

Mandatum: Loyola Parents Take Nothing for Granted

by Tim Drake

CHICAGO – Jill and Tim Thompson won't be sending a child to Loyola University of Chicago next year. The Searcy Ark., couple want to find a school near family in the Midwest, but they say they have no way of determining who has a mandatum at Loyola. Jill Thompson said she's well aware of recent studies suggesting that students are even more likely to lose their faith at a Catholic college than at a secular one. "Our parents were more likely to turn over our care blindly because of the confidence that they had in the Church at the time," Thompson said, "but we've been living in the Catholic Church for the past 30 years and I'm not taking anything for granted."

When the Register called to ask which professors at Loyola University of Chicago had canon-law mandata to teach theology, neither theology department chair John McCarthy nor university president Father Michael Garanzini responded. "Most of it is being handled internally," said Bud Jones, associate vice president for public relations.

In February, Chicago Cardinal Francis George wrote about the mandatum in a column published in the diocesan newspaper, Catholic New World. In that article he publicly stated which institutions' professors had sought the mandatum. "I gave the mandatum to about 20 Catholic theology at the two smaller Catholic universities in the archdiocese, Dominican and St. Xavier have received the mandatum, at Loyola University, most of the Catholic professors in the Institute for Pastoral Studies have received the mandatum, but many of the Catholic professors in the theology department have not."

The cardinal's public statement provoked an outcry within Loyola's theology department. A Jesuit institution, Loyola University of Chicago is ranked 69th among national doctoral universities by *U.S. News & World Report's* America's Best Colleges 2003. The Register is investigating Catholic colleges and universities featured in *U.S. News & World Report's* college guide, asking: Are parents allowed to know whether those who teach theology even intend to teach in communion with the Church? Or has the opposite happened – is the canon-law mandatum being used to protect dissenters?

During his meeting with U.S. cardinals last year, Pope John Paul II said parents "must know that bishops and priests are totally committed to the fullness of Catholic truth on matters of sexual morality, a truth as essential to the renewal of the priesthood and the episcopate as it is to the renewal of marriage and family life." Since 1983, canon law has required that a theologian teaching in a Catholic university receive a mandatum from the local bishop showing the theologian's intention to teach with the Church. The requirement was highlighted in a footnote in Pope John Paul II's 1990 apostolic constitution on higher education, *Ex Corde Ecclesiae* (From the Heart of the Church). U.S. bishops began requiring the mandatum in 2001.

"According to the [bishop's] conference's 'Guidelines Concerning the Academic Mandatum in Catholic Universities (Canon 812),' which received the recognition of the Congregation for Catholic Education on May 3, 2000, all full-time and part-time professors of sacred Scripture, theology, canon law, liturgy and Church history at any Catholic institution of higher learning are to seek the mandatum," said canonist and author Pete Vere. "It is the responsibility of the individual to seek it." Yet parents say universities won't tell who has a mandatum.

Private or Public?

Canon law is silent as to whether the mandatum should be private or public, and opinions vary widely. "The president has told us that the university isn't going to say anything publicly," said Loyola theology professor Dennis Martin. "You can see where this is going to end up. No one will end up with the mandatum." Thompson agreed. "I disagree that this is a private issue," she said. "That idea is not consistent with an active laity in the Church. If parents are paying \$10,000 or \$20,000 a year to send [their children] to a Catholic school, they have a right to know what they are paying for."

"These professors are not private tutors," Vere said. "He or she is teaching in an open classroom at a Catholic university." Moreover, Vere argued an institution's mission can be confusing to parents. "If pursued as a public matter, the mandatum would be of great assistance to parents and students who seek a Catholic university rather than a university historically founded in the Catholic tradition," he said. While few at Loyola are speaking publicly,

Chicago Cardinal Francis George has voiced his concerns. "The mandatum is a public reality," Cardinal George told the Register. "It's a personal act, but personal acts are sometimes public – like receiving the sacraments."

"Being a professor is a public thing," Martin said. "Media people come to professors for commentary on Catholic issues. If he responds he is acting in a public way."

"Some of the theology faculty members were up in arms about it, but at this point no one cares," said Larry DiPaolo Jr., who received his master's degree in theological studies from Loyola and is currently seeking a doctorate in New Testament from the school. "Frankly, it seems as if it has died out," DiPaolo added. "I would say that the mandatum is in limbo."

How Do Parents Know?

Still, parents such as the Thompsons would like to know who has a mandatum. Asked how a parent would know who has received the mandatum at Loyola, Cardinal George told the Register he would instruct interested students and parents to contact individual theology faculty members. "The mandatum is a public matter," Cardinal George said. "Whether to publicize it or not is a private matter. If a faculty member isn't willing to tell a parent, that says something."

Theology professor Martin also encouraged parents to ask questions of the universities. "Parents and students should know who has applied," he said. "It's like any product – if you do not receive a satisfactory answer or if you get evasive answers, you go elsewhere." Cardinal George said his column about the mandatum was purposeful. "I traced it to the secularization of these institutions," he said. "Many of the disciplines have secularized themselves." Jesuit Superior General Peter Hans Kolvenbach was once quoted by Father Richard John Neuhaus as saying "For some [Jesuit] universities, it is probably too late to restore their Catholic character."

Martin pointed to the July 1967 Land O' Lakes Conference, led by former University of Notre Dame president Holy Cross Father Theodore Hesburgh, as evidence of the secularization of Catholic colleges and universities. The university presidents and administrators at the conference declared, "The Catholic university must have a true autonomy and academic freedom in the face of authority of whatever kind, lay or clerical, external to the academic community itself. The Land O' Lakes conference intended to secularize colleges," Martin said. "Why should anyone be surprised that it has succeeded?"

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