THE UNIVERSITY IS A EUROPEAN CHRISTIAN INSTITUTION PAR EXCELLENCE

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The existing consensus among historians is that the "university" was invented in medieval Christian Europe. The first university was Bologna, founded in 1088, followed by Oxford in 1096. By the end of the fourteenth century, in 1400, there were about 34 universities across Europe; and in 1500 there were 66, and none outside (Verger, pp. 57, 62-65). In 1789, the year of the French Revolution, there were about 143 universities in Europe, with only one university outside in Turkey. The original Latin word *universitas* designated any corporation (from the Latin *corpus*, *corporis* a body) intentionally created by a group of individuals, be they guilds by craftsmen, associations by merchants, or municipal communes by town residents—to regulate their own affairs and security, independently of customary law, kinship ties, or religious and state authorities. While corporations were invariably self-organized and not originated by the state, the university was said to exist when it was authorized to act as a single entity ("born out of statute") by an official document or edict from the Pope or a Bull from the Emperor. Corporations were self-governed in that their members participated in specifying the rules that regulated their activities; power was shared and leaders could be held accountable for their actions.

Gradually the word *universitas* came to be associated with the term *studium generale*, which referred to any institution (at the beginning of the thirteenth century) that "attracted students from all parts of Europe, not merely those of a particular country or district" (Rashdall, p. 6), and where at least one of the higher faculties of theology, law, or medicine was taught by a plurality of masters. In the course of the fourteenth century, the term "*universitas* became a mere synonym for *studium generale*" with numerous communities of students and teachers in charge of higher learning enjoying the privilege to conduct their own affairs, make their own rules for curriculum, and receive students from across Europe.

It is no accident that only Europe saw the rise of corporate bodies. In the rest of the world, outside Europe, kinship groups were in charge of governing the lives of extended family members, providing security, rules of inheritance and marriage, and choice of occupation. Kinship groups were governed by customary norms, by authoritarian chiefs, or by religious authorities. The situation in medieval Christian Europe was radically different. As Joseph Henrich has carefully documented in *The Weirdest People of the World: How the West Became Psychologically Peculiar and Particularly Prosperous* (2020), the medieval Catholic church sanctioned monogamous marriages against polygamy and concubinage, and it restricted marriages among individuals of the same blood (consanguineous marriages). It also encouraged marriages based on voluntary choice or consent. By the 11th century the nuclear family was predominant in Europe. These changes freed Europeans from kinship ties and norms, leading them to form new voluntary corporations to cooperate economically, solve conflicts, and secure a livelihood

with individuals from wider circles of life.

The reconstitution of medieval Europe away from kinship institutions in favor of voluntarily created institutions, such as urban communes, guilds, diocese of bishops, monasteries, and universities, came along with the rise of new systems of law based on universal principles. During the tenth and eleventh centuries, as the Church went about imposing monogamous and nuclear families, Europe underwent a legal revolution that conceded corporate rights for self-government to the Christian church and a variety of associations and groups to make contracts, to enact their own ordinances and statutes, "to own property, to sue and be sued, and to have legal representation before the king's court" (Huff, 1993). Manors, cities, and merchant associations, among others, enacted whole new systems of law, including manorial law, urban law, canon law, and merchant law.

Such legislative, executive, and juridical powers were not a possibility in Islamic societies where polygamy and cousin marriages remained a powerful means for consolidating the power of kinship groups and where there was no legal separation between the sacred and the secular, no texts and rules to define and limit the jurisdictional powers of the courts, and no legal conception freed from the customary normative world of kinship groups. China never evolved a conception of law that recognized the right of corporate bodies, including cities, capable of composing and promulgating new laws independently of the state or the bonds of kinship.

It is within the context of the Catholic breakdown of kinship groups, the consolidation of nuclear monogamous families, and the legal revolution of the 11th century, that we should apprehend the unique invention of universities in medieval Europe. In conferring legal recognition and liberties to the universities, the kings of France, England, and Spain, and later Portugal, Austria, Bohemia, Poland, and Hungary, as well as dukes and princes, expected their universities to provide them with effectively trained lawyers and Roman legal principles to consolidate their expanding powers against the centrifugal forces of the old feudal landed classes.

Similarly, the popes that endowed associations of teachers and students with the title and privileges of a university did so in awareness that the teaching of theology and Roman law, with its natural law principles, was an effective means of making Catholicism a rationally intelligible and unified doctrine to counter the diverse and mutually contradictory beliefs of heterodox religious orders. Both the papacy and the monarchies of Europe sought to recruit educated persons who could serve as staff for their offices. From the 13th century onward, the majority of popes had attended university and were

increasingly surrounded by learned cardinals. Likewise the cities recognized the advantage of having a partnership with universities that brought them prestige, and provided them with trained lawyers who could handle difficult legal problems in the conduct of businesses and the articulation of the newly emerging fields of merchant law, contract law, and maritime law. Municipal authorities recognized the corporate right of students and teachers (many of whom were foreigners in need of rights they did not enjoy in the cities) to conduct their own affairs as members of autonomous universities, as well as certain privileges such as exemption from tolls and taxes and the fixing of maximal rents.

It would be a mistake, however, to view the recognition by monarchs and popes of the corporate status of universities as driven solely by their self-interests. The desire for knowledge, and the ethos of common Christian values transcending national boundaries, were very strong in medieval Europe. This was a time of Christian belief in a world rational order created by God that was accessible to human reason and education. This belief cultivated an interest in scholarly research, going back to the establishment of Christian cathedral schools and monastic schools in the early Middle Ages, in which monks dedicated themselves to the preservation and transmission of Greek-Roman high culture.

At the same time, the Christian understanding of man as a creature fallen into sin, and thus as an imperfect being, encouraged the norms of intellectual criticism and collegial cooperation and the norms of "modesty, reverence and self-criticism" as the image of the ideal scholar (Rüegg, p. 33). As Frederick I Barbarossa said in 1155 in his justification for the granting of academic liberties: "it is by learning that the world is illuminated and the lives of subjects are shaped towards obedience to God."

The medieval ideal was that the university was a universal community of masters and students, open to everyone interested in the higher faculties of knowledge as well as being at the service of the public interest to the benefit of the whole Christian world, without being hampered by national or regional borders. In the thirteenth century, universitas came to mean the totality of the branches of knowledge, the whole community of learners, in classical Latin. University teachers came to acquire the status of a group which transcended local and disciplinary boundaries in possession of a universally accepted corpus of knowledge. The fact that this one institution spread over the entire world, with the bachelor's degree, the master's degree, and the doctorate adopted in the most culturally diverse nations of the world, points to its universality.

European civilization originated this universal institution. No other society conferred the privileges of a corporation to institutions of higher learning wherein reason could find a "neutral space" of free inquiry.

Medieval Christian Europe was the first civilization to "institutionalize reason" within self-governing universities which offered a curriculum "overwhelmingly oriented toward analytical subjects" (Grant, 2001). The universities tended to have four faculties (arts, theology, law, and medicine), with the most important being the arts faculty, which had the largest numbers of students, and the theology faculty. The program of the arts consisted of the three verbal disciplines of grammar, rhetoric, and logic (the trivium or threefold way to wisdom) and the four mathematical disciplines of arithmetic, geometry, astronomy and music (the quadrivium). While medieval teachers were prohibited from reaching ultimate truths that were contrary to revealed truth, natural philosophers were free to pursue knowledge about the universe "in a remarkably secular and rationalistic manner with little interference from the Church and its theologians" (Grant, 2001). Indeed, medieval theologians, by applying logical techniques to theological questions, cultivated a religion like none before: a systematized and rationalized Christian faith.

This interpretation of the origins of universities was widely accepted in academia. But the pressures of multiculturalism are leading some academics to argue that Muslims should be given precedent for the origins of universities. They are demanding that the University of al-Qarawiyyin be identified as the "first university", although this place was designated as a "university" only in 1963, and was originally founded as a mosque in 859 (Esposito, 2003). Other academics are claiming that Al-Azhar University, which was also founded as a mosque in 970-972, should be designated as "the second oldest university in the world".

They maintain that Islamic centers of learning originated the practice of organizing foreign students into associations, and the idea of universal validity of the qualification for teaching based on the title of the *baccalarius*. But according to Rüegg, "the term *baccalarius* could not be an Islamic import of the twelfth century because it was already in use in the ninth century as the Latin designation of a preparatory or auxiliary status in a variety of social careers'' (p. 8). Even the Islamicist George Makdisi, despite finding some general affinities between Islamic centers of learning and European universities, has concluded that "the university is a twelfth century product of the West both in its corporate structure and in the privileges it received from Pope and King" (cited in Rüegg, p. 8). Makdisi himself cautions that "in studying an institution which is foreign and remote in point of time, as is the case of the medieval madrasa, one runs the…risk of attributing to it characteristics borrowed from one's own [Western] institutions…The most unwarranted of these [comparisons] is the one which makes the 'madrasa' a 'university'" (1970). The madrasa was not a high degree-awarding institution, but a "college of Islamic law" lacking corporate status and a rationalistic curriculum, supported by an endowment or charitable trust, that is a waqf, which consisted of a building or plot of land, for Muslim religious or charitable

purposes.

It is unfortunate that current university students are unaware of the Christian medieval roots of the institution they will spend a very important part of their lives attending. Offering a lecture on the historical origins of universities to new students would be a far better way to provide them with the spirit of "higher learning" universities were intended to be about, rather than separating students into categories of "privileged" and "oppressed" races.

Ricardo Duchesne has been interviewed in the Postil. He the author of The Uniqueness of Western Civilization, Faustian Man in a Multicultural Age, Canada in Decay: Mass Immigration, Diversity, and the Ethnocide of Euro-Canadians.

Featured image: a lecture, from Bartholomaeus Anglicus (translated by Jean Corbechon), De proprietatibus rerum (Livre des proprietez des choses), France (Paris?), 1st quarter of the 15th century.