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WHAT WOULD NEWMAN DO? JOHN CARDINAL NEWMAN AND *EX CORDE ECCLESIAE*

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John Paul II's 1990 apostolic exhortation Ex Corde Ecclesiae and subsequent legislation require those teaching theological disciplines in Catholic universities to have a mandatum. This article explores the thought of John Cardinal Newman with a view to defending a position, consistent with Newman's thought, relative to the seeking and acceptance of a mandatum.

INTRODUCTION

In the June 2003 edition of *Catholic Education: A Journal of Inquiry and Practice*, Heft detailed the work between one Catholic diocese, the Archdiocese of Cincinnati, and one Roman Catholic university, the University of Dayton, as together they sought to implement the Vatican decree, *Ex Corde Ecclesiae* (ECE; John Paul II, 1990). Of particular concern in the Heft essay was the *mandatum*, a requirement that a Catholic teaching a Catholic theological discipline at a Catholic university have the approval of competent ecclesiastical authority (John Paul II, 1990, para. 4.3). Thus, the *mandatum* is a statement by an ecclesiastical authority, generally the ordinary of the diocese, that the Catholic theologian is teaching in communion with the Church. As Heft opined in another essay, it is a recognition by the bishop that the theologian is teaching in communion with the Church.

There may also be good reason for a particular theologian not to accept a *mandatum*; nor should anyone conclude that a theologian without it is, by that fact alone, not in full communion with the Church. There is an important distinction between teaching in full communion with the Church and being recognized officially as doing so by the bishop. (Heft, 2002, p. 41)

This essay examines ECE from the perspective of the individual the-

ologian. Should an individual theologian apply for a *mandatum* or accept one if it is given? It will seek to do so through the eyes of one theologian, John Henry Newman (1801-1890). No one can say for certain how someone who lived over 100 years before ECE would react to it. What one can do, however, is to examine the writings of John Newman and to hypothesize whether an acceptance or a rejection of ECE is consistent with his scholarship, beliefs, and convictions. This paper will examine Newman's reflections on the purpose of a Catholic university. These reflections, contained in *The Idea of a University* (1982), were originally lectures given 150 years ago (1850-1852), and have been influential in the development of Roman Catholic universities. ECE cited Newman twice, and these two references to Newman are the only citations in ECE to sources that are not from the Bible or from ecclesiastical documents. In article 4, ECE quoted Newman's *The Idea of a University*, "an intimate conviction that truth is (its) real ally ... and that reason and knowledge are sure ministers to faith" (John Paul II, 1990). In addition, ECE cited Newman in its own footnote 19, "Cardinal Newman observes that a University 'professes to assign to each study which it receives, its proper place and its boundaries to define the rights, to establish the mutual relations and to effect the intercommunion of one and all'" (John Paul II, 1990).

Before examining whether Newman's idea of a Catholic university is consistent with the idea of a Catholic university present in ECE, this essay will briefly review *Ex Corde Ecclesiae*. The examination of the reflections of Newman on the purposes of a Catholic university will follow. Then this paper will compare the ideas of John Newman with those of ECE, with regard to the idea of a Catholic university. Special attention will be given to two themes: that of universal knowledge and that of faithfulness to reason and tradition.

EX CORDE ECCLESIAE

On August 15, 1990, Pope John Paul II promulgated *Ex Corde Ecclesiae*, the long-awaited apostolic constitution on Catholic universities. ECE took its name from the first words of the Latin document, which declared that a Catholic university is born "from the heart of the church" (para. 1). ECE is divided into three parts: an introduction (Articles 1-11), a description of the identity and mission of the church (Part I, Articles 12-49), and 11 general norms (Part II).

Considerable debate among those concerned with Catholic universities has focused on ECE, in the form of many speeches (Danneels, 2001; Euart, 1993; George, 1999), articles (Daley, 1993; Dosen, 2000; Iozzio, 2000), position papers (Association of Catholic Colleges and Universities

[ACCU], 1993; Catholic Theological Society of America, 2000), doctoral dissertations (Introcaso, 1996), and books (Hesburgh, 1994; Langan, 1993). Much of this controversy centers on article 4, paragraph 3: "Catholic theologians, aware that they fulfill a mandate, are to be faithful to the magisterium of the church as the authentic interpreter of sacred Scripture and sacred tradition" (John Paul II, 1990). This section reflects Canon 812 of the *Code of Canon Law*, promulgated by Pope Paul II on January 25, 1983: "They who teach theological disciplines in an institute of higher studies should have a mandate from the competent ecclesiastical authority" (Canon Law Society of America, 1983).

The Holy Father asked national conferences of bishops to draw up guidelines for the implementation of the constitution within their jurisdictions. In November 1996, the National Conference of Catholic Bishops (NCCB) sent a draft of suggested implementation guidelines to the Vatican Congregation for Catholic Education (CCE). The CCE returned this draft in May 1997, asking the bishops to prepare a new draft that was more juridical. CCE wanted a more legal definition of the relationship between Catholic universities and the Church, calling this relationship essential to its Catholic identity. The purpose of seeking a more legal definition was that it might be "helpful for those possible cases where tensions, crises or problems require such a juridical instrument for their resolution" (CCE, 1997, p. 54).

Amid a great deal of controversy, the NCCB overwhelmingly approved (223-31) a second draft of these guidelines at their meeting in November of 1999 (NCCB, 1999). The bishops sought a balance between academic freedom and institutional identity by promulgating six norms defining the nature of a Catholic university: institutional autonomy, academic freedom, the bishop's duty to promote academic freedom, the religious liberty of every individual, the university's mission statement and its commitment to its Catholic identity, and the university's implementation of its mission statement on every level. On May 3, 2000, the Vatican approved the second draft of the guidelines, noting that the guidelines would take effect on May 3, 2001 (NCCB, 2000).

THE IDEA OF A CATHOLIC UNIVERSITY

Newman was a convert to Roman Catholicism. Prior to his conversion he earned a bachelor of arts degree from Trinity College, Oxford, in 1820. Two years later, he was elected a Fellow of Oriel, another of the colleges of Oxford. In 1824, he was ordained as a clergyman of the Church of England. Four years later (1828) he was named the Vicar of Saint Mary's Church, the university church of Oxford, a position that he held until 1843. In 1845, he was received into the Catholic Church and ordained as a Catholic priest in Rome 2 years later.

In 1851, Archbishop Paul Cullen, the Catholic Primate of Ireland, asked Newman to establish a university for Catholics in Ireland and made him rector of that university. The following year (1852), Newman delivered a series of lectures in Dublin that grew into *The Idea of a University*. In 1858, he resigned as rector and returned to England. In 1878, he was made Honorary Fellow of Trinity College, Oxford. Pope Leo XIII made Newman a Cardinal in 1879. John Cardinal Newman died in 1890 (Svaglic, 1982).

Because of his conversion to Roman Catholicism, Newman was compelled in 1846 to leave Oxford, a place where he had hoped to remain for the rest of his life. This was a very painful experience for him, because Oxford had been a major influence on his life and convictions (Pelikan, 1992). Oxford had a major influence on what Newman believed a university should be.

For Newman (1982), the primary function of a university is to educate “the intellect to reason well in all matters, to reach out towards truth, and to grasp it” (p. 95). While Newman regarded the acquisition of knowledge as extremely important, for him it was not enough. Knowledge needed to be enlarged.

The enlargement consists, not merely in the passive reception into the mind of a number of ideas hitherto unknown to it, but in the mind’s energetic and simultaneous action upon and towards and among those new ideas, which are rushing in upon it. (Newman, 1982, p. 101)

This enlargement consists of the possession of “the knowledge, not only of things, but also of their mutual and true relations; knowledge not merely considered as acquirement, but as philosophy” (p. 101). To Newman, philosophy is “Thought or Reason exercised upon Knowledge” (p. 105).

Newman does assign a more practical end to a university, the training of good members for society.

A University training is the great ordinary means to a great but ordinary end: it aims at raising the intellectual tone of society, at cultivating the public mind, at purifying the national taste, at supplying true principles to a popular enthusiasm and fixed aims to popular aspiration, at giving enlargement and sobriety to the ideas of the age, at facilitating the exercise of political power, and refining the intercourse of public life. (p. 134)

Absent from the purposes that Newman assigns to a university is the creation of new knowledge through research. This purpose of a university emerged from the German universities, most notably those of Berlin and Göttingen, where the Doctor of Philosophy degree developed with its emphasis on research. According to Pelikan (1992),

Superimposing a German understanding of the university defined by the doctorate upon the British and American understandings of the college defined by the baccalaureate has created some of the ongoing educational and intellectual tensions we are examining in this book. Nowhere are these tensions more evident than here in the question of the place of the advancement of knowledge through research and its relation to the extension of knowledge through teaching. (p. 84)

Newman (1982) makes very clear his preference for the British understanding of the university in the opening words of his preface.

The view taken of a University in these Discourses is the following – That it is a place of teaching universal knowledge. This implies that its object is . . . the diffusion and extension of knowledge rather than the advancement. If its object were scientific and philosophical discovery, I do not see why a University should have students. (p. xxxvii)

The understanding that Newman had of what a university is was rooted in the British tradition, most notably Oxford, rather than in the German understanding, which was developing at the time. During the 19th century, this German understanding took hold in the United States and influenced the development of American colleges and universities. According to Marsden (1994) and Burtchaell (1998), this German influence brought about the secularization of the Protestant-established universities in the United States. This secularization has also influenced Catholic universities (Burtchaell, 1998).

The modern university is not the university familiar to John Newman and the modern Catholic university is not the Catholic university envisioned by him. It is not the purpose of this paper, however, to argue whether or not John Newman would be comfortable in the Catholic university of today. It is the purpose of this paper to examine whether the idea of a Catholic university proposed by Newman is consistent with the idea of a Catholic university proposed by *Ex Corde Ecclesiae*. If the two ideas are consistent, then arguably, Newman might request a *mandatum* or accept one if offered.

This investigation of the idea of a Catholic university will consider two related themes: the concern for universal knowledge and fidelity to reason and tradition.

THE CONCERN FOR UNIVERSAL KNOWLEDGE

Newman lived in England during a period of intense anti-Catholic bigotry. Throughout the 19th century, all classes of British society regarded Catholicism with disdain for holding superstitious beliefs, worshipping idols, and engaging in vile practices (Hickman, 2000). Catholics in England were seen as subversives who sought to overthrow the Protestant

constitution (Norman, 1968). Protestant England questioned whether there was such an intellectual phenomenon as serious Catholic scholarship. George Bernard Shaw, for example, is reputed to have said that a Catholic university was a contradiction in terms (Hesburgh, 1994). Nothing could be further from the truth for Newman. He called a Catholic university “a syllogism – A University, I should lay down, by its very name professes to teach universal knowledge” (Newman, 1982, p. 14). The Greek word, catholic, means universal. Thus, etymologically, one could argue that a Catholic university is a redundancy, a universal universal. The point, however, that Shaw was making, and one that many of the critics of ECE fear, is that the Church may not allow a Catholic university to hold and to teach universal knowledge. Shaw feared what his contemporaries regarded as the superstitious beliefs of Catholics. Many of today’s critics of ECE fear that concerns for orthodoxy will replace a concern for universal knowledge (ACCU, 1993).

Newman and ECE share a concern for universal knowledge. Newman maintained that the *beau ideal* of education was the perfection of the intellect as “the clear, calm, accurate vision and comprehension of all things, as far as the mind can embrace, each in its place, and with its own characteristics upon it” (Newman, 1982, p. 106). For Newman, the vision and comprehension of all things were broken down into academic disciplines and in the university every academic discipline should be represented. He defined the university as a place where

an assemblage of learned men, zealous for their own sciences, and rivals of each other, are brought, by familiar intercourse and for the sake of intellectual peace, to adjust together the claims and relations of their respective subjects of investigation. They learn to respect, to consult, to aid each other. (Newman, 1982, p. 76)

Newman was especially concerned that theology and philosophy occupy central places in this assemblage. If philosophy and theology were not represented, then Newman feared that since other disciplines would speak in their places, they would become marginalized. If philosophy and theology are marginalized, then, according to Newman, one of two conclusions is inevitable: either theology and philosophy are bereft of any real knowledge or important branches of knowledge are omitted. Newman could not accept the argument that theology and philosophy were private views that one could hold as true, but should not enter the dialogue as true knowledge. He could not accept this argument because he did not frame the question in terms of whether knowledge is private. He framed the question in terms of whether knowledge is true. For Newman, if philosophy and theology are devoid of real knowledge, then they have no place in the dialogue. On the other hand, if philosophy and theology do contain true knowledge, then

these disciplines have rightful places at the table of dialogue. To the extent that Newman believed that philosophy and theology contain true knowledge, he could not consent to “their omission in an Institution which is bound, from the nature of the case – from its very idea and its name – to make a profession of all sorts of knowledge whatever” (Newman, 1982, p. 16).

Newman expressed his concern about the possibility that philosophy and theology would be marginalized at the beginning of a period of time when religion and philosophy were being marginalized on many university campuses throughout the world. Marsden (1994), in *The Soul of the American University*, documented how the great liberal Protestant universities in the United States sought to establish truth through rigorous empirical and scientific methodology. In the process of establishing a rigorous and scientific methodology, philosophical and theological viewpoints were marginalized. University departments of theology became schools of theology, which then were separated from the life of the university. As a result, schools of theology lost their voice in the public discourse concerning universal knowledge that Newman envisioned occurring at a university. Burtchaell (1998) documented the same phenomenon and extended it to Catholic colleges.

Newman’s concern for this dialogue preceded by a century the work of Habermas (1979), a critical theorist, who argues for “public discourse,” a free and unconstrained communication. This discourse is the opportunity for people from different cultures and experiences to gather in order to dialogue. The purpose of this dialogue is to approach common understandings, through the force of the better argument. I do not claim that Newman is a critical theorist as he was far from being such both in time and in thinking. However, I believe that Newman would agree with Habermas both about the need for dialogue and about a university as a most appropriate place for dialogue.

In the same way, John Paul II also describes a university as a place for public dialogue. According to ECE, the objective of a Catholic university is “to assure in an institutional manner a Christian presence in the university world confronting the great problems of society and culture” (para. 13). John Paul II maintained, along with Newman, that theology, as a legitimate branch of knowledge, has a rightful place in university dialogue (para. 29). Moreover, John Paul II urged every Catholic university to establish either a faculty or a chair of theology (para. 19).

The concern for universal knowledge is part of a concern for truth. ECE makes it clear that “the honour and responsibility of a Catholic university [is] to consecrate itself without reserve to the cause of truth” (para. 4). This concern for truth not only is essential to an understanding of a Catholic university as university, but also is essential to an understanding of a Catholic university as Catholic. One metaphor that can be applied to a Catholic university is that it is a church that gathers people to bear witness

to the truth. As a church, it is the Body of Christ and has many members who are not all the same (I Corinthians 12: 12, 27). Many members are gathered in different disciplines, each searching for a particular truth. Each discipline has its own methodology, its own assumptions, its own analyses, and its own criteria. Each discipline seeks an understanding of the world as it is currently known. At the same time, the disciplines seek together to understand the relationship between reality as it is presently known and the mystery of truth whose fullness is not yet known (Iozzio, 2000).

A university's dedication to truth is seen in its dedication to research and to "the education of students who freely associate with their teachers in a common love of knowledge" (John Paul II, 1990, para. 1). Universities are challenged to explore the riches of Revelation and the world (para. 5) and through their discoveries to benefit both individuals and the whole of human society (para. 12). Research and knowledge are not ends in themselves. Rather, research and knowledge serve a purpose – the betterment of human society and the individuals who are part of that human society. Philosophy and theology remind the other disciplines that research and knowledge have a purpose that transcends the individual discipline. Philosophy and theology assist the other disciplines in searching for meaning and purpose as well as challenging the other disciplines to consider the implications of their research for people and society (Danneels, 2001).

ECE identifies a Catholic university as "a place of research, where scholars scrutinize reality with the methods proper to each academic discipline, and so contribute to the treasury of human knowledge" (John Paul II, 1990, para. 15). A Catholic university is also a place where truth can be preserved and knowledge transmitted (para. 30). Newman, as noted above, was less concerned with the research function of the university and more concerned with the transmission of knowledge.

For Newman, the transmission of knowledge is more than merely passing on an accumulation of knowledge. Newman clearly rejects any concept of university in which students simply are tested on the accumulation of knowledge. Newman would rather have a university in which there were no professors and no examinations than to have one in which the only challenge to the students was to pass a battery of examinations. Newman envisioned the university as the place that brings students together to dialogue. A key dimension of the mission of any university is to teach students to dialogue critically with one another and with the world. Students, as well as their professors, were to engage in the dialogue among the disciplines and between the disciplines and the world. This public dialogue requires critical thinkers.

Newman posited that one of the tasks of a university was to create critical thinkers,

to open the mind, to correct it, to refine it, to enable it to know, and to digest, master, rule, and use its knowledge, to give it power over its own faculties, application, flexibility, method, critical exactness, sagacity, resource, address, eloquent expression. (Newman, 1982, pp. 92-93)

He wanted critical thinkers who would engage one another and the world. For this reason, he wanted the university to be the place where faculty and students together examined all knowledge, universal knowledge. As noted above, no academic discipline should be excluded.

Newman was particularly adamant that theology as an academic discipline should not be excluded because he believed that it was a legitimate field of knowledge. As noted, Newman was of the opinion that the realm of knowledge would be incomplete without theology, and thus there would not be universal knowledge. In addition, there is an even more fundamental reason that Newman argued for the inclusion of theology at the table of dialogue. He believed that the university was the place where the Church itself engaged the world in dialogue. For Newman, a purpose peculiar to a Catholic university is to ensure that the insights of the Church are represented in the dialogue.

FIDELITY TO REASON AND TRADITION

When people engage in a dialogue with the world, they need to stand somewhere. They need to hold beliefs and traditions that are foundational (Taylor, 1999). Newman argued that the views of the Church must be considered foundational. Thus, Newman believed that there was a need to ensure that the views of the Church that are expressed are indeed the views of the Church. To ensure that the views expressed in the name of the Church are indeed the views of the Church, Newman believed that a university must be under the jurisdictional control of the Church:

A direct and active jurisdiction of the Church over it and in it is necessary, lest it should become the rival of the Church with the community at large in those theological matters which to the Church are exclusively committed, – acting as the representative of the intellect, as the Church is the representative of the religious principle. (Newman, 1982, p. 165)

For Newman, allegiance to the Church of Rome was paramount:

The grace stored in Jerusalem, and the gifts which radiate from Athens, are made over and concentrated in Rome. This is true as a matter of history – Rome has inherited both sacred and profane learning; she has perpetuated and dispensed the traditions of Moses and David in the supernatural order, and of Homer and Aristotle in the natural. To separate those distinct teachings, human

and divine, which meet in Rome, is to retrograde; it is to rebuild the Jewish Temple and to plant anew the groves of Academus. (Newman, 1982, p. 199)

Newman believed that it was essential that Catholic theology be represented in a Catholic university for two reasons. The first reason was because the knowledge accumulated in the discipline of theology was part of the universal knowledge that should be brought forth in the university dialogue with the world. Newman's second reason why Catholic theology should be represented was that a Catholic university is one of the means through which the Church engages the world. In order to ensure that the voice that is heard in this dialogue among the disciplines and between the disciplines and the world is the voice of the Church, Newman believed that a Catholic university should be under the juridical control of the Church.

In order to insure the type of juridical oversight that Newman might have envisioned, in November 1998 the NCCB proposed a series of norms that were approved by the Vatican in May 2000 and went into effect in the United States on May 3, 2001. These norms gave considerable latitude to the competent authority to establish a Catholic university – the Holy See, the NCCB, a group of diocesan bishops, an individual diocesan bishop, a religious institute, other juridical persons, and even individual Catholics (NCCB, 2000, para. 1.2a). The university itself exercises primary responsibility for insuring its Catholic identity (para. 2.5). The majority of the board of trustees should be Catholics (para. 4.2a). The president should be a Catholic (para. 4.3a). The university should make an effort to recruit practicing Catholics so that a majority of the faculty witness to the faith (para. 4.4a). Non-Catholic professors should be informed of the religious identity, mission, and religious practices of the university (para. 4.4a). There should be a department or chair of Catholic theology (para. 4.4e). It is the intent of John Paul II in ECE that “all academicians who work in a Catholic environment, regardless of their faiths and value systems, respect the Church's teachings and traditions” (Russo & Gregory, 2001, p. 59).

The most controversial norm of the NCCB's application of ECE to the United States is that “Catholics who teach the theological disciplines in a Catholic university are required to have a mandate granted by competent ecclesial authority” (para. 4.3f). The purpose of this mandate is to acknowledge that a Catholic professor who teaches a Catholic theological discipline is teaching within the communion of the Catholic Church. In addition, the mandate recognizes the professor's commitment to teach authentic Catholic doctrine. “It is not a diploma, it is not a license to teach, it is not a canonical mission.... A *mandatum* is the visible expression of a relationship called ecclesial communion” (George, 2000, p. 244). The NCCB calls the *mandatum* “an acknowledgement by church authority that a Catholic

professor of a theological discipline is teaching within the full communion of the Catholic Church” (NCCB, 2001, p. 129). The American bishops, in their guidelines for the implementation of the *mandatum*, aver that Catholic theologians, by virtue of their baptism and their academic and professional competence, teach in their own name. Heft (2003) agrees.

Theologians are required to present as Catholic teaching what is Catholic teaching – to my way of thinking, a perfectly reasonable professional requirement. They are free to present other points of view as well, a necessary part of critically thinking through Catholic faith. But, again, may they offer other arguments that criticize, respectfully, some official teaching not infallibly taught? (p. 496)

Thus, Catholic theologians do not teach in the name of the bishop or in the name of the Church. However, they do teach in full communion with the Church (NCCB, 2001, p. 129). The *mandatum* is a visible recognition of this communion. The sample draft of the *mandatum* suggests that the bishop acknowledge “the role and responsibility [of the theologian] as a teacher of Catholic theology within the full communion of the Catholic Church” (NCCB, 2001, p. 131).

CONCLUSION

Newman lived 100 years before the issuance of *Ex Corde Ecclesiae* and he wrote 150 years before there was the requirement of a *mandatum*. One cannot know for certain how a historical person would react to a modern situation. However, a scholar can examine whether this historical person’s beliefs, reflected in his writings, are consistent with a course of action in the present. I believe that if John Newman were teaching Catholic theology in a Catholic university today, he would apply for the *mandatum*. I say this because Newman believed that Catholic theological knowledge was a legitimate discipline of knowledge that must be a part of the dialogue among the disciplines at a Catholic university. At the same time, he also maintained that it was through the Catholic university that the Church itself dialogues with the world. In order to insure that these purposes were fulfilled and that the voice heard in this dialogue is the authentic voice of the Church, he argued that a Catholic university needed to be under the juridical control of the Church. Put another way, while Newman had faith in theology as a rational discipline, he was also aware it was human discipline that could stray from tradition. The purpose of the control exercised by the magisterium of the Church was to insure fidelity to this tradition. By seeking ecclesiastical juridical control, Newman sought a balance between rationality and faith. Since the purpose of the *mandatum* is to insure that at a Catholic university the Catholic theological voice that is heard is both

rational and faithful to tradition, I believe that Newman would seek a *mandatum*, and would accept one if offered.

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