

The Mandatum and the Rights of Catholic Parents

by Steve Kellmeyer

What a difference a century makes! At the turn of the 20th century, bishops, archbishops and cardinals were attaching the penalty of mortal sin to Catholic parents who did not send their children to a Catholic School. At the turn of the 21st century, America's bishops won't tell parents which putatively Catholic schools still conform to Catholic teaching. Worse, this refusal takes place despite the shocking fact – now common knowledge – that Catholic students are more likely to keep their faith at a secular university than they are at many institutions that carry the title Catholic. If this latest controversy somehow sounds familiar, there's a reason.

The Church has two primary missions: to teach and to sanctify. The two missions are intimately bound together, as Pope John Paul II stated in his 1979 apostolic exhortation, *Catechesi Tradendae* (Catechesis in our Time): "One can likewise speak of a right: from the theological point of view every baptized person, precisely by reason of being baptized, has the right to receive from the Church instruction and education enabling him or her to enter on a truly Christian life..." (No. 14).

And as Pope Pius XI states in his 1929 encyclical *Divini Illius Magistri* (On Christian Education): "Every Christian child or youth has a strict right to instruction in harmony with the teaching of the Church, the pillar and ground of truth. And whoever disturbs the pupil's faith in any way does him grave wrong, inasmuch as he abuses the trust that children place in their teachers and takes unfair advantage of their inexperience and of their natural craving for unrestrained liberty, at once illusory and false" (No. 57).

For we who are baptized, correct instruction in the faith is not a privilege – it is a right. Abuse is the infringing of a person's rights. Given the clear failure of many Catholic Schools to pass on the Catholic faith, the secrecy surrounding the mandatum in many dioceses is arguably a form of abuse. But we should be very clear: It is not just the student who is being abused. The Catechism of the Catholic Church in article No. 1631 points out that marriage introduces those being married into an ecclesial order. The Catechism tells us why in quite remarkable terms: "The fecundity of conjugal love cannot be reduced solely to the procreation of children but must extend to their moral education and their spiritual formation" (No. 2221).

The Catechism goes even further. It points out that all of these creations – child, parent, rights and duties – are oriented toward a specific purpose. Conjugal love is not fully life-giving until the parents show their children how to love and serve God. When the child learns this, the parents have become fully parents. Procreation is our participation in the creation of an immortal person, a person who will exist beyond time. But, the Catechism says, the life-giving quality of life-giving quality of married love – that is, the life-giving quality of sexual relations – cannot be reduced to just this. In a real sense, the act of sex is an act that becomes really life-giving only when the children we conceive learn to love and serve God who brought them into existence through our human act.

In one of his general audience addresses on the theology of the body, the pope said: "Conjugal life becomes, in a certain sense, liturgical." We can now also see that moral education and spiritual formation is, in a certain sense, embedded in the procreative sexual act. Conception, the existence of a child, is a natural consequence of conjugal love. The duty toward the moral education and spiritual formation of the child is a natural consequence of the child's existence. Conjugal love results in sex, which results in children, which results in parental duty and the child's right to education. According to the Catechism, each is a natural consequence so tightly intertwined with what precedes it that they can together be considered a single entity: fecundity.

Bishops Help Parents

And now we begin to see why the mandatum controversy sounds so familiar. Pope Paul VI, in his 1968 encyclical, *Humanae Vitae* (On the Regulation of Birth), described contraception in this way: "Every action which. Either in anticipation of the conjugal act, or in its accomplishment, or in the development of its natural consequences, proposes, whether as an end or as a means, to render procreation impossible" (No. 14). Moral education and spiritual formation are embedded in the sexual act; they are natural consequences of procreation. Pope Paul VI, in reiterating the constant teaching of the Church, succinctly describes the problem in the mandatum controversy. Put

simply, professors and bishops who refuse to verify authentic Catholic teaching are engaging in an activity remarkably similar to contraception.

"The bishops ensure the authentic Catholic faith is transmitted to parents so they, in turn, can pass it on to their children. Teachers and educators at all levels also assist in this process. The laity bear witness to that purity of faith that bishops take pains to maintain" ("World Synod Document on Bishops and the ministry of the Word," 2001, No. 105). The Church recognizes how education is supposed to work. Bishops are supposed to assist the parents. The parents – the primary educators – assist their children. But what if someone refuses to assist parents as they attempt to properly form their children in their faith? This is indirectly referred to in the Catechism as well: "Chastity presupposes respect for the rights of the person, in particular the right to receive information and an education that respects the moral and spiritual dimensions of human life" (No. 2344).

By now we should not be surprised to find such interference mimics the decision to be unchaste. Given the way the actions of many unchaste priests were actively hidden, can we be surprised that so many heterodox professors are also being actively hidden? Education and conjugal fecundity are intertwined. In "Living the Gospel of Life: A Challenge to American Catholics," the US Conference of Catholic Bishops quotes St. Thomas More and holds him up as an example for lay people to follow, even if it means laity might "face a political penalty for living their public office in accord with their pro-life convictions."

St. Thomas More is indeed an excellent example to us, but perhaps it is time to consider how this remarkable lay person is himself an excellent example for every ordained man. In *A Man for all Seasons*, a young man asks to marry St. Thomas More's daughter. St. Thomas More replies, "The answer is no and will be no as long as you are a heretic."

"Now that's a word I don't like, Sir Thomas," the suitor replies. "It's not a likeable word. It's not a likeable thing," replies the saint, unperturbed, as he sends the young man away. A man whether he be ordained by holy matrimony or holy orders, watches over his children and guards them from danger. We must continue to pray for our priests and bishops, that they may learn from the example of St. Thomas More. Every one of us must be willing to pay the price to preserve the family and the faith, no matter how high.

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