

## “The Conflict of the Philosophy Faculty With the Theology Faculty”

By  
Immanuel Kant  
(1794)

### Introduction

Whoever it was that first hit on the notion of a university and proposed that a public institution of this kind be established, it was not a bad idea to handle the entire content of learning (really, the thinkers devoted to it) by *mass production*, so to speak — by a, division of labor, so that for every branch of the sciences there would be a public teacher or *professor* appointed as its trustee, and all of these together would form a kind of learned community called a *university* (or higher school). The university would have a certain autonomy (since only scholars can pass judgment on scholars as such), and accordingly it would be authorized to perform certain functions through its *faculties*<sup>1</sup> (smaller societies, each comprising the university specialists in one main branch of learning): to admit to the university students seeking entrance from the lower schools and, having conducted examinations, by its own authority to grant degrees or confer the universally recognized status of “doctor” on free teachers (that is, teachers who are not members of the university) — in other words, *to create doctors*.

In addition to these *incorporated* scholars, there can also be scholars *at large*, who do not belong to the *university* but simply work on part of the great content of learning, either forming independent organizations, like various workshops (called *academies or scientific societies*), or living, so to speak, in a state of nature so far as learning is concerned, each working by himself, as an *amateur* and without public precepts or rules, at extending and propagating [his field of] learning.

We must distinguish, further, between scholars proper and those members of the *intelligentsia* (university graduates) who are instruments of the government, invested with an office for its own purpose (which is not exactly the progress of the sciences). As such, they must indeed have been educated at the university; but they may well have forgotten much of what they learned (about theory), so long as they retain enough to fill a civil office. While only the scholar can provide the principles underlying their functions, it is enough if they retain empirical knowledge of the statutes relevant to their office (hence what has to do with practice). Accordingly they can be called the *businessmen* or technicians of learning. As tools of the government (clergymen, magistrates, and physicians), they have legal influence on the public and form a special class of the intelligentsia, who are not free to make public use of their learning as they see fit, but are subject to the censorship of the faculties. So the government must keep them under strict control, to prevent them from trying to exercise judicial power, which belongs to the faculties; for they deal directly with the people,

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<sup>1</sup> Each of which has its Dean, who is the head of the faculty. This title, taken from astrology, originally meant one of the three astral spirits that preside over a sign of the zodiac (of 30 degrees), each governing 10 degrees. From the stars it was transferred to the military camp (*ab astris ad castra*; see *Salmasius de annis climacteriis*, page 561), and finally to the university, where, however, the number 10 (of professors) was not taken into account. Since it was the scholars who first thought up most of the honorific titles with which state officials now adorn themselves, they can hardly be blamed for not having forgotten themselves. [Ed. Note: Claudius Salmasius (1588-1655), A French historian and jurist, published in 1648 a work entitled *De annis climacteriis et de Antiqua astrologia*.]

who are incompetent (like the clergyman in relation to the layman), and share in the executive, though certainly not the legislative, power in their field.

### General Division of the Faculties

The faculties are traditionally divided into two ranks: *three higher* faculties and *one lower* faculty. It is clear that this division is made and this nomenclature adopted with reference to the government rather than the learned professions; for a faculty is considered higher only if its teachings — both as to their content and the way they are expounded to the public — interest the government itself, while the faculty whose function is only to look after the interests of science is called lower because it may use its own judgment about what it teaches. Now the government is interested primarily in means for securing the strongest and most lasting influence on the people, and the subjects which the higher faculties teach are just such means. Accordingly, the government reserves the right itself to *sanction* the teachings of the higher faculties, but those of the lower faculty it leaves up to the scholars' reason. But even when the government sanctions teachings, it does not itself *teach*; it requires only that the respective faculties, *in expounding a subject publicly*, adopt certain teachings and exclude their contraries. For the government does not teach, but it commands those who, in accepting its offices,<sup>2</sup> have contracted to teach what it wants (whether this be true or not). If a government were to concern itself with [the truth of] these teachings, and so with the growth or progress of the sciences, then it would, in the highest person, be trying to play the role of scholar, and its pedantry would only undermine the respect due it. It is beneath the government's dignity to mingle with the people (in this case, the people in the learned professions), who cannot take a joke and deal impartially with everyone who meddles in the sciences.

It is absolutely essential that the learned community at the university also contain a faculty that is independent of the government's command with regard to its teachings;<sup>3</sup> one that, having no commands to give, is free to evaluate everything, and concerns itself with the interests of the sciences, that is, with truth: one in which reason is authorized to speak out publicly. For without a faculty of this kind, the truth would not come to light (and this would be to the government's own detriment); but reason is by its nature free and admits of no command to hold something as true (no imperative "Believe!" but only a free "I believe"). The reason why this faculty, despite its great prerogative (freedom), is called the lower faculty lies in human nature; for a man who can give commands, even though he is someone else's humble servant, is considered more distinguished than a free man who has no one under his command.

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<sup>2</sup> It is a principle in the British Parliament that the monarch's speech from the throne is to be considered the work of his ministers (since the House must be entitled to judge, examine, and attack the content of the speech and it would be beneath the monarch's dignity to let himself be charged with error, ignorance, or untruth). And this principle is quite acute and correct. It is in the same way that the choice of certain teachings which the government expressly sanctions for public exposition must remain subject to scholarly criticism; for this choice must not be ascribed to the monarch but to a state official whom he appoints to do it—an official who, it is supposed, could have misunderstood or misrepresented his ruler's will.

<sup>3</sup> A minister of the French government summoned a few of the most eminent merchants and asked them for suggestions on how to stimulate trade—as if he would know how to choose the best of these. After one had suggested this and another that, an old merchant who had kept quiet so far said: "Build good roads, mint sound money, give us laws for exchanging money readily, etc.; but as for the rest, leave us alone!" If the government were to consult the Philosophy Faculty about what teachings to prescribe for scholars in general, it would get a similar reply: just don't interfere with the progress of understanding and science. [Ed. Note: According to August Oncken in *Die Maxime laissez faire et laissez passer* (Bern, 1886), this story, in which Colbert was the French Minister, was the source of the maxim "laissez faire."]

## I On the Relation of the Faculties

### First Section The Concept and Division of the Higher Faculties

Whenever a man-made institution is based on an Idea of reason (such as that of a government) which is to prove itself practical in an object of experience (such as the entire field of learning at the time), we “can take it for granted that the experiment was made according to some principle contained in reason, even if only obscurely, and some plan based on it — not by merely contingent collections and arbitrary combinations of cases that have occurred. And a plan of this sort makes a certain kind of division necessary.

We can therefore assume that the organization of a university into ranks and classes did not depend entirely on chance. Without attributing premature wisdom and learning to the government, we can say that by its own felt need (to influence the people by certain teachings) it managed to arrive a priori at a principle of division which seems otherwise to be of empirical origin, so that the a priori principle happily coincides with the one now in use. But this does not mean that I shall advocate [the present system] as if it had no faults.

According to reason (that is, objectively), the following order exists among the incentives that the government can use to achieve its end (of influencing the people): first comes the *eternal* well-being of each, then his civil well-being as a member of society, and finally his *physical* well-being (a long life and health). By public teachings about the *first* of these, the government can exercise very great influence to uncover the inmost thoughts and guide the most secret intentions of its subjects. By teachings regarding the *second*, it helps to keep their external conduct under the reins of public laws, and by its teachings regarding the *third*, to make sure that it will have a strong and numerous people to serve its purposes. So the ranks customarily assigned to the higher *faculties* — *theology first*, *law second*, and *medicine third* — are in accordance with reason. According to *natural instinct*, however, men consider the physician most important, because he prolongs their *life*. Next to him comes the jurist, who promises to secure their contingent *possessions*. And only last (almost at the point of death) do they send for the clergyman, though it is their salvation that is in question; for even the clergyman, no matter how highly he commends the happiness of the world to come, actually perceives nothing of it and hopes fervently that the doctor can keep him in this vale of tears a while longer.

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All three higher faculties base the teachings which the government entrusts to them on *writings*, as is necessary for a people governed by learning, since otherwise there would be no fixed and universally accessible norm for their guidance. It is self-evident that such a text (or book) must comprise *statutes*, that is, teachings that proceed from an act of choice on the part of an authority (that do not issue directly from reason); for otherwise it could not demand obedience simply, as something the government has sanctioned. And this holds true of the entire code of laws, even those of its teachings, to be expounded to the public, which could also be derived from *reason*: the code takes no notice of their rational ground, but bases itself on the command of an external legislator. The code of laws is the canon, and as such it is quite distinct from those books which the faculties write as (supposedly) complete summaries of the spirit of the code, so that the community (of the learned and the ignorant) may grasp its concepts more easily and use them more safely — the *symbolic books*, for example. These can claim only the respect due to the *organon*, which gives easier access

to the canon, and have no authority whatsoever. Even if the most eminent scholars in a certain field should agree to give such a book the weight of norm for their faculty, it would derive no authority from this: for the scholars are not entitled to do this, but only to establish the book as a pedagogical method for the time being — a method that can always be changed to suit the times and, in any case, concerns only the way they lecture [on the code], without in any way affecting the content of the legislation.

So the biblical theologian (as a member of a higher faculty) draws his teachings not from reason but from the *Bible*; the professor of law gets his, not from natural law, but from the *law of the land*; and the professor of medicine does not draw his *method of therapy as practiced on the public* from the physiology of the human body but from *medical regulations*. As soon as one of these faculties presumes to mix with its teachings something it treats as derived from reason, it offends against the authority of the government that issues orders through it and encroaches on the territory of the philosophy faculty, which mercilessly strips from it all the shining plumes that were protected by the government and deals with it on a footing of equality and freedom. The higher faculties must, therefore, take great care not to enter into a misalliance with the lower faculty, but must keep it at a respectful distance, so that the dignity of their statutes will not be damaged by the free play of reason.

#### A.

#### The Distinctive Characteristic of the Theology Faculty

The biblical theologian proves the existence of God on the grounds that He spoke in the Bible, which also discusses His nature (and even goes so far into it that reason cannot keep up with the text, as when, for example, it speaks of the incomprehensible mystery of His threefold personality). But the biblical theologian as such cannot and need not prove that God Himself spoke through the Bible, since that is a matter of history and belongs to the philosophy faculty. [Treating it] as a matter of faith, he will therefore base it — even for the scholar — on a certain (indemonstrable and inexplicable) *feeling* that the Bible is divine. But the question of the divine origin of the Bible (in the literal sense) must not be raised at all in public discourses directed to the people; since this is a scholarly matter, they would fail completely to understand it and, as a result, would only get entangled in impertinent speculations and doubts. In such matters it is much safer to rely on the people's confidence in their teachers. The biblical theologian can also have no authority to ascribe a nonliteral — for example, a moral — meaning to statements in the text. And since there is no human interpreter of the Scriptures authorized by God, he must rather count on a supernatural opening of his understanding by a spirit that guides to all truth than allow reason to intervene and (without any higher authority) maintain its own interpretation. Finally, as far as our will and its fulfillment of God's commands is concerned, the biblical theologian must not rely on nature — that is, on man's own moral power (virtue) — but on grace (a supernatural but, at the same time, moral influence), which man can obtain only by, an ardent faith that transforms his heart — a faith that itself, in turn, he can expect only through grace. If the biblical theologian meddles with his reason in any of these tenets, then, even granting that reason strives most sincerely and earnestly for that same objective, he leaps (like Romulus's brother) over the wall of ecclesiastical faith, the only thing that assures his salvation, and strays into the free and open fields of private judgment and philosophy. And there, having run away from the Church's government, he is exposed to all the dangers of anarchy. But note well that I am here speaking only of the *pure (gurus, putus)* biblical theologian, who is not yet contaminated by the ill-reputed spirit of freedom that belongs to reason and

philosophy. For as soon as we allow two different callings to combine and run together, we can form no clear notion of the characteristic that distinguishes each by itself.

### B.

#### The Distinctive Characteristic of the Faculty of Law

The jurist, as an authority on the text, does not look to his reason for the laws that secure the *Mine* and *Thine*, but to the code of laws that has been publicly promulgated and sanctioned by the highest authority (if, as he should, he acts as a civil servant). To require him to prove the truth of these laws and their conformity with right, or to defend them against reason's objections, would be unfair. For these decrees first determine what is right, and the jurist must straightaway dismiss as nonsense the further question of whether the decrees themselves are right. To refuse to obey an external and supreme will on the grounds that it allegedly does not conform with reason would be absurd; for the dignity of the government consists precisely in this: that it does not leave its subjects free to judge what is right — or wrong according to their own notions, but [determines right and wrong] for them by precepts of the legislative power.

In one respect, however, the faculty of law is better off in practice than the theology faculty: it has a visible interpreter of the law — namely, a judge or, if his decision is appealed, a legal commission, and (as the highest appeal) the legislator himself. The theological faculty is not so well provided for, when the sayings of its sacred book have to be interpreted. But this advantage is offset by a disadvantage at least equal to it: namely, that any secular code of laws always remains subject to change, as experience brings more or — better insight, whereas the sacred code decrees that there will be no change (either by subtraction or addition), and maintains that it is closed forever. Furthermore, biblical theologians do not join in the jurist's complaint that it is all but vain to hope for a precisely determined norm for the administration of justice (*ius certus*); for they reject the claim that their dogma lacks a norm that is clear and determined for every case. Moreover, if the practicing lawyer (counsel or attorney-at-law) has harmed a client by giving him bad advice, he refuses to be held responsible for it (*ob consilium nemo tenetur* ["no one is bound by the advice he receives"]); but the practicing theologian (preacher or spiritual adviser) does not hesitate to take the responsibility on himself and to guarantee — at least to hear him talk — that any decision passed in the next world will correspond exactly with his decisions in this one. But he will probably decline if he is invited to declare formally that he will stake his soul on the truth of everything he would have us believe on the Bible's authority. And yet, the nature of the principles maintained by these public teachers permits no doubt whatsoever that their assurances are correct — assurances they can give all the more safely because they need not fear that experience will refute them in this life.

### C.

#### The Distinctive Characteristic of the Faculty of Medicine

Although medicine is an art, it is an art that is drawn directly from nature and must therefore be derived from a science of nature. So the physician, as a man of learning, must come under some faculty by which he must have been trained and to whose judgment he must remain subject. But since the way physicians deal with the people's health must be of great interest to the government, it is entitled to supervise their dealings with the public through an assembly chosen from the businessmen of this faculty (practicing doctors) — *a*

*board of public health* — and through medical regulations. Unlike the other higher faculties, however, the faculty of medicine must derive its rules of procedure not from orders of the authorities but from the nature of things themselves, so that its teachings must have also belonged originally to the philosophy faculty, taken in its widest sense. And because of this special characteristic of the medical faculty, medical regulations deal not so much with what doctors should do as with what they should not do: they ensure, *first*, that there will be doctors for the public and, *secondly*, that there will be no spurious doctors (no *ius impune occidendi* [“law of killing with impunity”]), according to the principle: *fiat experimentum in corpori vili* [“let experiments be made on worthless bodies”). By the first of these principles, the government watches over the public’s *convenience*, and by the second, over the public’s *safety* (in the matter of the people’s health). And since these two services are the function of a *police force*, all medical regulations really have to do only with *policing the medical profession*.

The medical faculty is, therefore, much freer than the other two higher faculties and closely akin to the Philosophy Faculty. Indeed, it is altogether free with regard to the teachings by which it *trains* doctors, since its texts cannot be sanctioned by the highest authorities but can be drawn only from nature. It can also have no laws strictly speaking (if bylaws we mean the unalterable will of the legislator), but only regulations (*edicts*); and since learning requires [as its object] a systematic content of teachings, knowledge of these regulations does not constitute the learning [of the medical faculty]. This faculty does indeed possess such learning; but since the government does not have the authority to sanction it (because it is not contained in any *code of laws*), it must leave this to the faculty’s discretion and concern itself only with helping medical practitioners to be of service to the public, by establishing dispensaries and hospitals. These practitioners (physicians), however, remain subject to the judgment of their faculty in matters which concern the medical police and so interest the government.

## **Second Section**

### **The Concept and Division of the Lower Faculty**

The lower faculty is the rank in the university that occupies itself with teachings which are not adopted as directives by order of a superior, or in so far as they are not so adopted. Now we may well comply with a practical teaching out of obedience, but we can never accept it as true simply because we are ordered to (*de par le Roi*). This is not only objectively impossible (a judgment that *ought not* to be made), but also subjectively quite impossible (a judgment that no one *can* make). For the man who, as he says, wants to err does not really err and, in fact, accepts the false judgment as true; he merely declares, falsely, an assent that is not to be found in him. So when it is a question of the *truth* of a certain teaching to be expounded in public, the teacher cannot appeal to a supreme command nor the pupil pretend that he believed it by order. This can happen only when it is a question of *action*, and even then the pupil must recognize by a *free* judgment that such a command was really issued and that he is obligated or at least entitled to obey it; otherwise, his acceptance of it would be an empty pretense and a lie. Now the power to judge autonomously — that is, freely (according to principles of thought in general) — is called reason. So the philosophy faculty, because it must answer for the truth of the teachings it is to adopt or even allow, must be conceived as free and subject only to laws given by reason, not by the government. But a department of this kind, too, must be established at a university; in other words, a university must have a faculty of philosophy. Its function in relation to the three higher faculties is to control them and, in this way, be useful to them, since truth (the essential and first condition

of learning in general) is the main thing, whereas the utility the higher faculties promise the government is of secondary importance. We can also grant the theology faculty's proud claim that the philosophy faculty is its handmaid (though the question remains, whether the servant is the mistress's *torchbearer* or *trainbearer*), provided it is not driven away or silenced. For the very *modesty* [of its claim] — merely to be free, as it leaves others free, to discover the truth for the benefit of all the sciences and to set it before the higher faculties to use as they will — must commend it to the government as above suspicion and, indeed, indispensable.

Now the philosophy faculty consists of two departments: a department of *historical knowledge* (including history, geography, philology and the humanities, along with all the empirical knowledge contained in the natural sciences), and a department of *pure rational knowledge* (pure mathematics and pure philosophy, the metaphysics of nature and of morals). And it also studies the relation of these two divisions of learning to each other. It therefore extends to all parts of human knowledge (including, from a historical viewpoint, the teachings of the higher faculties), though there are some parts (namely, the distinctive teachings and precepts of the higher faculties) which it does not treat as its own content, but as objects it will examine and criticize for the benefit of the sciences.

The philosophy faculty can, therefore, lay claim to any teaching, in order to test its truth. The government cannot forbid it to do this without acting against its own proper and essential purpose; and the higher faculties must put up with the objections and doubts it brings forward in public, though they may well find this irksome, since, were it not for such critics, they could rest undisturbed in possession of what they have once occupied, by whatever title, and rule over it despotically. Only the businessmen of the higher faculties (clergymen, legal officials, and doctors) can be prevented from contradicting in public the teachings that the government has entrusted to them to expound in fulfilling their respective offices, and from venturing to play the philosopher's role; for the faculties alone, not the officials appointed by the government, can be allowed to do this, since these officials get their knowledge from the faculties. If, that is to say, these officials — for example, clergymen and legal officials — should want to put before the public their objections and doubts about ecclesiastical and civil laws that have been given, they would be inciting the people to rebel against the government. The faculties, on the other hand, put their objections and doubts only to one another, as scholars, and the people pay no attention to such matters in a practical way, even if they should hear of them; for, agreeing that these subtleties are not their affair, they feel obliged to be content with what the government officials, appointed for this purpose, announce to them. But the result of this freedom, which the philosophy faculty must enjoy unimpaired, is that the higher faculties (themselves better instructed) will lead these officials more and more onto the way of truth. And the officials, for their own part, also more enlightened about their duty, will not be repelled at changing their exposition, since the new way involves nothing more than a clearer insight into means for achieving the same end. And such a change can well come about without polemics and attacks, that only stir up unrest, on the traditional way of teaching, when [it is seen that] the content to be taught is preserved in its entirety.

### Third Section

#### On the Illegal Conflict of the Higher Faculties with the Lower Faculty

A public conflict of views, hence a scholarly debate, can be illegal by reason of its matter or its form. It would be illegal by reason of its *matter* if it were not permissible to *debate*, in this way, about a public proposition because it

was not permissible to *judge* publicly this proposition and its opposite. It would be illegal by reason of its form, or the way in which the debate is carried on, if one of the parties relied, not on objective grounds directed to his adversary's reason, but on subjective grounds, trying to determine his judgment through his *inclinations* and so to gain his assent by fraud (including bribery) or force (threats).

Now the faculties engage in public conflict in order to influence the people, and each can acquire this influence only by convincing the people that it knows best how to promote their welfare. But as for the way they propose to accomplish this, the lower faculty is diametrically opposed to the higher faculties.

The people conceive of their welfare, not primarily as freedom, but as [the realization of] their natural ends and so as these three things: being *happy* after death, having their *possessions* guaranteed by public laws during their life in society, and finally, looking forward to the physical enjoyment of *life* itself (that is, health and a long life).

But the philosophy faculty can deal with all these wishes only by precepts it derives from reason. It depends, accordingly, on the principle of freedom and limits itself to saying what man himself can and should do toward fulfilling these wishes — live *righteously*, commit no *injustice*, and, by being *moderate* in his pleasures and patient in his illnesses, rely primarily on the self-help of nature. None of this, indeed, requires great learning; but in these matters we can, for the most part, dispense with learning if we would only restrain our inclinations and be ruled by our reason. But since this requires self-exertion, it does not suit the people.

So the people (who find the philosophy faculty's teaching a poor substitute for their inclination to *enjoyment* and their aversion from *working* for it) invite the higher faculties to make them more acceptable proposals. And the demands they make on these scholars run like this. "As for the *philosophers'* twaddle, I've known that all along. What I want you, as men of learning, to tell me is this: if I've been a *scoundrel* all my life, how can I get an eleventh-hour ticket to heaven? If I've *broken* the law, how can I still win my case? And even if I've used and *abused* my physical powers as I've pleased, how can I stay healthy and live a long time? Surely this is why you have studied — so that you would know more than someone like ourselves (you call us laymen), who can claim nothing more than sound understanding." But now the people are approaching these scholars as if they were soothsayers and magicians, with knowledge of supernatural things; for if an ignorant man expects something from a scholar, he readily forms exaggerated notions of him. So we can naturally expect that if someone has the effrontery to give himself out as such a miracle-worker, the people will flock to him and contemptuously desert the philosophy faculty.

But the businessmen of the three higher faculties will always be such miracle-workers, unless the philosophy faculty is allowed to counteract them publicly — not in order to overthrow their teachings but only to deny the magic power that the public superstitiously attributes to these teachings and the rites connected with them — as if, by passively surrendering themselves to such skillful guides, the people would be excused from any activity of their own and led, in ease and comfort, to achieve the ends they desire.

If the higher faculties adopt such principles (and it is certainly not their function to do this), then they are and always will be in conflict with the lower faculty. But this conflict is also illegal; for the higher faculties, instead of viewing transgressions of the law as hindrances, welcome them as occasions for showing their great art and skill in making everything as good as ever, and, indeed, better than it would otherwise have been.

The people want to be *led*, that is (as demagogues say), they want to be *duped*. But they want to be led not by the scholars of the faculties (whose

wisdom is too high for them), but by the businessmen of the faculties — clergymen, legal officials, and doctors — who understand a botched job (*savoir faire*) and have the people's confidence. And so the government, which can work on the people only through these practitioners, will itself be *led* to obtrude on the faculties a theory that arises, not from the pure insight of their scholars, but from calculations of the influence their practitioners can exert on the people by it. For the people naturally adhere most to doctrines which demand the least self-exertion and the least use of their own reason, and which can best accommodate their duties to their inclinations — in theology, for example, the doctrine that they can be saved merely by an implicit faith, without having to examine (or even really know) what they are supposed to believe, or that their performance of certain prescribed rites will itself wash away their transgressions; or in law, the doctrine that compliance with the letter of the law exempts them from examining the legislator's intentions.

[If the higher faculties adopt such principles], they are involved in an essential and irreconcilable conflict with the lower faculty. And this conflict is illegal because, if the government legislated for the higher faculties according to the principle attributed to it [in the preceding paragraph], its own principle would authorize anarchy itself. *Inclination* and, in general, what someone finds useful for his *private purposes* can never qualify as a law, and so cannot be set forth as a law by the higher faculties. A government that sanctioned such principles would offend against reason itself and, by this, bring the higher faculties into conflict with the lower faculty — a conflict that cannot be tolerated because it would completely destroy the philosophy faculty. This, admittedly, is the quickest way of ending a conflict; but it is also (in medical terms) a *heroic* means — one that endangers life.

#### Fourth Section

##### On the Legal Conflict of the Higher Faculties with the Lower Faculty

Regardless of their content, any teachings that the government may be entitled to sanction for public exposition by the higher faculties can be accepted and respected only as statutes proceeding from [the government's] choice and as human wisdom, which is not infallible. But the government cannot be completely indifferent to the truth of these teachings, and in this respect they must remain subject to reason (whose interests the philosophy faculty has to safeguard). Now this is possible only if complete freedom to examine these teachings in public is permitted. So, since arbitrary propositions, though sanctioned by the supreme authority, may not always harmonize with the teachings reason maintains as necessary, there will be a conflict between the higher and lower faculties which is, first, *inevitable*, but second, *legal* as well; for the lower faculty has not only the title but also the duty, if not to state the *whole* truth in public, at least to see to it that *everything* put forward in public as a principle is true.

If the source of a sanctioned teaching is *historical*, then — no matter how highly it may be commended as sacred to the unhesitating obedience of faith — the philosophy faculty is entitled and indeed obligated to investigate its origin with critical scrupulosity. If the teaching, though presented in the manner of historical knowledge (as revelation), has a *rational* origin, the lower faculty cannot be prevented from investigating, in the historical narrative, the rational basis of this legislation and also evaluating it as either technically or morally practical. Finally, the source of a teaching proclaimed as law may be only *aesthetic*: in other words, the teaching may be based on a feeling connected with it (for example, a pious feeling of supernatural influence — although, since feeling yields no objective principle, it is only subjectively valid and cannot

provide the basis for a universal law). In this case the philosophy faculty must be free to examine in public and to evaluate with cold reason the source and content of this alleged basis of doctrine, unintimidated by the sacredness of the object which has supposedly been experienced and determined to bring this alleged feeling to concepts. The following paragraphs contain the formal principles of procedure for such a conflict and the consequences resulting from it.

1) This conflict cannot and should not be settled by an amicable accommodation (*amicabilis compositio*), but (as a lawsuit) calls for a verdict, that is, the decision of a judge (reason) which has the force of law. For the dispute could be settled only through dishonesty, by [the lower faculty's] concealing the cause of the dissension and letting itself be persuaded; but a maxim of this kind is directly opposed to the spirit of a *philosophy* faculty, which has the public presentation of truth as its function.

2) This conflict can never end, and it is the philosophy faculty that must always be prepared to keep it going. For there must always be statutory precepts of the government regarding teachings to be set forth in public, since unlimited freedom to proclaim any sort of opinion publicly is bound to be dangerous both to the government and to the public itself. But because all the government's statutes proceed from men, or are at least sanctioned by them, there is always the danger that they may be erroneous or unsuitable; and this applies also to the statutes that the government's sanction supplies to the higher faculties. Consequently, the philosophy faculty can never lay aside its arms in the face of the danger that threatens the truth entrusted to its protection, because the higher faculties will never give up their desire to rule.

3) This conflict can never detract from the dignity of the government. The conflict is not between the faculties and the government but between one faculty and another, and the government can look on unmoved. Though it has indeed taken certain tenets of the higher faculties under its own protection, by directing the businessmen of these faculties to expound them to the public, it is not protecting the higher faculties, as learned societies, on account of the truth of these teachings, views and opinions they are to expound publicly, but only for the sake of its (the government's) own advantage; for it would be beneath the government's dignity to decide about the intrinsic truth of these tenets and so to play the role of scholar. The higher faculties, in other words, must answer to the government only for the instruction and information they give their businessmen to expound to the public; for these circulate among the people as a civil community and, because they could impair the government's influence over it, are subject to its sanction. On the other hand, the teachings and views that the faculties, as theorists, have to settle with one another are directed to a different kind of public — a *learned* community devoted to the sciences; and since the people are resigned to understanding nothing about this, the government does not see fit to intervene in scholarly discussions.<sup>4</sup> The rank of the higher faculties

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<sup>4</sup> On the other hand, if the businessmen of the faculties (in their role of practitioners) bring the conflict before the civil community (publicly - from the pulpits, for example), as they are prone to do, they drag it illegitimately before the judgment seat of the people (who are not competent to judge in scholarly matters), and it ceases to be a scholarly debate. And then begins the state of illegal conflict mentioned above, in which doctrines in keeping with the people's inclinations are set forth, the seeds of insurrection and factions are sown, and the government is thereby endangered. These self-appointed tribunes of the people, in doing this, renounce the learned professions, encroach on the rights of the civil constitution (stir up political struggles), and really deserve to be called neologists. This justly hated name is badly misused when it is applied indiscriminately to every author of innovations in doctrine and pedagogical method (for why should the old always be better than the new?). But those who introduce a completely different form of government, or rather a lack of any government (anarchy), by handing over scholarly questions to the decision of the people, really deserve to be branded neologists; for they can steer the judgment of the people in whatever direction they please, by working on their habits, feelings, and inclinations, and so win them away from the influence of a legitimate government.

(as the right side of the parliament of learning) supports the government's statutes; but in as free a system of government as must exist when it is a question of truth, there must also be an opposition party (the left side), and this is the philosophy faculty's bench. For without its rigorous examinations and objections, the government would not be adequately informed about what could be to its own advantage or detriment. But if the businessmen of the faculties should want, on their own initiative, to make changes in the decrees given for them to expound publicly, then the government in its vigilance could lay claim to [jurisdiction over] them as *innovators* who could be dangerous to it. It could not, however, pass judgment on them directly, but only in accordance with the most loyal verdict drawn from the higher faculties, since it is only *through the faculty* that the government can direct these businessmen to expound certain teachings.

4) This conflict is quite compatible with an agreement of the learned and civil community in maxims which, if observed, must bring about a constant progress of both ranks of the faculties toward greater perfection, and finally prepare the way for the government to remove all restrictions that its choice has put on freedom of public judgment.

In this way, it could well happen that the last would some day be first (the lower faculty would be the higher) — not, indeed, in authority, but in counseling the authority (the government). For the government may find the freedom of the philosophy faculty, and the increased insight gained from this freedom, a better means for achieving its ends than its own absolute authority.

### **Outcome**

So this antagonism, that is, this *conflict* of two parties united in [their striving toward] one and the same final end (*concordia discors, discordia concors*), is not a *war*, that is, not a dispute arising from conflicting final aims regarding the *Mine* and *Thine* of learning. And since, like the political *Mine* and *Thine*, this consists in *freedom* and *property*, with freedom necessarily preceding property as its condition, any right granted to the higher faculty entails permission for the lower faculty to bring its scruples about this right before the learned public.