

**THE COURSES LEADING
TO THE BACCALAUREATE
IN HARVARD COLLEGE
AND BOSTON COLLEGE**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649739684

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Edited by Trieste Publishing Pty Ltd.
Cover @ 2017

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and . . .
Boston College . .



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*The Courses
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and Boston College. . .*

I.

The Harvard University Catalogue of 1898-99 contained a revised and authoritative list of institutions, the graduates of which are admitted without examination as regular students to the Harvard law school. From this list were omitted all Catholic colleges except Georgetown University and Notre Dame University. Graduates from these omitted colleges may, however, enter as special students, and may even obtain in due time the degree of bachelor of laws, provided they attain a standing fifteen per cent. in advance of that required of their fellow probationers from the listed colleges and universities. The only difference, therefore, between them and the favored students is, that of these latter a lower standard of scholarship is exacted, while the former are "required to obtain a mark within five per cent. of that demanded for the honor degree."*

*Harvard University Catalogue 1898, 1899, page 525.

if the matter rested here, the graduate of the proscribed Catholic college would have little to complain of, except the bewildering position of being complimented and aggrieved at the same time and by the same action of the Harvard authorities; and even this he might avoid by making his law studies at some other school. But from a newspaper interview we learn that "a professor, who is intimately acquainted with the management of the law school," alleges the inferior standard of studies in Catholic colleges as the reason why their graduates should attain a higher percentage in their studies at the law school.

There seems to be a want of coherence in this averment. This inferiority in standard of Catholic colleges, if it existed, would indeed be a reason for putting their graduates in a special class, and thus testing their aptitude to pursue a course of law. But why should it be a reason for requiring of these students attainments in legal lore fifteen per cent. in excess of that required of students that graduate from colleges of excellent standing? Usually a competitor is not handicapped because of his inferiority; at least he is given an even chance to prove himself. And if in the issue he shows himself equal to others, his inferiority to them is acknowledged to have been a

fiction. "*Tros Tyriusve mihi nullo discrimine agetur*" was Dido's rule of action, and it is a seemly rule. If students from these inferior colleges can attain the same grade of scholarship, measured in Harvard's terms of proficiency, as students from the listed colleges, then estimating a college by the result it produces, the normal intelligence will conclude that the low standard of studies in these Catholic colleges is equal to the higher standard of studies in the other colleges. This is surely a fair inference from muddled premises, for whose condition the present writer is not responsible. Yet none of this seems to have suggested itself to the legal mind of the professor. Those who devised this regulation had apparently some nebulous idea that seventy per cent. when reached by a graduate of a Catholic college, would be equivalent to fifty-five per cent. by the same standard of rating when reached by a graduate of an approved college. They judged that if two students started a course of study in the same school in which the method of grading or measuring progress was uniform, and the student whose previous preparation was inferior surpassed the other by fifteen per cent., then both these students were equal in proficiency; or, in other words, the same grade has different values as

applied to different students. The yard measure is rigid and elastic at the same time. Do these things cohere? It looks as if this differential duty of fifteen per cent. higher marks were imposed either to protect some infant industries or to kill off competitors. However, as the professor's assertion is the *gravamen* of the present paper rather than his incoherency, we may overlook his logic and concern ourselves with the truth of his charge. Is the standard of education in Catholic colleges lower than that of Harvard?

Some remarks from President Eliot enable me to define more closely the subject of my inquiry. Speaking of the omission of Jesuit colleges from the Harvard law school list, he said, in reply to some criticisms passed on him by a speaker at an alumni meeting of Holy Cross College: "No stated discrimination is made against these colleges, but in the list of over one hundred institutions, whose graduates are accepted without examination to Harvard law school, there is only one Jesuit college, namely, Georgetown University, near Washington. Holy Cross College, Boston College, and others equally well known are barred." What the President of Harvard meant by saying "no stated discrimination" is made against Holy Cross

College and Boston College is another minor difficulty of the controversy. Newspaper readers, however, to whom it was addressed, very probably understood it to mean that, in drawing up "the list of over one hundred institutions," the Harvard authorities did not positively exclude these two colleges, but simply failed to include them; that the omission of them, therefore, from the list was not a deliberate act of discrimination against two stated colleges, but merely the negative act of non-admission. In this sense the assertion, so far as it refers to Holy Cross College and Boston College, is certainly untrue. Both these colleges were in former lists. The omission of them, therefore, from subsequent lists is either an accident or a deliberate exclusion. As it has been declared with emphasis to have been no accident, the inference is unavoidable. They are not merely omitted from a list in which they never had a place; they are subjected to the invidious distinction of being displaced.

In the same interview President Eliot goes on to say, "I only hope . . . that the Jesuit colleges will be bettered . . . and that their standards will be raised, so that they can be put on the same footing with other institutions of learning." He was asked to substantiate the accusa-

tion which is the occasion of his hope or to make it definite, but beyond reiteration he refused to go. In a subsequent interview, speaking of the alumni of Boston College, he says: "They know very well why Boston College is not placed* on the list of those colleges whose graduates are admitted to the Harvard law schools as candidates for a degree, and they know the only way in which their schools can be put on that list. It is for them to improve their course of study." Again we have the same unsubstantiated, indefinite statement, linked, moreover, with the imputation that the Boston College alumni are guilty of dishonest pretense in not confessing their inferiority. Regarding this imputation—I may say in passing—I hope the injustice of it will be made clear to intelligent and fair-minded persons after I have finished my treatment of the subject of this paper. The statement itself I shall endeavor to show is badly in need of proof.

Courtesy, fairness and self-respect, one would think, ought to have induced the authorities of the law school to state the reasons of their discrimination against Holy Cross College and Boston College,

*The question is not why they were *not placed* on the list, but why they were *displaced* from the list.