

Hospital decision may be a Trojan horse

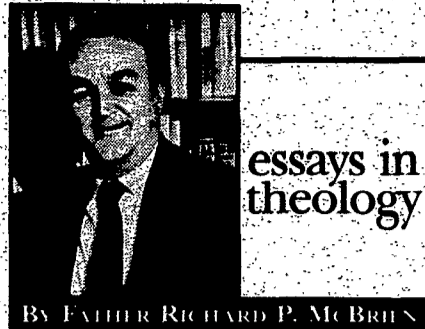
The recent agreement involving the Jesuit-sponsored Saint Louis University, the Holy See and the archbishop of St. Louis regarding the sale of the university's hospital to Tenet, a for-profit health-care corporation, has the shape of a Trojan horse.

While the settlement may appear to be limited in scope, it has the potential of reaching into the internal affairs of Catholic universities themselves. One has only to study Archbishop Justin Rigali's statement about the sale to verify this concern.

He points out that he only agreed to the sale because the Holy See authorized it. And the Holy See authorized it in virtue of its claim that the university, not just the hospital, is church property and cannot be alienated (the canonical term for "sold") without the permission of church authorities, and ultimately of the Holy See itself.

But isn't Saint Louis University a legally autonomous entity? Did not the Jesuits (like other religious orders) relinquish control of the board of trustees in 1967 when the board became self-perpetuating, with a majority of lay members?

The Holy See says, "No," because the necessary canonical permission was not obtained at the time of the transfer of authority over the university's property from the Missouri Province of the Society of Jesus to a predominantly lay board



essays in theology

By FATHER RICHARD P. MCBRIEN

of trustees.

The cardinal heads of the Vatican Congregation for Institutes of Consecrated Life and Societies of Apostolic Life, and the Congregation for Catholic Education noted that the goal of the 1967 action was the incorporation of lay people into the board of trustees, in accordance with the spirit of the Second Vatican Council. It was "not a transfer of property, but a change in structure of the governing body of the University."

The logic behind the Holy See's decision is clear, and Archbishop Rigali captured it well in his own statement: "The sale as proposed by the Board of Trustees needs the approval of the religious institute the Missouri Province of the Society of Jesus on which the university depends as an apostolate ... The province then seeks the approval of ... the Holy See."

The implications of this for the insti-

tutional autonomy of Catholic universities are also expressed in the archbishop's statement: "In this regard it is important to realize that the status of Saint Louis University as a Catholic and Jesuit University has been clarified by the Holy See ... That Saint Louis University is subject to church law is clear. Any canonical opinion that negates this is unacceptable."

The last step in this logical progression is taken in Archbishop Rigali's final paragraph: "I look forward to collaborating with the Jesuit authorities, the Board of Trustees and Father Biondi, the university's Jesuit president, in order to strengthen Saint Louis University's Catholic identity and its institutional relationship with the Catholic Church ..."

If a mistake was made in this matter, it may have been by Father Peter Hans Kolvenbach, the respected Superior General of the Society of Jesus, in asking the Vatican, apparently at the prodding of Archbishop Rigali, for clarification of the canonical status of the university in view of the proposed sale of its hospital. When the Vatican is asked a question like that, the answer is predictable.

Would it not have been better to leave the decision to the university's president and board of trustees? This would have been more consistent with the canonical opinion that the transfer of power from religious orders to predominantly lay

boards of trustees means that Catholic universities are no longer under even indirect ecclesiastical control, that is, control through the Vatican's authority over the sponsoring religious orders.

Now that the decision has been handed down, we will have to wait and see whether it is indeed a Trojan horse. Specifically, was the hospital sale the occasion for the Holy See's exerting authority over the internal governance of Catholic universities, including eventually even the hiring, promotion and dismissal of faculty?

In 1967, 26 Catholic educators under the leadership of Father Theodore Hesburgh, CSC, then president of Notre Dame, issued the Land O'Lakes Statement on Catholic universities. The statement declared: "To perform its teaching and research functions effectively 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."

It is no secret that many members of the hierarchy, and many in the Vatican itself, have never accepted the central principles of that statement. The resolution of the controversy in St. Louis is likely to please them very much.

Father McBrien is a professor of theology at the University of Notre Dame.

Baptisms can be incorporated into Masses

Q. Our new pastor has begun having baptisms at Sunday Mass, if requested. Otherwise they are on Sunday afternoon.

Almost every Sunday we have not only parents, godparents and children around the altar after the homily, but a host of cameras and video recorders in full action at the font.

At the end, the congregation applauds, and Mass is resumed.

A neighboring priest told me he disagrees. Nothing should disrupt the continuity of the Mass, he says. The church provides special liturgies (funerals, weddings) when interruptions are expected by the congregation. Who is right?

(New York)

A. The church's liturgy provides for, and sometimes highly recommends, the celebration during Mass of all the sacraments except penance.

Confirmation, holy orders and marriage (at least when both people are Catholic) are routinely celebrated during



question corner

By FATHER JOHN DIETZEN

Mass. The ritual for care of the sick includes a ceremony for anointing of the sick after the homily at Mass.

It is just assumed that baptism of adults will always take place at Mass, either at the Easter Vigil or another time (Christian Initiation of Adults, 209). Baptism of children may be celebrated during Sunday Mass "so the entire community may be present and the necessary relationship between baptism and the Eucharist may be clearly seen" (Rite of Baptism for Chil-

dren, 9).

Interestingly, the quote I just gave regarding baptism of children ends by saying, "This (baptism at Sunday Mass) should not be done too often."

The concern is, of course, that the practice could become tedious for people, and inappropriately lengthen the Mass.

That does not need to happen. Some parts of the baptism ceremony, (naming and signing of the child with the cross, blessing of the baptism water if necessary) may be done privately before Mass.

Other parts may be omitted or are already included in the Mass (Scripture reading, profession of faith, the Lord's Prayer, final blessings).

In my experience, if well prepared, a baptism need not add more than a few minutes to the Mass. And the photo extravaganza can easily be controlled.

So, while there's nothing wrong or improper with what your pastor is doing,

much depends on what a parish is accustomed to, how it understands the connection between baptism and Eucharist, and how the ceremony is carried out.

Q. Who were the Nicolaitans? In Revelation, Jesus commends one church for hating them and praises another for condemning them (Rev 2:6,15). What was their problem?

(Missouri)

A. Apparently, the Nicolaitans were one of several sects or trends in early Christianity attacked by the apostles for their rejection of any moral norms and their ambiguity in cooperating with Roman sacrifices to idols.

As a form of gnosticism, it seems the Nicolaitans were among those who claimed a "higher" knowledge than other Christians, a knowledge John refers to as "the deep secrets of Satan" (Rev 2:24).

Questions for this column should be sent to Father Dietzen at Box 325, Peoria, Ill. 61651.

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