takes seriously the biblical perspectives that have contributed to the formation of the Western legal tradition. It will see jurisprudence as central to its identity, not as a mere historical exercise, but as the opportunity to confront ourselves and our world and place the law in a proper frame of reference.

Such a perspective will refuse to deify law or the legal process. It will take seriously man's fallen nature, corporate evil, and human pretensions. It will show a special interest in justice, for that is God's character and will.

Such a perspective will also have some implications. One of these is the creation of a critical mass of christian legal thought. A Christian law school should provide the locus and stimulus for legal scholars within the Christian tradition to seek and develop through research and collegial exchange an understanding of the relationship between Christian faith and law (including the positive law, the concept of law, and legal institutions, etc.). Such an understanding will serve the church, professionals, and society in its quest for a just society.

A world view will result in a commitment to engage the entire legal profession and especially legal educators in a spirited, collegial dialogue

14. D. ELTON TRUEBLOOD, *TOWARD A CHRISTIAN PHILOSOPHY OF HIGHER EDUCATION* 160, 163-67 (John P. vonGrueningen ed., 1957).

15. *Acts* 17:28.

16. ERNEST BECKER, *BEYOND ALIENATION: A PHILOSOPHY FOR THE CRISIS OF DEMOCRACY*, 220 (1967).

on the central issues of law. Legal professionals and educators will act as advocates of Christian perspectives.

In addition, a world view will develop educational models that reflect a conviction of a world view within which to understand history, culture, and law. It will provide structures that force students to reflect on their own world views and how those might address contemporary issues holistically.

Finally, a world view will provide special resources that assist committed Christian law students to integrate their sense of calling and the profession of law in a comprehensive conceptual scheme, and will similarly resource practicing attorneys who seek such a world view.

This world view will be unapologetically theological in character. Indeed it would be such an institution's conviction that, as noted earlier, education without theology is impossible. For example, Christian convictions regarding the nature of man as a valuing, historical, rational, moral, and accountable being are at the heart of much western political and legal thought. Exploring these dimensions is central to developing a legal philosophy in the context of a world view.

B. An Integrative Philosophy and Educational Model

"The specialist is the one who makes no small errors on his way toward the great fallacy" —Marshall McLuhan

Closely related to acting within a world view is a commitment to education that is integrative or whole. This integration is at multiple levels — it is interdisciplinary in character, holistic in its view of human nature, and comprehensive in its scope of reality explored. It rejects isolated pieces of intellectual turf, or an anti-humanistic separation of thought from life, or religion from history and culture. As Arthur Holmes has suggested, the very key to a Christian university is the "active integration of . . . faith and culture" a task which is a "constructive task, far more than a defensive one"¹⁷ "We have taught the islands but have overlooked the bridges,"¹⁸ observed one critic, and the much cited Harvard Report complained that too many "have learned too little about too much." We have become beset by intellectual fragmentation, a kind of

17. HOLMES, *supra* note 1, at 16-17.

18. KENNETH I. BROWN, NOT MINDS ALONE: SOME FRONTIERS OF CHRISTIAN EDUCATION 99 (1954).

“intellectual polytheism”—fragmentation without meaning.¹⁹ The tragedy of such fragmentation was eloquently noted by Holmes:

It is a sad paradox that on the one hand the scientific outlook declares that nature is intelligible and rationally ordered in both its macroscopic and its microscopic aspects, and on the other hand the existentialist tells us that life is devoid of any intrinsic meaning and intelligible order at all. This is a schizophrenic day that desperately needs an integrated understanding, a world-view that can stick fragmented pieces together.²⁰

An integrative commitment to education has some implications that present some concern. First, a Christian law school must resist further fragmentation of thought and seek a vital relationship with other disciplines within the university. This is especially true when so many students come to law school with minimal backgrounds in history, religion, political science, and literature. We are in danger of becoming a trade school profession ill equipped for personal growth and virtue, much less the exercise of public virtue.

Second, graduate professional schools must resist the tendency to become insular. The full resources of a university must be available to enrich legal education.

Third, faculty, while properly focusing on areas of special strength, must integrate their academic disciplines with larger understandings of society, culture, ethics, and religious thought.

Finally, integration at another level in legal education will be concerned with the development of the whole person and not simply their legal skills or mental acuity. We must take seriously the growth of persons, the development of ethical sensitivity, nurturing relationships, and responsible priorities. Such concerns may require the highest sensitivities to avoid intruding into the privacy of person's lives or imposing an institution's values on others, but we neglect the education of whole persons only at greater risk.

C. *Meaning and Value as Central to Education*

“We omit the vital center of higher education when we cease to wrestle with the problem of meaning.”²¹

19. ARNOLD S. NASH, *THE UNIVERSITY AND THE MODERN WORLD: AN ESSAY IN THE PHILOSOPHY OF UNIVERSITY EDUCATION* 258 (1943).

20. HOLMES, *supra* note 1, at 58.

21. McCoy, *supra* note 9, at 113.

"The 'futures' and 'careers' for which American students now prepare are for the most part intellectual and moral wastelands."²² If a Christian law school means anything, it must mean a confrontation with questions of meaning, values, and ethics. Law is replete with ethical questions. Legal professional ethics hardly begin to address the questions of ethics, and give scant attention to ultimate values and meaning. There is a dangerous tendency to minimize, if not distort, value orientation in legal education.

Complaining of the "objectivity" in the American university and its middle class temper Michael Novak concludes:

[I]t is possible—it is even common—for a student to go to class after class of sociology, economics, psychology, literature, philosophy, and the rest, and hardly become aware that he is dealing with issues of life and death, of love and solitude, of inner growth and pain. He may never fully grasp the fact that education is not so much information and technique as self-confrontation and change in his own conscious life. He may sit through lectures and write examinations—and the professors may *let* him do merely that—collecting verbal 'answers,' without really thinking through and deciding about any new aspect of his own life in any course.²³

Roger Cramton and others have noted that indeed law school may even present, however unconsciously, its own set of values, what Cramton called the "ordinary religion of the law school classroom," which produces skepticism and cynicism.²⁴

The task for our legal education then is substantial and requires assurance that our own processes reflect the values and ethical norms appropriate to our Christian world view such that our curricular design, work loads, and rewards systems may contribute to the development of lawyers as persons as well as professionals and to provide settings which enable the student to confront such issues in the larger legal and social and professional settings.

Inevitably, this process involves moral encounter. M.V.C. Jeffreys notes:

This chaos of values is the most serious feature of our present crisis; for when intellectual and moral values drift, man himself loses personal stature. The disintegration of the world view inevitably involves the disintegration of the personal; the breaking up

22. MARIO SAVIO, *AN END TO HISTORY* 4 (1964).

23. Michael Novak, *God in the Colleges*, *HARPER'S MAGAZINE*, Oct. 1961, at 174.

24. Roger Cramton, *The Ordinary Religion of the Law School Classroom*, 29 *J. LEGAL EDUC.* 247 (1978).

of thought and knowledge into separate systems means also the dissolution of man himself into a group of functions.²⁵

A Christian law school must not be embarrassed at the vigorous and persistent claims of moral discourse, nor must it be silent as to its own moral convictions rooted in its Christian character.

D. *Passion and Commitment*

C.S. Lewis notes, in his seminal *Abolition of Man*, the tragedy of modern education, which has forgotten the affective element. He bemoans the creation of "men without chests" and warns of tragic consequences when we "castrate and bid the geldings be fruitful."²⁶ Lewis pleads for that combination of virtue and sentiment that produces courage.

In designating the "Marks of a Christian College," one author insists that the third great mark of a Christian college is "passion."²⁷ Polanyi spoke of the necessity of passion in learning, and the "mistaken ideal of objectivity."²⁸ A Christian law school ought to incite in its students a passion for justice, a prophetic outrage at entrenched evil, and compassion for the suffering. Such "feelings" and commitments may not, of course, be substitutes for the mental disciplines of legal analysis and strategic thinking. However, such convictions are essential to sustain a principled commitment to law as an instrument of justice in society. Education ought to be about instilling such visions.

"Our greatest schools had been founded precisely in order that the young would not be content to adjust themselves to society, but would set about with vigor and courage to adjust society where they saw it in need of change."²⁹ Norman Cousins spoke similarly when he insisted that "the new education must be less concerned with sophistication than with compassion."³⁰

Once again, there are implications that come along with passion and commitment. Compassion and commitment will bring an educational program that invites decisions and commitments, an educational milieu that provides experiences that touch the passions and emotions as well as the intellect, a faculty and administration that have an empowering

25. M.V.C. JEFFREYS, *GALUSON: AN INQUIRY INTO THE AIMS OF EDUCATION* 53 (1950).

26. C.S. LEWIS, *ABOLITION OF MAN* (1947).

27. TRUEBLOOD, *supra*, note 14, at 165.

28. MICHAEL POLANYI, *PERSONAL KNOWLEDGE: TOWARDS A POST-CRITICAL PHILOSOPHY* 7 (1962).

29. GORDON K. CHALMERS, *THE REPUBLIC AND THE PERSON* 30 (1952).

30. NORMAN COUSINS, *WHO SPEAKS FOR MAN* (1953).

vision which they can communicate to students, a commitment to share the excitement of Christian commitments in public life in a wide range of contexts, and an appreciation by student's for God's passion for issues of justice in individual and corporate life.

E. Relevance of Transcendence

"Man grows restless in the halfway house of the spirit which humanism provides."³¹

A Christian institution must always live in the context of its conviction about the reality of God who is transcendent and holy. Such an institution will not shrink from the mystery and "otherness" of God, but will in many ways consistently engage in worship. All who come into its presence and spend much time there ought to sense this quality.

Such a spirit and style may well run counter to many contemporary models of institutional life that tend to shrink from religious declarations, lest they be found divisive or intrusive. Our religious convictions will tell us, however, that no bondage is so great as that which lifts itself up as ultimate.

Albert Outler, in a pamphlet, which is the product of several faculty consultations on the subject of religious education, noted the need to call Christian colleges to proudly emphasize their character in the face of popular assumptions that faith threatened their academic greatness:

The secularists have no monopoly on intelligent concern for truth and human values, and their loudly proclaimed preference for "the democratic creed itself" is, in fact, a rival creed and metaphysics which deserves . . . to be examined on its merits alongside the chief alternatives and not covertly imposed as an arbitrary dogmatism."³²

He later warned of the "capture of . . . higher education by implacable and doctrinaire secularists."³³

Students must be educated to understand the critical religious dimensions of human nature and culture and seek to provide a healthy respect for religious commitments including the implications of such for law.

A Christian law school must recognize that many students do not understand and are often suspicious of Christian and biblical perspectives. This recognition forces Christian law schools to be sensitive to

31. BROWN, *supra*, note 18, at 9.

32. Albert C. Outler, *Colleges, Faculties, and Religion*, in 30 THE EDUC. REC. 45, 57-58 (Jan. 1949).

33. *Id.* at 58.

other's convictions and values and also to clarify the nature of Christian thought so as to enable informed decision making. In addition, such a recognition assists the law school in modeling the Christian life in institutional and personal relationships.

The law school must be a place where worship is natural. Such worship may occasionally take on formal characteristics, but it is also demonstrated in informal structures and acts, in an "atmosphere" in which "Christian conviction is the natural thing."³⁴

F. A Concept of Vocation as Shaping the Character of the School and the "Product" of Its Calling

"The idea of duty in one's calling prowls about in our lives like the ghost of dead religious beliefs"³⁵—Max Weber

"We worship our work, work at our play, and play at our worship" — Gordon Dahl³⁶

Arnold Nash, in *The University in the Modern World*, declared the urgency of the university adding a sense of vocation to education.³⁷ Such a declaration seems increasingly urgent in a society in which professions and work are increasingly perceived instrumentally, in which the whole concept of work is distorted and in which the measures of success reflect values deeply at odds with Christian values.

Education in the professions must instill aspects of vocation that combine principles of excellence in one's calling, with the identification of gifts and interests, employing one's skills in service to God and the community, and shaping one's profession in accord with ultimate values.

Here is the place where the secular meets the sacred, and it is a critical juncture. We face the difficult task of educating lawyers to perceive their work as an opportunity for service, a service initially to clients, and ultimately to the community, the church, the nation, and culture itself. In law school, this "servant leader"³⁸ must discover both the advocacy and the models for a different concept of professionalism that the marketplace promotes.

Excellence as a mark of a Christian institution is directly a function of its own sense of vocation. While excellence may also serve such an

34. TRUEBLOOD, *supra* note 14, at 170.

35. Lynn Buzzard, *VOCATION, WORK AND CALLING: A DISCIPLESHIP STUDY* 17 (1985).

36. *Id.* at vii.

37. NASH, *supra* note 19, at 292.

38. The term is taken from a fascinating volume by Robert Greenleaf. See ROBERT K. GREENLEAF, *SERVANT LEADERSHIP* 7-13 (1977).

institution well in the marketplace, the real motivation for excellence is derived from the commitment to see all service, all work, as done to God.³⁹ It is an aspect of our stewardship.

Thus, a Christian law school strives for excellence in every facet of its life. It will never see a conflict between its Christian commitment and its commitment to excellence in educational tasks, public relations, building financial resources, servicing the profession, placement, or in faculty selection.⁴⁰

It is clear, however, that "excellence" when perceived through the eyes of Christian faith may take different dimensions than when defined by the culture or professional subculture. Excellence will not be, hopefully, confused with "success" as measured in exclusively materialistic or reputational terms. Neither will professional accomplishment be a substitute for the excellence of personal wholeness and familial responsibilities.

G. Community as a Quality and Sign of a Christian Law School

If a university is to be a place of integration, moral discourse and religious vitality must constitute a community of scholars—a community whose administrative life, worship, and search for truth is to be carried out in the context of an understanding of mutual responsibility, accountability and care. These are not mere instruments used to achieve other characteristics. Community, in a biblical tradition, is not a luxury for the socially active. Rather, it is rather the place where we find our "life together."⁴¹ It is in such a community that we model faithfulness, justice, and value-based decisions. We are told by our Lord that the mark of the church shall be its love for one another.

The church is a key aspect of the community. The church is body of believers in both institutional and individual expressions. Christians recognize the church as both a human and a divine institution to which we commit ourselves and from which we are nurtured. A university that owes its life to the church senses that this relationship is vital and symbiotic. The university will thus support the church even as it receives support. This does not mean that the university will never be in tension with some aspects of church expressions. The university's service to the church includes a prophetic and educative role. The Christian law

39. I Cor. 10:31.

40. Excellence will be measured, however, in scales of biblical principles and not secular criteria.

41. See DIETRICH BONHOEFFER, *LIFE TOGETHER* (John W. Doberstein trans., 1954).

school, for example, must not only be a resource to the church in its grasp of legal issues, but it must also call the church to biblical faithfulness, and to principles of justice and equity in the public order.

There are both discipline and freedom in the community of the university. As a member of the community of faith, the university will live under the community's discipline, but the community wisely knows that a university of scholars properly needs breathing space to carry out its constant renewing and revitalizing tasks in both church and society. A larger community should not seek to constrain the university in ways that inhibit its legitimate and disciplined search for truth.

In order to foster the proper relationship between the community, church, and university, one must commit to the following: identify the means of creating and sustaining mutuality among the components of the university; develop styles of administrative life that recognize the communal nature of a Christian institution; identify the varied other communities with which we live in service and dialogue and develop means of fostering those relationships; reject cultural and secular categories of persons and work that tend to destroy the community and foster alienation and distrust; create an atmosphere in which the community provides the context for vigorous and principled debate, even conflicts, that are not destructive but rather clarifying and restorative.

H. Creativity as a Mark of a People of God

Creativity is likewise a mark of a people who know God as a renewer, creator, and redeemer. A faith that emphasizes restorative grace and a God who "shall make all things new" is not afraid to see faith as adventure. Such a university will be excited about new truth, and expanded horizons of God's activity. It will likewise seek newness and freshness in its own life. It will resist being locked in to old habits merely for the sake of tradition. Baptists especially, will look with eagerness toward creativity because they know the work of the Spirit, who expect God's active intervention in human affairs, and they have known the oppression of cultural and religious traditions.

Elton Trueblood called the Christian university a center for creative renewal, suggesting that only a religious institution has the drive to achieve renewal.⁴² The opportunity and need for creativity in education is apparent both when viewed from a marketing perspective and in a larger frame of reference. David Reisman warned of "isomorphism,"

42. TRUEBLOOD, *supra* note 14.

the tendency among college administrators . . . toward taking each other as models rather than developing new and risky forms."⁴³

Consequently, the institution must provide structures, funds, and support for innovative models of institutional and academic life that assure a vital nurturing flow of creativity. In addition, there must be a readiness to accept "failure" as normative in the quest for effective models. The tendency to "copy" prestigious institutions or to choose stability and safety over creativity must be resisted. Finally, the institution must encourage faculty and staff to explore and test ideas, and it must choose faculty with the capacity for such.

I. *The University as a Place for Teachers*

It might be obvious, but a university is a place for Christian teachers, whose academic skills, personal integrity, and own "story" deeply reflect the commitments of the institution.

So central is the teacher to the entire university process that a former President of the United Nations and advocate of a revival of Christian university thinking declared as his formula for success: "Make sure of your teacher and forget about everything else."⁴⁴

A Christian law school's success does not depend merely on its articulated objectives being consistent with its larger purposes. To be successful, the faculty of the school must model the qualities of a lawyer that the institution deems important and must model their religious convictions with integrity and sensitivity.

43. DAVID RIESMAN, *CONSTRAINT AND VARIETY IN AMERICAN EDUCATION* 25 (1958).

44. Kenneth Irving Brown notes four types of "Christian" teachers: (a) those for whom the adjective "Christian" is a label with little more meaning than the label carries when attached to our culture. BROWN, *supra* note 18, at 94. Here "stands the confused, theologically vague, unchurched man or woman who uses the label 'Christian' apparently as the antonym for unrighteous. In no obvious way is he different from the good, conscientious secularist practicing the absence of God." It is a "title of fellowship;" *Id.* (b) "the faithful, nominal Sunday Christians . . . persons of character, esteemed in the community, . . . active in humanitarian projects; but the criteria of excellence which they hold for themselves as teachers are definitely those set by the secular graduate schools. They would question the assumption that there should be any difference in their teaching from that of their secularist conferees on the same staff;" *Id.* (c) similar to the second group but with "occasional uncertainties . . . a stirring of conscience within and the vague wish that somehow they could see their field in religious perspective." They fit in the latter group but are "uneasy about the fit." They know their colleagues would disapprove if they made an effort to relate their faith about which they now little to their discipline; *Id.* at 95. (d) those who come to their academic duties with "christian insight and quest . . . the beginning, at least, of the effort at integrating Christian faith and their own subject matter." *Id.* at 95-96.

A Christian law school must seek to recruit, affirm, and sustain teachers whose commitments and teaching skills reflect a commitment to excellence in education in the context of its Christian faith. A Christian law school must develop both formal and informal educational models that provide opportunities for intensive interaction between student and faculty. Such interaction should address substantive matters, and permit the teacher and student to "meet" in dynamic ways. In addition, the salary, tenure, and administrative structures of such institutions must be such as to encourage long term commitments to the institution, which provide opportunities for professional and personal growth.

J. Christological Focus

The assertion of the Lordship of Christ is the most radical and pervasive declaration any Christian institution can make, and its echoes reach deep into the life of an educational institution. In a simple, but not simplistic, sense, one may assert that a Christian law school seeks to give God glory and acknowledges the Lordship of Christ. *Christian* without Christ produces a misnamed, fatherless child with no inheritance and a confused identity.

A Christian law school will necessarily, find its "way," its "truth," and its "life." Its jurisprudence, its servanthood, its ideals, and its advocacy will be deeply rooted in Jesus Christ as a living Lord or deeply rooted in history, including law. It will not be based solely on Jesus as a historical being made of human warmth and sacrifice.

A Christian law school must openly acknowledge its commitment not just to Christianity as a philosophy or even way of life, but to the person and authority of Jesus Christ. The overall environment must invite people to encounter the person of Christ and his claims. The institution must pattern its life and relationships in the light of its acceptance of Christ.

Note: The observations, recommendations, and underlying theological presumptions of this paper represent the personal perspective of the author, and while much set forth herein may be shared by others in our law school community, they are not necessarily the views of the faculty or the administration of Campbell University.