

The Mandate: A SLU Professor's View

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I want to communicate to you my view of the mandate offered by Archbishop Justin Rigali to SLU theologians. The note that follows was originally written as a statement to Archbishop Rigali in Spring of 2001 when the issue was first raised by him. It is edited to meet the Heithaus Forum limits. After a year and a half of silence on the matter Archbishop Rigali a few weeks ago wrote to many of the Catholic members of the SLU department of theological studies inviting them to apply to him for a "Mandatum," a statement assuring the theologian that he or she teaches Catholic theology in "full communion with the *Magisterium*," the word used by bishops to refer to their own corporate teaching authority.

I begin with a distinction that is important to me. It arises from my forty-year experience in theology and religion departments, and from my ongoing attempt to understand what I am and do. There are several different kinds of Catholics working in theology and religion departments. (A) There are "ecclesial" theologians who regard themselves as teaching and believing in "full communion" with the episcopal and papal Magisterium. Avery Dulles, S. J., currently research professor at Fordham University and a Cardinal of the Roman Church, is one fine example. Typically they would find disagreement with the teaching authority of the church to be an irresponsible act on their part. (B) There are academic or critical theologians whose self-understanding is deeply conditioned by work in universities and colleges which have passed through the traumatic move to ecclesiastical independence in the late 1960's and some of whom regard the Roman Magisterium as important but not absolutely and universally determinative of their belief, research and thinking. They find disagreement with the episcopal and papal Magisterium conceivable for adequate reasons. Most of my theologian friends are of this sort, whether they work in Catholic or other sorts of colleges and universities. (C) There are what I call Catholic intellectuals, whether in theology departments or elsewhere in the university, who attempt to teach *about* the Catholic religion as it appears in various cultural forms (film, novel, documents of Vatican II, ritual, history, etc.), who do not take responsibility for transmitting anything other than a sympathetic and accurate understanding of it, and who neither teach doctrine nor evangelize students. For their work agreement and disagreement with the episcopal and papal Magisterium is irrelevant. These are often characterized by a full *sacramental* communion with the church as a whole, and usually by communion in belief. (D) A fourth group are those academic students of religion whose academic specialty is Catholicism or the Catholic church as one religion among many, for whom communion with the church and the practice of the Catholic religion is not a necessary underpinning of their academic work or responsibility in any sense. There are likely to be few of this sort, perhaps only in large departments where specialization to a high degree is a prime requisite.

I regard myself not as a theologian but as a Catholic intellectual. I can proceed to lay out my reaction to the mandate, counting on this background to preclude at least some confusion. The issues that are important to me are as follows:

1. In no way should this bad law and procedure be allowed to become practice in Catholic universities. By accepting the mandate, theologians gain nothing for their work in the university, and they stand to lose by it. Nor do the universities gain by it. Only if theology is understood the way many bishops understand it--as a faithful participation in the bishops' tasks of evangelization and catechesis--does the mandate make any *theological* or *religious* sense whatsoever. Even then it adds nothing to anyone's practice of theology in the American university. Mandate or no, theologians will do what we have been doing. At the same time, the mandate received raises the question of the standing of theology as a discipline in the university, and the standing of the Catholic university in the current understanding of the intellectual independence of professors.

2. Lay theologians, a rapidly expanding percentage of theologians, are not currently under episcopal direction as are theologians who are members of the clergy, and these are the people, perhaps, over whom the mandate is meant to initiate a new juridical control and to whom the bishops wish to give or refuse a mark of "full communion." But many of them will not accept episcopal mandate (whereas they might very well accept a proffered pastoral relationship and collaboration), and so in addition to the distinctions between clergy and laity in theology, and between those with personal tendencies to liberalism or conservatism in their theology and church life, the bishops will have added another distinction that is bound to have its effect in the departments: those who are listed by their bishops and those who are not. The distinction will become increasingly important as time goes by, if in fact the mandate is received by even a sizable minority of academic theologians. Sooner or later the non-mandated will be excluded or driven out or allowed to die by attrition (the latter, if prudence wins out). Not only will some departments be split into two groups, but, depending on whether the mandate is made a condition for employment, so will universities and colleges. I do not think either the bishops or the universities will gain, and the universities will surely lose. The theologians have plenty of reason, theological as well as moral, to avoid the mandate trap and I hope they do so, not only for their own sake and for their institutions, but also for the bishops who appear to have been pushed by Roman authorities into something that many of them know by instinct is a mistake.

3. The bishops and the pope are correct on the large issue: the problem faced by Catholic universities, and not the hierarchy alone, is the Catholic identity of the institutions. It is a thorny problem, providentially highlighted by the Holy Father, that has taken at least three decades to develop and will take decades of clear-headed action to resolve. The mandate doesn't appreciably help to solve this problem. The genuine resolution involves presidents and boards and administrations and faculties--and bishops--all of whose eyes needed focusing on this question. While the Pope's document *Ex corde ecclesiae* addresses the real problem, and calls for a real solution, the canonical legislation and the mandate process itself address a minuscule part of it and does so badly. The Roman curia and the Pope had plenty of good advice in good time on the perils of issuing mandates to American university theologians, and chose to ignore it. The SLU theologians told the Archbishop that the mandate was a mistake that hurts rather than helps their work. The archbishop did not take the advice.

4. The university in fact is made up of people who do not practice theology in any ecclesiastical sense, and they are untouched by the legislation--even those who, like me, work in theology departments but are not theologians. Along with hundreds of faculty, staff and administrators at SLU, I am effectively excluded from the charmed circle of those whom the bishops and the Curia apparently see as the actors in the drama of saving Catholic higher education from its present peril of secularization. When and how do they intend to address me and the rest of the university? How can we help and how can we be helped? I hope that *Ex corde* is not their last word, their last call. The public silence of the bishops and the presidents on the question of their responsibility in strengthening Catholic identity is deafening. It is especially deafening in St. Louis where the archbishop and the president are barely on speaking terms.

5. So, I do not want or need a mandate. Though I teach as a Catholic, I do not teach *sacra doctrina* as St. Thomas called it. I teach "about it" often enough, but as a philosopher would, or an intellectual who claims no religious charism or mandate or share in the Magisterium. Although some of what I teach overlaps with what ecclesial and academic theologians teach, and so I might at times be mistaken for one, and while in the university I sometimes teach about Catholicism, I am in fact a Catholic who lives by his mouth and his pen, and even his wits, an intellectual who rejoices in his Catholicism but who wants as little as possible to do with the responsibilities of bishops, preachers, evangelists, ecclesial theologians et al.

6. "Full Communion" with bishops' tasks is a matter beyond my desire or comprehension. I have read and am puzzled by the Archbishop's statement to the effect that the acceptance of a mandate means only that I do not teach as Catholic doctrine what is not, and teach correctly what is Catholic doctrine when in fact I teach it. Of course. What responsible professor would do otherwise? This is an excessively modest meaning for a weighty term such as "full communion." For myself, I do believe that bishops think that people who teach in theology departments *must* teach Catholic truth as true to people who *should* believe it. My job, as I understand it, is to teach undergraduates about religion and about Catholicism in particular, and to serve the university and the community. I am, in other words, in full communion with the commonly received understanding of what a university professor in the American setting is to do. I do all of this to the best of my ability, and, according to some, I do it well. To all of this the mandate, and the approval and disapproval of the bishops and the Holy See are entirely adventitious. I do not think that the university is or should be part of the catechetical mission of church. I know I should not.

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