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*David Matzko McCarthy*

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Articles published in the *Journal of Moral Theology* will undergo at least two peer reviews. Authors are asked to submit articles electronically to [jmt@msmary.edu](mailto:jmt@msmary.edu) and will be informed about the review process by e-mail. Submissions should be prepared for blind review and conform to *Chicago Manual of Style*. Microsoft Word format preferred. Editors assume that submissions are not being simultaneously considered for publication in another venue.

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## FROM THE EDITOR

### A NOTE ON THE INAUGURAL ISSUE

Thank you for reading the first issue of the *Journal of Moral Theology*. It has been years in the making. Along with many hours and countless details, the main components in the formation of the journal and this first issue have been collaboration and trust. I hope this process helps to set a tone for the future of the journal. The journal fills an obvious niche, indicated by the title, but it was conceived with a particular vision about the practice of moral theology which I have elaborated in an extended introductory essay.

This first issue of the journal is organized around the theme of “formative figures,” and was conceived and brought to completion by David Cloutier and William C. Mattison III. They know their stuff (as the saying goes), but it is their ability to argue, work together, and resolve problems that has been most impressive. Special thanks are due to James F. Keenan, S.J., Craig Steven Titus, David Hollenbach, S.J., Lisa Sowle Cahill, John Grabowski, and Jana Marguerite Bennett. They have written on faith for a journal that did not yet exist and have produced an issue that gives the JMT an auspicious beginning. The managing editor for this issue has been Joshua Hochschild, Dean of the College of Liberal Arts at Mount St. Mary’s University. Fawn O’Hara of the Mount’s publication office designed our cover, and Fr. Elias Yelovich of the Mount’s library faculty assisted with online access. I thank them all for their good work.

The editorial board has outlined the following plan for the JMT. The journal is semiannual, with January and June issues. The first six issues (three years) will be organized by topic. They will be constituted primarily by articles that have been requested from specific authors. The purpose of this editorial approach is to give the journal a good push at the start or to prime the pump, as it were. After the first three years, we hope to plan topical issues for each year in January and general issues (i.e., not a specific topic) for each year in June. We are receiving submissions for a topical issue planned for volume 4:1 (January 2015). The topic is “Prospects for Moral Theology.” We invite authors to consider key topics in moral theology and to suggest how the discipline might move forward. For more information consult the journal’s website ([www.msmary.edu/jmt](http://www.msmary.edu/jmt)).

—David Matzko McCarthy, *Editor*





## Moral Theology in the Ruins: Introducing a New Journal

DAVID MATZKO MCCARTHY

THE BEGINNING of the *Journal of Moral Theology* (JMT) offers no manifesto or solution that will right the problems of society and church. The rationale for the journal is simple. At present, a journal in the U.S. that focuses on Catholic moral theology does not exist. There are Catholic journals that include moral theology, and journals in ethics that include articles by and about Catholic thinkers. In contrast, the main concern of the JMT is the Catholic tradition of theological reflection on the moral life. The JMT will be attentive to a broad spectrum of approaches and the relationship of theology to other disciplinary inquiries, such as economics, psychology, and political philosophy. Since moral theology has emerged as a distinct discipline after the Council of Trent, there has been no golden age. It could be argued that the very establishment of the discipline is a response to widening fissures in the shared theological world of the West. Doctrinal divisions of the sixteenth century reflect a new “disembedding” of ordinary life from a common social-metaphysical landscape.<sup>1</sup> The JMT offers no solutions to fractures in a common theological orientation. But we cannot give up on the task of finding a way forward that is both common and good. What we hope to do is to find a way to think and converse well as moral theologians among the ruins.

“The ruins” is an allusion to Walker Percy’s novel *Love in the Ruins*.<sup>2</sup> Percy’s Tom More is plagued by the fragmentation of modern life and experiences apocalyptic anxiety. Dr. More, in his desire to

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<sup>1</sup> See John Bossy, *Christianity in the West 1400-1700* (Oxford: Oxford University Press, 1985) and Charles Taylor, *A Secular Age* (Cambridge, MA: Belknap Press, 2007).

<sup>2</sup> Walker Percy, *Love in the Ruins* (New York: Farrar, Straus and Giroux, 1971).

heal and to re-connect the fragments, provides an illuminating exaggeration of a moral theologian. (Or maybe I am projecting; perhaps he is just an exaggeration of me.) A discussion of Percy's Tom More will follow. At this juncture, we will begin with the source of the analogy between *Love in the Ruins* and theology as a discipline. The analogy is made in an essay by Reinhard Hütter in "The Ruins of Discontinuity."<sup>3</sup> Hütter discusses the lack of unity in Catholic theology. His main concern is how this fragmentation leaves "theologians in the making" vulnerable on "a difficult and often treacherous landscape in late modern America."<sup>4</sup> Specifically, he cites difficulties in sharing a common vision within a university culture where theologians have to adopt "theologically extraneous perspectives... [and] standards" in order to have legitimate academic standing and where we are tempted to think about the Church in terms of ideal constructs "jerry-built" with "current political ideas."<sup>5</sup>

To underline the point, Hütter writes his "Ruins of Discontinuity" for *First Things*. He, no doubt, feels pinched by the irony of using a medium that intentionally stakes out conservative territory on the contentious landscape of "current political ideas." Surely he writes for *First Things*, not because he shares their place amid political ideologies, but because he is aware that his worries about the ruins will resonate with the journal's readers. But the ruins are a concern for not merely social conservatives. Hütter could have gone elsewhere, but everywhere (to prove his point) seems to be shaped in part by contemporary politics. For example, despite the differences, there are striking similarities between Hütter's concerns (fragmentation and formation) and an essay written a few months earlier for *Commonweal* by Peter Steinfels, "Further Adrift."<sup>6</sup> Hütter attends to fragmentation and what theologians should do in relationship to the Church, especially its ancient and medieval theological tradition. Steinfels makes recommendations to the United States Conference of Catholic Bishops and what it should do in relationship to American culture, specifically in response to well-documented and obvious social change. The politics are different, but the landscape (the ruins) and the desire for unity are the same.

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<sup>3</sup> Reinhard Hütter, "The Ruins of Discontinuity," *First Things* (January 2011): 37-41.

<sup>4</sup> Hütter, "The Ruins of Discontinuity," 38.

<sup>5</sup> Hütter, "The Ruins of Discontinuity," 38, 41.

<sup>6</sup> Peter Steinfels, "Further Adrift: The American Church's Crisis of Attrition," *Commonweal* (October 22, 2010): 16-20. Steinfels, like Hütter, is concerned primarily with formation. He recommends "a quantum leap in the quality of Sunday liturgies, including preaching: a massive, all-out mobilization of talent and treasure to catechize the young, bring adolescents into church life, and engage young adults in ongoing faith formation..." (20).

Hütter's proposal for the discipline of theology is worth considering for moral theology. His main worry about academic life is its exaggerated standards of originality and productivity, which incline intellectual life to be competitive, individualistic, and dismissive of traditional thought. Intellectual life becomes a practice of disconnection. His worry about Catholic theology in particular is a "hermeneutic of discontinuity," a post-Vatican II break with the past, which is reinforced by a "pervasive adoption of the [secular] political geography of left and right." The problem is that "categories of secular politics dominate the theological imagination of the Church."<sup>7</sup> Hütter's proposal is the development of a "school" to provide a common vision, to offer a shared synthesis of the tradition, and to chart avenues of the continuity of the tradition amid contemporary thought. He cites various schools that developed prior to Vatican II based on the works of figures like Karl Rahner, Bernard Lonergan, and Hans Urs von Balthasar.<sup>8</sup> He recommends a new school called "Ressourcement Thomism," which appears to be represented by the work of Romanus Cessario, O.P., among others.<sup>9</sup>

The idea of a school is an interesting, but finally inadequate prospect for the new *Journal of Moral Theology*. It is inadequate precisely in the way that it is interesting. Schools, as I understand Hütter's use of the term, are internally diverse and might include a great deal of disagreements. But there is a common theoretical lens or imagination that gives sense to a common intellectual world and a common set of questions.<sup>10</sup> Hütter refers to John Henry Newman's submission "to the universally received traditions of the Church"<sup>11</sup> and its "modes of reflection... that educate us to meet future challenges with a faithful intelligence."<sup>12</sup> Elsewhere he refers to a "theological imagination." I take these references to "modes" and "imagination" to be something like what Newman, in his Oxford University sermons and the *Grammar of Assent*, calls "presumption."<sup>13</sup> Presumptions are pre-

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<sup>7</sup> Hütter, "The Ruins of Discontinuity," 39.

<sup>8</sup> Hütter, "The Ruins of Discontinuity," 40.

<sup>9</sup> See Reinhard Hütter and Matthew Levering, eds., *Ressourcement Thomism: Sacred Doctrine, the Sacraments, and the Moral Life: Essays in Honor of Romanus Cessario* (Washington, D.C.: The Catholic University of America Press, 2010).

<sup>10</sup> Charles Taylor, "Reason, Faith, and Meaning," *Faith and Philosophy* 28, no. 1 (2011): 5-18. Taylor uses the term "theoretical imagination," but he also refers to Thomas Kuhn's use of the term "paradigm."

<sup>11</sup> Hütter, "The Ruins of Discontinuity," 37.

<sup>12</sup> Hütter, "The Ruins of Discontinuity," 39.

<sup>13</sup> Consider John Henry Newman's Oxford University Sermons, "Faith and Reason, Contrasted as Habits of Mind" (176-201), "The Nature of Faith in Relation to Reason" (202-21), and "Love the Safeguard of Faith against Superstition" (222-50) in

liminary assumptions and expectations that demarcate reason, argumentation, and considerations of evidence. Presumptions are reasonable to hold, but they are prior to systematic thought and the collection of data. They do not inhibit reasoning. They make it possible. I take this understanding of presumption to be the primary way that Hütter thinks of a school—the shared modes or paradigms that give us Quantum as opposed to Newtonian physics.<sup>14</sup>

A school in this sense of shared modes of inquiry, common imagination, and basic presumptions is an interesting and thought-provoking goal for a journal of moral theology. A problem, however, occurs when Hütter actually names a school. The assertion of Ressourcement Thomism or any school as the unity amid the fragments will have an effect opposite from what he intends. The discipline remains fragmented; one merely defines the whole by privileging one of the pieces and putting everyone else (I suppose) on the outside. For example, I have learned a great deal from reading Ressourcement Thomists such as Fr. Cessario. But Cessario's uses of the terms "moral realism" and "realist moral theology" have been unsatisfying and have not provided, for me, an adequate orientation to moral reasoning. In his *The Virtues and Theological Ethics* and *Introduction to Moral Theology*, he often tells us what moral realism does and what realists accept as true, but he does not offer arguments that help orient the reader to a realist position. We are simply there or we are not. We learn, for instance, that truths like "the divine judgment which determines our eternal destiny" are knowable to human reason, "not merely dogmas of Christian faith or of religions of biblical origins, but they are age-old insights of philosophy."<sup>15</sup> Cessario, however, does not engage modern philosophy on these questions, and I am left with the conclusion that moral realists, so defined, simply establish unity by ignoring the philosophical fragmentation. This kind of school establishes intellectual unity for its members, but the cost, in terms of moral theology, is a widening disconnection between my office in a theology department and much of the world in which I live.<sup>16</sup>

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*Fifteen Sermons Preached Before the University of Oxford* (London: Longmans, Green, and Co., 1909), <http://www.newmanreader.org/works/oxford>.

<sup>14</sup> The example of physics is used by Taylor in "Reason, Faith, and Meaning," 6.

<sup>15</sup> Romanus Cessario, O.P., *Introduction to Moral Theology* (Washington, D.C.: The Catholic University of America Press, 2001), 12.

<sup>16</sup> Some contributions to *Ressourcement Thomism* (ed. Hütter and Levering) do attempt to apply theology to moral matters, and these contributions are fragmented to say the least. Particularly interesting/troublesome is a chapter by Graham McAleer ("Vanity and Commerce," 353–64) which attempts to develop a Whig Thomism which combines the ethics of Thomas with an antithetical Scottish, post-Enlightenment tradition. Thomas becomes an ally of David Hume and Adam Smith.

There are benefits to developing this kind of intellectual enclave, but the benefits would not accrue to a journal of moral theology. A school as enclave will advance theological unity by bracketing problems of philosophical and cultural disintegration. But it will not engage the lives of people who live and work among the fragments, including academic moral theologians who teach students immersed in contemporary culture and colleagues across universities who are looking for lines of conversation with theologians. The schools of the mid-twentieth century listed by Hütter offer something different from enclaves, and perhaps the *Journal of Moral Theology* can too. Bernard Lonergan, Karl Rahner and Hans Urs von Balthasar argue, in much different ways, for realist positions in relationship to modern philosophies (in the plural, given modern fragmentation) and their disorienting effects on theological presumptions. They attempt to move beyond the mid-twentieth century Catholic enclave. They give us a way to think about life as a whole amid, rather than above or apart from the ruins. They give us a way to think about the history of theology and philosophy as a whole. They offer a way to think about life in modern culture. Whatever the successes and failures of these schools, each attempts to describe an intellectual landscape where theological inquiry is unified amid the fragmentation of modern life and makes real connections between the everyday world that we inhabit with our secular neighbors. How can a mere journal of moral theology, likewise, foster common modes of inquiry and a shared theological imagination? I don't know precisely. I do know that naming a school or circulating a manifesto will only foster further fragmentation. It seems to me equally as futile to have simply an open-ended and directionless conversation—a conversation for the sake of conversation. For a way between, I turn to Walker Percy's Tom More and an analogous approach to thinking about moral theology among the ruins.

For Percy's Tom More, the fundamental problem is the unity of metaphysics and matter. More (descendant of the author of *Utopia*) is in ontological and physical ruin. He anxiously expects and prepares haphazardly for the apocalypse, but he is convinced, at first, that he can invent his way out of it. His ontological lapsometer promises to be a technological means to calibrate the soul and to fix our alienation. I noted above that I would like to consider the fiction-

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What would Leo XIII say to that? McAleer's chapter can be criticized on the grounds that Michael Novak's "Catholic Ethic" will be criticized below. It combines "Whig" and "Thomism" on a highly abstract level, despite its surface concern for practical economic matters. The inclusion of the chapter unravels the unity of *Ressourcement Thomism*, and it suggests that this *Ressourcement* school will not hold together when it attempts to attend to theological proposals for living amid a secularized world.

al More as an illuminating exaggeration of moral theologians. If I am pressed, I will admit that, perhaps, he exaggerates only me. I will assert another point, however, to defend my use of *Love in the Ruins*. We could define moral theologians as members of a guild. The benefit of this definition is that it points to our association and our common work. The danger is that we might begin to think about moral theologians as academics who converse *about* other moral theologians. A better understanding of moral theology is to consider moral theologians, similar to Aristotle in his *Nicomachean Ethics*, as thinkers who converse about the good life. Focusing on Tom More, as a character, offers a medium to talk about moral theology as an inquiry about a theological orientation to life. A moral theologian is one who thinks theologically about common goods and ends, especially in terms of the fragmentation of life.

Tom More worries that he is fading in and out of reality. He suffers from the very fragmentation that he is able to diagnose. Should not these problems be constant worries for us as moral theologians? We live an odd calling of putting hope into words and living up to what we say. More experiences a personal end-times, and he turns out to be wrong about the apocalypse. In being wrong, however, he is right about the ruins. His psychic sickness is precipitated by his sensitivity to the fragmentation of common life, our spiritual isolation amid scientific and technological progress, and our alienation from ourselves—divided in body and spirit. At bottom, his problems are a metaphysical disorientation. After his own apocalyptic experience, More learns to live among the ruins by finding solid ground.<sup>17</sup> He settles down on the bayou, in old slave quarters, with his wife and children and the sacraments (the Eucharist and Confession). He lives modestly through a small practice as a psychiatrist, where he struggles to help one person at a time. He learns to “watch and listen and wait.”<sup>18</sup> Thomas More lets go of his hopes for a grand Nobel-Prize-winning solution to modern alienation, but he does not give up on the healing of the world. The difference (before and after his apocalypse) is that his desire to heal his own and our modern spiritual maladies comes down to earth, to living an ordinary life, to living well among the ruins and thinking things through day by day.

Percy puts modern struggles in the novelist’s relief, highlighting key dimensions of everyday existence. In *Love in the Ruins*, he points to the separation of body and spirit into angelism and bestialism.<sup>19</sup>

<sup>17</sup> In the epilogue of *Love in the Ruins*, Tom contemplates, with satisfaction, his new pair of boots. “A good pair of boots is the best thing a man can have” (381).

<sup>18</sup> Percy, *Love in the Ruins*, 382.

<sup>19</sup> “For the world is broken, sundered, busted down the middle, self ripped from self and man pasted back together as mythical monster, half angel, half beast, but no

Both are a break with human solidarity. Angelism is the individual spirit lifted out of the world—out of bodily relations. More's wife Doris is "spiritual," and therefore no longer touches him and eventually leaves him. This spirituality (as angelism) is homelessness and alienation in the world. Its main source is a modern reductionist understanding of matter and its inhospitality to the human spirit. One result of the separation of spirit and matter is that the things of the earth no longer bind us together. For example, More notes that a major feast day of the new American Catholic Church (apparently based in Cicero, IL) is Property Rights Sunday, represented by Christ holding in his hands the conventional American home with picket fence.<sup>20</sup> When the spirit transcends the body, there is no hope for the unity of things.

Bestialism, then, is the other side of the coin. It is a materialist reduction of the human being. It is faith in technology over human relations. It is the supposed neutrality of matter. Yet, it is also sex, money, and power for their own sake; that is, our desires also have been de-personalized. For Tom More, the way between angelism and bestialism is to see connections in material things. Before his apocalypse, he finds connections by driving the interstate highways in order to find a thread that connects one place to another. After his end-times, he becomes part of the connection. He lives on the bayou, and he walks and takes the bus where he needs to go. He settled down in a community of faith. Throughout *Love in the Ruins*, the antidote to human fragmentation is the Eucharist. Religion, he says, saves the spirit by bringing it down to the world. It takes "eating Christ himself to make me mortal man again and let me inhabit my own flesh and love her [his wife Doris] in the morning."<sup>21</sup>

Tom More's apocalyptic experiences, although obviously excessive, offer insights on the tasks of moral theology. Given that moral theology is, for the most part, concerned with this-worldly objects and ends, it is instructive to think about our role, not as lifting human action to transcendent heights, but as "bringing [the human spirit] down to the world." When referring specifically to Catholic

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man. Even now I can diagnose and shall one day cure: cure the new plague, the modern Black Death, the current hermaphroditism of the spirit, namely: More's syndrome, or: chronic angelism-bestialism that rives the soul from the body and sets it orbiting the great world as the spirit of abstraction whence it takes the form of beasts, swans and bulls, werewolves, blood-suckers, Mr. Hydes, or just poor lonesome ghost locked in its own machinery" (Percy, 382-3). He experiences what Charles Taylor calls "the great disembedding" and the spiritual isolation of the modern "buffered self" in *The Secular Age*, 146-58.

<sup>20</sup> Percy, *Love in the Ruins*, 181.

<sup>21</sup> Percy, *Love in the Ruins*, 254.

moral theology, our role “in bringing down to the world” fits with a Catholic topography—what Andrew Greeley (drawing on David Tracy) calls the Catholic Imagination. Greeley defines it as “one that views the world and all that is in it as enchanted, haunted by the Holy Spirit and the presence of grace.”<sup>22</sup> For Hütter and Steinfels, for instance, the backdrop for their analyses of the ruins is the Eucharist—the real presence of Christ and our sharing in one body. Whatever can be said about a common mode of inquiry for moral theology, we should say that it is a theological mode or imagination and, as Catholic, an imagination that begins with a world where God has given himself as gift, where creation itself is gift, and where we have been offered participation in things as they are in fragments and will be in the restoration of creation. The theological mode responds to divine life incarnate, crucified, and resurrected so that we might share God’s communion.

Does this theological mode make a difference? I will hazard two examples. First, we moral theologians are inclined to be apprehensive about economic mechanisms when they are detached from a broader account of human fulfillment. Keynesian and Austrian school economists will argue about public and private sector agency. We worry that the two sides of the debate have in common an abstract economic agent who is not really a human being (or only part of a human being). Too often it is the “market” that is held to be an agent or manager of human agency. The economy is referred to as a natural and given set of mechanisms, to which we must submit. We are the fuel for the machine: Keynesian/government infusions and Austrian school calls for unfettered private investment are arguments about managing us (the fuel) and, as such, tend to be utilitarian. In this framework, the economy is the most celebrated disenchanted zone of modern life. Second, and on the other side of disenchantment, we also worry about the various “value” or “enchanted” zones, which usually are privatized spheres of modern life and often are seen as ways to transcend a utilitarian and impersonal world. When the enchanted zones (like interpersonal love) are privatized and lived in transcendent isolation, we moral theologians tend to want to bring them down to earth. For example, we tend to be suspicious of (but not necessarily opposed to) popular accounts of the theology of the body. We are likely to worry about the hyper-enchancement of sex when it becomes the linchpin for human embodiment. Again, we worry that we are seeing an abstraction and only part of a human being. In what follows, these two boundary areas of disenchantment

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<sup>22</sup> Andrew M. Greeley, *The Catholic Imagination* (Berkeley: University of California Press, 2000), 184.

and hyper-enchantment will be used to identify a landscape for moral theology.

The examples of the market and sexual ethics are not intended to be controversial. But they will be. I will review the theology of Michael Novak and Christopher West. In dealing with economics as a theology free zone and sexual ethics as a realm of enchantment, my goal is not to convince about one side of the debate or the other, but to suggest a common mode or theological imagination while also allowing a broad spectrum of views. I am assuming that the reader has already taken a position on Novak and West. I am looking for limit cases. The purpose in raising these issues is to highlight the trajectory of “coming down to earth” in moral theology amid the modern divide between metaphysics and matter. In his analysis of the fragments of theology, Hütter focuses on the pitfalls of academic life and the susceptibility of theologians to stand upon the fragments rather than the traditions of the Church. In Steinfels’ analysis of the American church, he notes the failures of the USCCB to face the fragments. Likewise, the goal of my review of Novak and West is to get a better look at these fragments and begin to map a landscape of a common theological imagination.

A great deal of good work has been done in moral theology on economic matters. But making a difference in our market-driven world is an uphill struggle, to say the least. To understand the struggle theoretically, I will borrow a line from physicist Paul Davies, who offers a critique of contemporary physics. His critique sets the ground for his arguments for teleology and meaning in matter. Albeit not theological or religious, he is arguing for a kind of enchantment—for matter, as we have it, as engaged at a fundamental level with the meaning-giving capacities of human beings.<sup>23</sup> Pointing to a downside of scientific disengagement, Davies holds that “most theoretical physicists are Platonists in the way they conceptualize the laws of physics as precise mathematical relationships possessing a real, independent existence that nevertheless transcends the physical universe.”<sup>24</sup> Davies’ argument is that in this Platonic view the actual, concrete relations of matter and the complex relationships of human life, both material and non-material, end up making little difference to the meaning of things. Likewise, economists speak of real markets in terms of abstract data (like rational self-interest) and mathematical

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<sup>23</sup> Paul Davies, *The Cosmic Jackpot: Why our Universe is Just Right for Life* (Boston: Houghton Mifflin Company, 2007), 222-60. Davies is a revolutionary scientist in terms of Thomas Kuhn’s *The Structure of Scientific Revolutions* (Chicago: University of Chicago Press, 1970). He tackles the anomaly in the current scientific paradigm, that it cannot adequately explain the human being.

<sup>24</sup> Davies, *The Cosmic Jackpot*, 236.

formula that transcend actual markets, and then ask policy makers to manage existing markets so that consumer spending, production, and investment will yield data for advantageous formula.<sup>25</sup> In terms that I will borrow from Daniel Finn (below), there is a disembedding of markets from their human ecology and then an attempt to shape an environment amenable to the abstracted relations.<sup>26</sup>

Michael Novak's *The Catholic Ethics and the Spirit of Capitalism* serves as an example of this disembedding. Novak seeks to promote a "Catholic Ethic" as a companion to "capitalism rightly understood" and "capitalism truly defined."<sup>27</sup> Unlike some economists, Novak does not assert that capitalism is a neutral or amoral mechanism. He holds that capitalism, rightly understood, does not stand alone but is part of a tripartite system: a free polity (civil law), a free economy, and a free moral-cultural system.<sup>28</sup> There is no argument, on this point, from the side of moral theology or a "Catholic Ethic." There are only minor arguments and qualifications, for example, with Novak's general approach to poverty.<sup>29</sup> He wants to empower the poor. But there is something troubling about *Catholic Ethic and the Spirit of Capitalism*. I admit that I feel uneasy before I am able to figure out and think through the problems with his Catholic ethic. Despite his statements to the contrary, I sense that ethics has been used as a tool for something else. I feel a challenge to what I do as a moral theologian.

As noted above, my intention in discussing Novak is to provide an uncontroversial, albeit negative, example—a limit case. I am assuming that moral theologians, by and large, are going to find Novak's method to be puzzling at best, and at worst, an inversion of what moral theologians are trying to do. I have noted my visceral reaction (which is real) in order to indicate that it is not a point of logic or a data set that bothers me most. It is the framework of thought. It seems to be a challenge to what moral theologians do. If

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<sup>25</sup> Oliver Blanchard, *Macroeconomics*, 3rd Edition (Upper Saddle River, NJ: Prentice Hall, 2003). I took a semester long course in macroeconomics that used this text. I should have known, but it was striking to me that monetary-fiscal policy is the whole point of macroeconomics regardless of one's view of the self-regulation of the market. A free market requires a government role in keeping the market free. The need to control the market and market behavior increases a great deal when there is a need to keep the market in a process of stable growth. Ironically, the so-called opposition between big business and big government is logically and empirically false.

<sup>26</sup> Also see Benedict XVI, *Caritas in veritate* (2009), no. 51, and John Paul II, *Centesimus annus* (1991), no. 38.

<sup>27</sup> Michael Novak, *The Catholic Ethic and the Spirit of Capitalism* (New York: The Free Press, 1993), xiv, 85.

<sup>28</sup> Novak, *The Catholic Ethic*, 53, 219.

<sup>29</sup> Novak, *The Catholic Ethic*, 147-68.

the reader finds me to be unkind or unreasonable, I will say only that Novak himself has established the dividing line between us. His reasoning is this:

Capitalism *rightly understood* offers the ideal system and set of values for making progress in the world. Once this claim is accepted, there is a moral imperative to hold theology and Catholic moral theology accountable to it. To say otherwise—to point to the ruins of particular capitalist systems or ruinous tendencies in global markets—to complain that an economic system ought not to circumscribe ethics appears to Novak to be an anti-capitalist bias of social scientists and theologians.<sup>30</sup> I am attempting to indicate what moral theology is about by clarifying the difference that Novak sees between himself and theologians.

The problem is that Novak abstracts the essential features of capitalism “truly defined” or “rightly understood” from various market systems that actually exist. He peels off various injustices and immorality from actual economic practices in order to define the real (ideal) entrepreneurial capitalism. So, in the last chapter of *The Catholic Ethic and the Spirit of Capitalism*, he denounces the adversarial culture of Hollywood and television for its nihilistic philosophy. Yet, he never mentions that entertainment is a business and that the market rewards its entrepreneurs. Lady Gaga may very well be a nihilist, but first of all she is a business woman. She has made herself into a brand (which might be a nihilist assertion). Novak’s rejoinder, it seems, is that someone like Lady Gaga is parasitic on the bourgeois virtues that enhance entrepreneurial capitalism. His claim is that capitalism, rightly understood, is Lady Gaga’s victim rather than her enabler. It seems that capitalism rightly understood is an ideal that is distinct from any given culture, and therefore, it is free from blame for the culture that makes Lady Gaga rich. The economic system (as abstract system) and its proper spirit need no correction. The failures of actual capitalist systems are failures of the two other partners in the tripartite relations: civil polity (e.g., socialist leaning welfare states) and the moral-cultural system (e.g. the adversarial culture of cultural elites). In short, the primary agent of Novak’s *Catholic Ethic and the Spirit of Capitalism* is a reified ideal: capitalism truly defined.

In Novak’s case for capitalism rightly understood, the economic system is an agent that ought to set the standards and to circumscribe a Catholic ethics. I suspect that it is this control that I feel viscerally when I read Novak’s *The Catholic Ethic*. He holds that capitalism is a “way” and a “practice.” It manages human life properly. It “imposes certain moral and cultural attitudes, requirements, and demands...

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<sup>30</sup> Novak, *The Catholic Ethic*, 104.

The capitalist way requires, as well, a respect for the larger political and cultural orders within which humane practices and the rule of law are established.”<sup>31</sup> True capitalism (rather than actual capitalisms) does no wrong. It requires us to be good. Certainly there is evidence that capitalist economic systems also have the potential to do harm. We see it. Novak’s response is that what we see is real, but is it not capitalism rightly understood. The problem is with the cultural, moral, and political orders that inhibit the true spirit of capitalism. For example, radical individualism, according to Novak, is anti-capitalist.<sup>32</sup> He is not clear about its source or how it has invaded democratic capitalism, but he is clear that it is celebrated and promoted by elitist academics and the adversarial/nihilistic culture.<sup>33</sup> His “Catholic Ethic” is generically social and industrious; it is the cultural lubricant that will no longer stand in the way of the capitalist spirit.

Novak’s *The Catholic Ethic* has been reviewed as a limit case, which began with the intuition that his approach to a Catholic ethics is not the approach of moral theologians by and large. The point is to develop a clear case, but Novak’s theology is not made explicit. At bottom, it seems to me, he depends upon a dualism between material relations and spirit/culture. It is not a crass dualism, but a dualism nonetheless. He seems to begin with a dichotomy between the natural workings of the market and human values (fact and value), and then modifies the separation by attaching a preferred spirit/ethos to a distinct economic sphere. In terms of theological modes or imagination, it seems that his considerations of a Catholic ethics and the market tend toward deism. The human spirit is called to be faithful to the clockwork of economic life. The clockwork is good, and it requires good from us. Communities and institutions, including the Church, have a responsibility to lubricate and to avoid gumming up the system. Theological intrusions on the market clockwork are certainly wrongheaded. Moral theologians need to get out of the way.

Whether or not deist or dualist, Novak’s Catholic ethics depends upon an abstraction of the economic sphere from human life, or in Daniel Finn’s terms, a disembedding from human ecology. Novak abstracts (disembeds) an economic “way” or system from its context in various times, cultures and social relations; then, he attempts to insert a cultural spirit (the Catholic Ethic) that accords with the ideal system (capitalism rightly understood). In order to be inserted as

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<sup>31</sup> Novak, *The Catholic Ethic*, 8.

<sup>32</sup> Novak argues against individualism and for civic duty. Again, this civic duty aligns with the economic sphere as an agent: “Markets serve communities, even link and unify communities; to be excluded from them is more alienating than to be included within them” (Novak, *The Catholic Ethic*, 202).

<sup>33</sup> Novak, *The Catholic Ethic*, 197.

spirit/ethos, the Catholic ethic and culture itself must be independent of actual economic systems. Indeed, while entrepreneurial capitalism is individualist in practice, Novak will want to argue against an individualist or libertarian culture—against a culture that would seem to fit with the economic system as we now have it. To this degree, both economic relations and culture have to be detached in order to be joined together. Without changing the moving parts, we have to be able to extract Lady Gaga and insert Bing Crosby in her place. We seem to be able to select our cultures (suitable to capitalist virtues) as if they were items on the market. Novak asserts a dualism of matter (the autonomous market) and spirit (autonomous culture), and attempts to bring them together by making each a transcendent type.

Daniel Finn offers an alternative approach in his *The Moral Ecology of Markets*. Finn's conceptual frame does not settle moral arguments. Rather, he seeks to clarify lines of disagreement, so that arguments might be more coherent and convincing. Similar to Paul Davies' description of Platonism in modern physics, Finn holds that markets tend to be understood (wrongly) as disembedded.<sup>34</sup> Given the philosophical roots of economic theory, a more fitting description might be "Newtonian" rather than "Platonic." The mathematics of economics tries to determine how objects, as it were, will fall in a vacuum. In this view, actual markets are in social and political contexts that either frustrate or facilitate the natural laws of economic life. According to this logic of disembedding (e.g., Novak's), the market is defined as a separate sphere/mechanism, which is then instantiated in a culture. Novak does not think to consider that disembedded markets actually might disembed and thin out culture as well. He cannot account for the market character of morality and religion as it has been portrayed by social scientists, such as Robert Bellah, et al., in *Habits of the Heart*.<sup>35</sup>

To offer an alternative conceptualization, Finn shifts the analogy from structures or spheres to organisms in a habitat.<sup>36</sup> Markets are not instantiated as if they emanate from trans-historical law. They grow within an ecological system, which includes the natural environment, human culture, and networks of relationships that interact with market exchange. A particular ecological system might foster a market that enhances some kinds of human relations and endangers others (and vice versa). Within this ecology, Finn directs our moral arguments to issues of allocation, distribution, scale within the natu-

<sup>34</sup> Finn, *The Moral Ecology of Markets* (New York: Cambridge University Press, 2006), 114.

<sup>35</sup> Robert Bellah, et al., *Habits of the Heart* (Berkeley: University of California Press, 1985).

<sup>36</sup> Finn, *The Moral Ecology of Markets*, 104.

ral world, and the quality of human relationships. He does not settle these issues; he sets economic arguments within an inclusive moral context—a context of human flourishing through participation in the common good. His question is not, “What kind of ethics do we need to grease the machine?” but, “What kind of human ecology do we need to develop serviceable markets?” In moral theology, we ask about the ends and flourishing of human life, what kind of ecology best fosters that flourishing, and the role economic development plays in the ecology.

This human ecology, created and graced, is the intellectual landscape of moral theology. Put theologically, Novak’s tendency toward deism is countered with an account of human life that has the Trinitarian God in view as beginning and end. The *Journal of Moral Theology* hopes to cultivate this intellectual landscape and make progress with our theological treatments and debates on economics, political philosophy, and moral psychology. Aside from disciplinary labels, a moral theologian is someone who argues the ecological questions in terms of a theological backdrop. The backdrop for the arguments is constituted by our natural and supernatural ends. The backdrop is the place and purpose of being human as creatures and the image of God in relationship to creation and as restored and elevated to friendship with God. With Tom More’s plight and the Catholic imagination in view, this prospect of the unity of human life might be the source of what Michael Novak thinks of as the “bias” of theologians. Our despair about economic systems might sound to him to be apocalyptic and irrational.

As a discipline, we are oriented to this-worldly objects and ends, but we are oriented in a way that keeps us perpetually dissatisfied. Moral theology keeps the supernatural end in view, assumes that we can inquire about natural ends and this-worldly goods within our histories and particular cultures, but rejects the attempt to speak about the supernatural end without regard to this-worldly activities. Moral theology focuses on embodiment, and the paradigm is the Eucharist. We worry about theological and moral problems, but we—as a group—are far more uneasy about ideal or disembodied solutions. On our side of the supernatural end, seamless solutions are invariably fractured; yet, well-reasoned solutions we must propose. This tension, I will wager, is why St. Thomas More’s *Utopia* is a work of criticism and satire that seems to satirize itself. For Percy’s Tom More, the diagnostic and therapeutic tool (his Qualitative Quantitative Ontological Lapsometer) promises to bring coherence to life, but does not deliver precisely because it represents mere technique. However, More’s desire for a solution provides a pathway for living and thinking things through among the ruins. Rather than a quick fix, he sees

hope in the daily grind. Now the point about our disciplinary make up: Could it be that we are moral theologians partly because we are sensitive to the fissures of life, cannot help but envision solutions and human healing, and the envisioning (rather than theoretical/technical success) becomes a pathway for working day-to-day as moral theologians?

This envisioning of unity is the topic of the second issue on our spectrum of metaphysics and matter—the theology of the body. Like the “disenchanted” and “disembedded” view of markets, its account of sexual unity will be discussed in order to think about the contours of the discipline. Like the analysis of Novak’s “Catholic Ethic,” a discussion of the theology of the body is intended to be explanatory rather than argumentative. But it will be, no doubt, controversial. The theology of the body started to build momentum in the early 1980s, and it hit the U.S. like a tidal wave at about 2000–2003. However, it is already receding.<sup>37</sup> For example, David L. Schindler calls Christopher West’s version of the theology of the body “too much about sex and too romantic.” According to Schindler, West “conceives love in a reductive bodily-sexual sense, then reads the Christian mysteries as though they were somehow ever-greater and more perfect realizations of what he emphasizes as key in our own experience, namely, sex.”<sup>38</sup> Schindler’s criticisms are especially noteworthy given that he explains intra-divine relations and the relationship of God in Christ to the world in terms of Hans Urs von Balthasar’s account of nuptiality.<sup>39</sup> Criticisms like Schindler’s have come from various quarters, so that the topic of the theology of body is of interest, not in order to argue against it, but to understand why it would not endure among moral theologians.

Christopher West is often singled out for criticism, but West claims only to be developing the thought of John Paul II, particularly his Wednesday addresses given from 1979–1984.<sup>40</sup> In this exposition, I will follow the analysis of William Mattison, who shows that West develops the theology of the body in ways that depart from John Paul

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<sup>37</sup> I put the crest of the wave at George Weigel’s biography of John Paul II, *Witness to Hope* (New York: HarperCollins, 1999), and its impact on the beach at the publication of Christopher West’s *Theology of the Body Explained* (Boston: Pauline Books and Media, 2003). The receding of the wave begins, perhaps, with Benedict XVI’s *Deus Caritas Est* (2005). Benedict begins with Eros in relationship to the love of God and manages an entire Encyclical on love without the theology of the body.

<sup>38</sup> David L. Schindler, “Christopher West’s Theology of the Body,” *Headline Bistro*, [http://www.headlinebistro.com/hb/en/news/west\\_schindler2.html](http://www.headlinebistro.com/hb/en/news/west_schindler2.html).

<sup>39</sup> David L. Schindler, *Heart of the World, Center of the Church* (Grand Rapids: Eerdmans, 1996), 237–74.

<sup>40</sup> John Paul II, *Theology of the Body: Human Love in the Divine Plan* (Boston: Pauline Books & Media, 1997).

II's writings but are justifiable inferences within the framework that John Paul II (Karol Wojtyła) puts in place.<sup>41</sup> Before outlining Mattison's analysis, it should be noted that Karol Wojtyła, as philosopher and moral theologian, struggles with the more basic issue at hand—the relationship between metaphysics and matter, between objective norms grounded ontologically and “lived experience” as a context of meaning, between norms received in a Thomistic frame and Wojtyła's interest in phenomenology.<sup>42</sup>

Wojtyła does not arrive, in his own assessment, at a satisfactory unity of objective norms and the lived experience of value.<sup>43</sup> This point is certainly not cause for criticism. The fragmentation of metaphysically good and personally/culturally “meaningful” is a basic problem of modern moral thought. With the problem in view, we develop ways to move forward toward unity rather than further fragmentation. For example, Alasdair MacIntyre argues for the concepts of practices and tradition, and for the Aristotelian-Thomist tradition in particular, not because they resolve problems related to the fragmentation of moral reason, but because they best explain that fragmentation and offer the most promising means of moving forward among the ruins.<sup>44</sup> Wojtyła's means of moving forward is to posit the objective norm as the necessary ground for the lived experience of meaning. One does not first display the norm at its root; rather, one begins with the experiences of human flourishing and posits the root/source of the flourishing. The root, although not grasped at its source by philosophy, is assumed to be integrally and organical-

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<sup>41</sup> William C. Mattison III, “‘When they rise from the dead, they neither marry nor are given to marriage’: Marriage and Sexuality, Eschatology, and the Nuptial Meaning of the Body in Pope John Paul II's Theology of the Body,” *Sexuality and the U.S. Catholic Church*, ed. Lisa Sowle Cahill, T. Frank Kennedy, and John Garvey (New York: Crossroad Publishing Company, 2006), 32-51.

<sup>42</sup> Karol Wojtyła, “On the Metaphysical and Phenomenological Basis of the Moral Norm,” *Person and Community*, trans. Theresa Sandok, OSM (New York: Peter Lang, 1993), 73-94.

<sup>43</sup> Wojtyła, “On the Metaphysical and Phenomenological Basis of the Moral Norm,” 88-93. Consider the discussion of monogamy and indissolubility in marriage in Wojtyła, *Love and Responsibility*, trans. H. T. Willetts (New York: Farrar, Straus, Giroux, 1981), 211-15. To argue for the indissolubility of marriage, Wojtyła shifts from a phenomenological display of experience to an objective order of principles. Phenomenology is not up to the task. See also Christopher West's treatment of the objective and subjective in *Theology of the Body Explained*, 36; and West's shift from personalism to law in his treatment of divorce in *Good News about Sex and Marriage* (Ann Arbor: Servant Publications, 2000), 60.

<sup>44</sup> Alasdair MacIntyre, *After Virtue* (Notre Dame, IN: University of Notre Dame Press, 1981) and *Three Rival Versions of Moral Inquiry* (Notre Dame, IN: University of Notre Dame Press, 1990).

ly connected to the experience of value; therefore it is experienced in the experience of what is good.<sup>45</sup>

This phenomenological display of objective norms sets the context for the theology of the body, its internal tensions, and the slippage in its explication by Christopher West. The tension is between phenomenology and a structure of objective norms. The slippage is what Schindler, above, calls a “reductive” sexual account of the body and what William Mattison refers to as a “myopic fixation” on extraordinary sexual experiences.<sup>46</sup> The slippage occurs when a phenomenological “experience of value” becomes (rather than simply points to) the ontological root of the norm. In the sexual act (penetration and male orgasm), we experience and offer a “total self.” It is the meaning of a lifetime in a single moment. In terms of the ruins put in relief by Walker Percy, the theology of the body resolves the dichotomy of spirit and matter (angelism-bestialism) through a “hyper-enchantment” of the sexual sphere. While Novak’s *The Catholic Ethic* served as counter-example of the moral-theological mode, West’s theology of the body represents internal tensions and temptations of a Catholic imagination.

Mattison develops criticisms of the theology of the body from a variety of angles. However, he emphasizes questions of eschatology; his article is titled, “When they rise from the dead, they neither marry nor are given in marriage.” Eschatology, in moral theology, raises the issues of means and ends in human life, and for this reason, Mattison’s approach offers a general orientation to moral theology (and love) among the ruins. In brief, Mattison shows that the nuptial meaning of the body, for John Paul II, functions on two basic levels that do not require sexual intercourse for their fulfillment. First, there is “the human person’s call to self-giving love found in the communion of persons. Second, persons are embodied as male or female.”<sup>47</sup> A third level interprets marriage and sex in terms of the first two points. Mattison notes that John Paul II is careful to avoid “map[ping] fulfillment of the nuptial meaning of the body directly on to marriage and sex.” He also notes, however, that the Pope does, at points, “move rather cavalierly between appeals to levels two and three.”<sup>48</sup> Christopher West, then, makes level three (marriage and sex) the foundation of theological anthropology—“as the crux and content of the Christian meaning of life.”<sup>49</sup>

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<sup>45</sup> Wojtyła, “The Problem of Experience in Ethics,” *Person and Community*, 107-128.

<sup>46</sup> Mattison, “When they rise from the dead...,” 45.

<sup>47</sup> Mattison, “When they rise from the dead...,” 38.

<sup>48</sup> Mattison, “When they rise from the dead...,” 38.

<sup>49</sup> Mattison, “When they rise from the dead...,” 42.

Problems ensue. Mattison points to two main difficulties. The first pertains to the description of the sexual act and to an understanding of the goods of marriage. If Wojtyła's approach to moral norms is to find them within experiences of value, West pushes the point as far as it can go. West goes as far as to claim that the experience of the sexual act contains the entirety of all sexual norms and the meaning of marriage. In contrast, in a typical moral/theological frame, the ongoing marriage—its fidelity, steadfast love, and openness to children—is the context for understanding the/a sexual act. The marriage provides the context. As sacramental embodiment, marriage itself has its context in the Eucharist, where we are conformed to common life in Christ and discover our call to love the world (in a bodily sense, particularly in the works of mercy).<sup>50</sup> West inverts the relation.<sup>51</sup> Sex becomes the meaning-carrying event that accounts fully for the ongoing marriage. Sex is the extraordinary experience—a primordial sacrament—that communicates the full meaning of the ordinary. A second problem follows. To be the full moment of marriage, the sexual act for West, and at times for John Paul II, becomes a return to the prelapsarian unity of human life.<sup>52</sup> A prelapsarian innocence is preferred over eschatological fulfillment because the eschatological frame puts us *on the way* rather than in a moment of completion. We are on the way to our good end but still incomplete and most often broken. Eschatology, for West, does not allow sex to be elevated high enough (enchanted enough) right now. Ironically, West's idealization of the sexual act gives us very little means to deal with the practical struggles, sin and forgiveness, failures and ongoing conversions of married life.<sup>53</sup> Ironically, sexual embodiment is lifted to a level of abstraction—the account of embodiment is disembodied. West's theology of the body frustrates the purpose of moral theology, which, in Walker Percy's phrase, is to bring the spirit down to earth, to inhabit our own flesh and love day-to-day.

Mattison proposes two reasons why a theology of the body would elevate and isolate the sexual act. Both are instructive for moral the-

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<sup>50</sup> David Cloutier and William C. Mattison III, "Bodies Poured Out in Christ: Marriage Beyond the Theology of the Body," *Leaving and Coming Home*, ed., David Cloutier (Eugene, OR: Cascade Books, 2010), 224.

<sup>51</sup> Cloutier and Mattison, "Bodies Poured Out," 215-22. Cloutier and Mattison point out that Christopher West's theology of the body does not articulate a social mission of the Christian family (223). In other words, he extracts John Paul II's account of marriage and sexuality from the Pope's social and theological frame of *Familiaris consortio* (1980) and his "Letter to Families" (1994).

<sup>52</sup> David Cloutier, "Composing Love Songs for the Kingdom of God? Creation and Eschatology in Catholic Sexual Ethics," *Journal of the Society of Christian Ethics* 24 (2004): 71-88.

<sup>53</sup> Mattison, "'When they rise from the dead...,'" 49.

ology. One reason is that “a vision of the human person tightly tied to fulfillment in marriage and sexuality affords the theology of the body an instant credibility in modern Western society preoccupied with sexuality.”<sup>54</sup> In other words, there is an immediate solution to the fragmentation of life. In a culture focused on the good of sex, West argues that popular notions of sexuality are poor imitations of the real good that we find in the theology of the body. This attempt to meet people where they live and think is certainly a good idea. Part of the discipline of moral theology is to do so with great care. In this regard, Mattison’s accusation is simply that proponents of the theology of the body tend to be careless and cavalier. In his biography of John Paul II, George Weigel calls the theology a “theological time bomb” with “ramifications for all of theology” and perhaps “the history of modern thought.”<sup>55</sup> It is an affront to Christian theology to say that a phenomenology of sexual relations is going to change everything. Moral theologians are tempted by and suspicious of these kinds of solutions.

The second reason for elevating and isolating the sexual act, according to Mattison, is that a high and weighty view of nuptial union will seal off the joints and seams in normative arguments against non-marital sex, homosexuality, and contraception.<sup>56</sup> Again, this goal provides a cautionary point for moral theologians. There is a temptation to put forward seamless solutions that knock down a long line of issues and arguments like dominoes. In the theology of the body, the meaning of the sexual act is often used as the whole argument on all questions sexual and marital. The move, however, from description to various moral arguments is not seamless. My first encounters with the theology of the body were different from the inferences made by West. But as far as I can tell, they are as consistent as West with John Paul II’s Wednesday addresses. I found the theology of the body in Andrew Greeley and Mary Greeley Durkin’s *How to Save the Catholic Church* (1984) and in a chapter by Mary Aquin O’Neil in Catherine LaCugna’s (ed.) *Freeing Theology* (1993). Greeley and Durkin detach the theology of the body from specific moral/sexual norms, which they claim are secondary. In fact, they claim that a way to save the Catholic Church is to stop focusing primarily on norms and to educate people primarily on a sacramental view of life (and, in this case, of sex).<sup>57</sup> O’Neil uses John Paul II’s Wednesday addresses to

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<sup>54</sup> Mattison, “When they rise from the dead...,” 40.

<sup>55</sup> George Weigel, *Witness to Hope*, 343.

<sup>56</sup> Mattison, “When they rise from the dead...,” 40.

<sup>57</sup> Andrew M. Greeley and Mary Greeley Durkin, *How to Save the Catholic Church* (New York: Elisabeth Sifton Books/Viking, 1984), 105-29.

undermine arguments against the ordination of women.<sup>58</sup> Greeley, Durkin, and O'Neil probably do not represent the time bomb that George Weigel was considering. Moral reasoning will not be as seamless as we sometimes hope.

One of the most objectionable aspects of West's theology is that sex seems to work like a magic (enchanted) bullet, both in terms of practical problems in marriage and in terms of moral argumentation. With the magic bullet, West undermines Christian marriage as a way of life that works, by the grace of God, through the puzzlements of human sexuality. West takes one of the more inexplicable things about marriage, asserts a single, definitive meaning, and makes it the center of how he explains marriage as a whole. For this reason, Schindler calls West's theology both romantic and reductive. As romantic, it lifts us out of the everyday world. As reductive, its elevation of our embodiment is narrow. In terms of *Love in the Ruins*, West's theology of the body is a kind of theological lapsometer; it is an easy fix to the divide between spirit and body, metaphysics and matter. After More's apocalypse, when his new life begins, he does not give up on the lapsometer. He still has hope for it, but it is no longer the focus of his struggles or hopes. It no longer sets the context and pathway for the unity of body and spirit. He realizes that he must work things through on the bayou, keeping up a home with his wife and children, with his parish in sharing the Eucharist, and in his office, one patient at a time, day by day.

Tom More's new beginning is suggestive for this new *Journal of Moral Theology*. It is tempting to think about providing a new answer to the ruins, but what the *Journal* needs to be is an ordinary place of conversation, argument, and rigorous thinking. Karol Wojtyła's intuition, cited above, about norms and the roots of experience offers a direction. We reason *to* moral concepts by first of all reasoning *from* them and doing so repeatedly, through trial and error, through practice and amid practices in a variety of contexts and situations. That is to say, moral theology is not simply a reflection on the Christian life and on God in Christ, our hope for the world. Moral theology is also a practice of the moral life. For the "discipline" to be coherent, the practices will have to be formative in a way that forms the virtues of following Christ. Thinking theologically and speculatively about human life is in itself something that needs to be done, and done as a way of life. We moral theologians share this way of life with others but in a more focused, persistent, and plodding way. Hopefully, the

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<sup>58</sup> Mary Aquin O'Neil, "The Mystery of Being Human Together: Anthropology," *Freeing Theology*, ed. Catherine Mowry LaCugna (New York: HarperSanFrancisco, 1993), 139-60.

*Journal of Moral Theology* will be persistent and plodding and, by so doing, become a piece of ground along the bayou where we think through the connections and unity of things.

Hütter is right that we need a shared theological mode or paradigm, but he is wrong and precipitous in naming a school. We moral theologians do need to cultivate common modes of reflection and a shared theological imagination. I have taken on Hütter's allusion to Percy's *Love in the Ruins* and have highlighted Tom More's anguish and his struggles amid the ruins of metaphysics and matter. I have done so because, it seems to me, a shared mode of reflection or theological imagination will emerge only through struggling with these deeply rooted problems of modern life. Our task is both speculative and practical. We are trying to account theologically for human embodiment, human ecology and flourishing, and the meaning of things. I have used Greeley's oft cited "Catholic imagination" to suggest that this common mode and set of presumptions ought to be shared also with ordinary Catholic people who live day to day among the ruins. I have used two limit cases, Novak and West, to suggest that there already is, however vague, a common landscape for the discipline. Moral theology is about metaphysics and matter, and I have used the ruins of Percy's Tom More to set the boundaries of the discipline where matter becomes mechanism and where metaphysics coasts above the complexities of our embodiment. Certainly these boundaries are wide; but they provide a place to start. The beginning of the *Journal of Moral Theology* offers no manifesto, but hopefully a venue to think and converse among the ruins in a way "that views the world and all that is in it as enchanted, haunted by the Holy Spirit and the presence of grace." **M**

# FORMATIVE FIGURES OF CONTEMPORARY AMERICAN CATHOLIC MORAL THEOLOGY

## A NOTE FROM THE ISSUE EDITORS

For this first issue of the *Journal of Moral Theology*, the planned focus was methodology. When initially thinking about how to structure such an issue, we were faced with questions about how to approach this topic. Should we investigate “schools”? Should someone write an article on proportionalism, followed by another on new natural law theory? Should we divide chapters into surveys of classic “topics” in method, such a natural law, virtue, and conscience?

We settled on a genealogical approach. We sought essays on major, formative figures who have had a substantial impact on the field as we know it today. Needless to say, many more figures could have been included—for example, in our original plan, we thought of including essays on Gustavo Gutierrez and Margaret Farley, and one could certainly imagine many other candidates. We hoped to identify a range of figures who were quite varied in their approaches, but all of whom had long and distinguished careers and distinct influence. To write about how these figures shape moral theology today, we then invited esteemed figures of what might be called “the next generation”—in particular, scholars teaching at major doctoral programs. We are grateful to our contributors for their fine work on these essays. We have concluded the volume with an essay which reviews the work of the contributors themselves, seeking to extend the genealogical treatment into the developments of the last two decades.

We wish to give special thanks to Matthew Martin for editorial assistance in bringing these articles together.

—David Cloutier & William C. Mattison III

## Bernard Häring's Influence on American Catholic Moral Theology

JAMES F. KEENAN, S.J.

IN 1954, BERNARD HÄRING published in German the sixteen-hundred-page magisterial manual *Das Gesetz Christi*, (English: *The Law of Christ: Moral Theology for Priests and Laity*).<sup>1</sup> Of his 104 published books, this landmark work represented a decisive break with the more than two hundred year moral manual tradition that preceded him, a tradition of “moral pathology,” as the English Jesuit manualist Thomas Slater described it.<sup>2</sup>

These manuals evolved from the *Summa de casibus*, the seventeenth century texts that presented the summary of moral cases of casuistry argued and resolved in the sixteenth century.<sup>3</sup> We learn

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<sup>1</sup> Bernard Häring, *Das Gesetz Christi* (Freiburg: Verlag Wewel, 1954); *The Law of Christ* (Paramus, New Jersey: The Newman Press, 1961).

<sup>2</sup> Thomas Slater, *A Manual of Moral Theology for English-speaking Countries* (London: Benziger Brothers, 1906), 6. See James F. Keenan, *A History of Catholic Moral Theology in the Twentieth Century: From Confessing Sins to Liberating Consciences* (New York: Continuum, 2010), 9-34.

<sup>3</sup> On casuistry, see Albert Jonsen and Stephen Toulmin, *The Abuse of Casuistry* (Berkeley: University of California Press, 1988); Edmund Leites, ed., *Conscience and Casuistry in Early Modern Europe* (New York: Cambridge University Press, 1988); James Keenan and Thomas Shannon, ed., *The Context of Casuistry* (Washington, D.C.: Georgetown University Press, 1995); Keenan, “Casuistry,” *Oxford Encyclopedia of the Reformation*, ed. Hans Hillerbrand (New York: Oxford University Press, 1996), I: 272-74; James Keenan, “The Return of Casuistry,” *Theological Studies* 57 (1996): 123-139; James Keenan, “The Birth of Jesuit Casuistry: Summa casuum con-

from the Redemptorist Louis Vereecke and the Opus Dei theologian Renzo Gerardi that over time these *summae* developed into foundational texts known as the *Institutiones morales* in the eighteenth century and, later, became text books, commonly referred to as the “moral manuals” in the nineteenth and twentieth century.<sup>4</sup> Though much has been written on them, still more needs to be done.<sup>5</sup>

In order to appreciate the legacy of Bernard Häring we have to recognize that moral theologians in the first half of the twentieth century attempted to develop the foundations of a contemporary moral theology to replace these moral manuals. For reasons too numerous to explain, these theologians wanted to revisit the roots of this “new” moral theology in the Catholic tradition as it developed from the time of Christ until the dawn of sixteenth-century casuistry.<sup>6</sup> That is, they wanted to revisit the tradition prior to the emergence of the *summa de casibus*. Häring’s work represents the crowning achievement of these efforts.

We shall see some of the legacy that we have inherited from Häring, but first we need to appreciate what he inherited from the pioneers before him. I will highlight three: the German diocesan priest, Fritz Tillmann who led us to the Scriptures and therein to Jesus Christ and our call to discipleship; the Belgian Benedictine Odon Lottin who turned to the history of the tradition and of the person;

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scientiae, sive de instructione sacerdotum, libri septem by Francesco de Toledo (1532-1596),” in *The Mercurian Project: Forming Jesuit Culture, 1573-1580*, ed. Thomas McCoog (Rome: Institutum Historicum Societatis Iesu, 2004), 461-482.

<sup>4</sup> Louis Vereecke, *De Guillaume d’Ockham à Saint Alphonse de Liguori: études d’histoire de la théologie morale moderne, 1300-1787* (Rome: Alfonsianum University Press, 1986); *Conscience morale et loi humaine selon Gabriel Vasquez S.J.* (Paris: Desclee, 1957). The Redemptorists did a tribute to Vereecke on his seventieth birthday, Real Tremblay and Dennis Billy, ed., *Historia: Memoria Futuri* (Rome: Editiones Academicæ Alphonsianæ, 1991). Renzo Gerardi, *Storia della morale: Interpretazioni teologiche dell’esperienza Cristiana* (Bologna: Edizioni Dehoniane, 2003), 317-449. Other major works on the history of moral theology are: Giuseppe Angelini and Ambrogio Valsecchi, *Disegno storico della teologia morale*, (Bologna: Dehoniane, 1972); John Mahoney, *The Making of Moral Theology* (Oxford: Clarendon Press, 1987); John Gallagher, *Time Past, Time Future: An Historical Study of Catholic Moral Theology* (New York: Paulist Press, 1990). At the heart of this evolution is the founder of the Redemptorist order, Alphonsus Liguori. On his work see, Marciano Vidal, *Frente al rigorismo moral, benignidad pastoral, Alfonso de Liguori (1696-1787)* (Madrid: PS, 1986); Frederick Jones, *Alphonsus de Liguori: The Saint of Bourbon Naples, 1696-1787* (Westminster, MD: Christian Classics, 1992). Presently, another Redemptorist, Raphael Gallagher is translating Liguori’s writings on conscience.

<sup>5</sup> Julia Fleming is clearly the lead investigator for English-speaking moral theologians. See her *Defending Probabilism: The Moral Theology of Juan Caramuel* (Washington, D.C.: Georgetown University Press, 2006).

<sup>6</sup> Keenan, *A History*, 35-81.

and, the French Jesuit Gerard Gillemann who invoked charity as the ultimate good.

### THE LEGACY THAT HÄRING INHERITED

In 1912, the internationally-known Scripture scholar Fritz Tillmann was ordered by the Vatican to leave Scripture studies, but given the opportunity to enter another field of theology. He became a moral theologian. His difficulties with the Vatican arose from the fact that, as Cardinal Joseph Ratzinger explains, he was editor of a collection of essays about the New Testament, and one of the contributing authors defended the two source theory for the writing of the synoptic Gospels.<sup>7</sup>

After writing moral theology for fifteen years, he later collaborated with Theodor Steinbüchel and Theodor Müncker on a three volume work, which he edited, entitled, *Die katholische sittenlehre* (*Catholic Moral Teaching*) in 1934. Steinbüchel wrote the first volume on philosophical foundations; Müncker authored the second, on epistemological and psychological foundations; and Tillmann wrote the third, *Die Idee der Nachfolge Christi*, on the idea of the disciple of Christ.<sup>8</sup>

Tillman's volume was a tremendous success. Seventy years after its publication, Karl-Heinz Kleber writes that in the search to express what the foundational principle of moral theology ought to be, Tillman came forward and named it: the disciple of Christ. Others followed Tillmann's lead: Gustav Ermecke, Johannes Stelzenberger, Bernard Häring, Gerard Gillemann, and Rene Carpentier.<sup>9</sup>

In 1937 he published a more accessible text for lay people, *Die Meister Ruft*, which was translated into English in 1960 as *The Master Calls*. Here he presented a handbook of lay morality not as a list of sins, but as virtues dominated by the idea of the disciple guided by Scripture to follow Christ. Its three central parts are practical explications of the love of God, self, and neighbor. Throughout, he highlighted the grandeur of the call to discipleship: "The goal of the fol-

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<sup>7</sup> Pope Benedict VI, *Relationship between Magisterium and Exegetes*, May 10, 2003, [http://www.vatican.va/roman\\_curia/congregations/cfaith/pcb\\_documents/rc\\_con\\_cfaith\\_doc\\_20030510\\_ratzinger-comm-Bible\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/pcb_documents/rc_con_cfaith_doc_20030510_ratzinger-comm-Bible_en.html).

<sup>8</sup> Theodor Steinbüchel, *Die philosophische Grundlegung*; Theodor Müncker, *Die psychologische Grundlegung*; Fritz Tillmann, *Die Idee der Nachfolge Christi*; in Fritz Tillmann, ed., *Die katholische sittenlehre* (Dusseldorf: Patmos, 1934).

<sup>9</sup> Karl-Heinz Kleber, *Historia Docet: Zur Geschichte der Moralthologie. Studien der Moralthologie* 15 (Münster: LIT Verlag, 2005), 89.

lowing of Christ is none other than the attainment of the status of a child of God."<sup>10</sup>

Tillmann's breakthrough was inestimable. First, as a Scripture scholar he derived an appropriate identity for the contemporary Christian, the disciple of Christ. No one had made that identification in modern theology before Tillmann. Second, he developed this into a vigorous scholarly text which allowed him to engage other theologians on the very idea he was putting forth. Third, he made this idea accessible and pastorally concrete by *The Master Calls*. The text is extraordinarily comprehensive, never departing from the double insight that the text had to be fundamentally based on Scripture and that it had to give an anthropological shape to the vocation of discipleship. Fourth, wisely, he turned to the virtues, most appropriately because virtue is the language of Paul and the Evangelists as well as the Prophets and Wisdom writers. Thus, entering into moral theology, he did not abandon Scriptural language, but found in virtue the worthy bridge between Scripture and moral theology. Fifth, coupled with this, the architectonic structure of the work placed charity at the very heart of his ethics. Revelation conveyed the singular primacy of charity.

To bring moral theology into the contemporary world, Dom Odon Lottin brought in history.<sup>11</sup> From 1942 to 1960 he wrote his four-volume study (roughly three thousand pages) on the writings of the scholastics on matters related to conscience and moral decision-making, *Psychologie et morale aux XIIe et XIIIe siècles*.<sup>12</sup> Here he revolutionized our understanding of scholasticism in general and Thomas Aquinas in particular.

Lottin's extensive investigations would show that Thomas, among others, was constantly developing his thoughts and that earlier positions might well not be the same as later ones. To admonish those who could not think this way, he would remark that Thomas Aquinas was not a Melchizedek without mother or father, but a man. The premise of the development of thought meant, then, that our own understandings of moral concepts, judgments and truth are themselves tentative. This was a radical break from the static metaphysical foundations of the moral manuals in which moral truth was found in its universal and unchanging nature.

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<sup>10</sup> Tillmann, *The Master Calls: A Handbook of Morals for the Layman*, tr. Gregory J. Roettger (Baltimore: Helicon Press, 1960), 4-5.

<sup>11</sup> See Mary Jo Iozzio, *Self-Determination and the Moral Act: A Study of the Contributions of Odon Lottin, O.S.B.* (Leuven: Peeters, 1995).

<sup>12</sup> Odon Lottin, *Psychologie et morale aux XIIe et XIIIe siècles* (Gembloux, Belgium: J. Duculot, Volume I, 1942; II, 1948; III, 1949; IV, 1960).

In 1954, he published his revolutionary text on moral theology, *Morale Fondamentale*. There he developed a Thomist-like virtue ethic that emphasized the specificity of Christian ethics, particularly through its supernatural end. He insisted that moral theology ought not to be divided according to the Decalogue, but rather according to the moral and theological virtues, and that moral method ought to be inductive, not deductive.

Far from writing a moral pathology, Lottin, like Tillmann before him, believed that morality conveyed humanity's greatness: "the true grandeur of being human resides in morality, because one's moral life is one's own self manifesto, the fruit of one's own personality."<sup>13</sup> The end of morality is the right realization of the person and the community in God's salvific plan.

For Lottin, ministers of the Church are called to help the members of the Church lead conscientious lives.<sup>14</sup> His striking break with the manualists is evident by the hermeneutical context in which he established the conscience as foundational to the moral life. Unlike the manualists' pathology of the layperson's conscience (doubtful, lax, scrupulous, uncertain, erroneous, etc.), Lottin wrote at length about the "formation" of conscience, the virtuous life, and the formation of the prudential judgment.<sup>15</sup>

By turning to prudence, Lottin liberated the Christian conscience from its singular docility to the confessor priest. He instructed Church members to become mature self-governing Christians, insisting that they have a life-long task, a progressive one, as he called it,<sup>16</sup> toward growing in virtue. By turning to prudence, Lottin urged his readers to find within themselves, their community, their faith, the Church's tradition and its Scriptures, the mode and the practical wisdom for determining themselves into growing as better Christians.

Gerard Gilleman examined the most profound and gracious of all virtues, charity, by studying the *Summa theologiae* of Aquinas in light of the work of the Jesuit moral theologian Émile Mersch (1890-1940). In three successive works, Mersch examined the mystical body of Christ: first through historical investigations, then in its relevance for morality, and finally, in its own theological significance.<sup>17</sup> Gil-

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<sup>13</sup> Odon Lottin, *Aux Sources de Notre Grandeur Morale* (Louvain: Abbaye du Mont César, 1946), 20.

<sup>14</sup> Odon Lottin, *Morale Fondamentale* (Tournai, Belgium: 1954), 297-339.

<sup>15</sup> For instance, Lottin, *Morale Fondamentale*, 297-339, 363-9, 379-81, 448-52.

<sup>16</sup> Lottin, *Morale Fondamentale*, 54ff.

<sup>17</sup> Émile Mersch, *Le Corps mystique du Christ: Études de théologie historique* (Brussels: Desclée de Brouwer, 1936); Émile Mersch, *Morale et corps mystique* (Paris: Desclée de Brouwer, 1937); Émile Mersch, *La Théologie du corps mystique*, 2 vols. (Paris: Desclée de Brouwer, 1944).

leman found in Mersch compelling grounds for identifying the Christian with the filial self-understanding of Jesus, the Son of God. In that self-understanding, Gilleman found that charity establishes our union with God. For Gilleman, by pursuing charity he would find the key to the renewal of moral theology. As he wrote in *The Primacy of Charity*, the purpose of his study is “to apply to the formulation of each and every question of moral theology the universal principle of St. Thomas: *Caritas forma omnium virtutum*.”<sup>18</sup>

The main contributions of Gilleman in *The Primacy of Charity* were, I think, threefold. First, he noted that most authors acknowledge the primacy of the “precept” of charity, but not the primacy of the “virtue” of charity.<sup>19</sup> They discussed what charity prescribes, but they did not say where or how charity resides. In short they explained charity as an external reality governing normative conduct, but they did not consider it as at the core of our internal lives, that is, as it is found and described in the Pauline letters as a virtue.

Second, appreciating charity as internal, he rightly directed us to Thomas’s thoughts where charity is expressed as the form, mother, and source of virtue. As form it precedes all other virtues and exists at the core of our life, directing us to the development of other virtues.<sup>20</sup> As mother, she generates all other virtues. As source, every Christian virtue finds its roots in charity. In short, charity is the foundation of all virtue.

Finally, when we fully understand the depth and breadth of charity we see here how charity is not only the mother of all moral virtues but inevitably all ascetical virtues as well. The link between moral and ascetical theology is found in the life of the person living with the gift of charity. As form of the virtues, charity becomes “our profound spiritual tendency” which seeks expression in the moral act.<sup>21</sup> Gilleman provided his own summary to these three claims: “The task of Christian morality and of asceticism which is intimately linked to it, is to render the intention and exercise of charity in us always more and more explicit.”<sup>22</sup>

It is hard to overestimate the influence of Gilleman’s work. Even to this day his direct influence is felt, as in Pope Benedict XVI’s *Deus*

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<sup>18</sup> Gerard Gilleman, *Le primat de la charité en théologie morale* (Bruxelles: L’Edition universelle, 1952); *The Primacy of Charity in Moral Theology* (Westminster, MD: Newman Press, 1959), xxxvi.

<sup>19</sup> Gilleman, *The Primacy of Charity*, xxvii-xxxiv.

<sup>20</sup> Gilleman, *The Primacy of Charity*, 29-55.

<sup>21</sup> Gilleman, *The Primacy of Charity*, 57-160.

<sup>22</sup> Gilleman, *The Primacy of Charity*, 82.

*Caritas Est.*<sup>23</sup> There, though Gilleman is not invoked, his influence is unmistakably present.<sup>24</sup>

Before Häring wrote, then, a sustained "revisionist" movement was already thirty years old and these reformers effectively insisted that before talking about sin, moral theology had to talk first about virtue and grace.<sup>25</sup> Starting there, revisionist moral theology had to be rooted in Scripture, Christologically founded, sustained by charity, historically connected to the tradition, integrated with the ascetical life, and articulated in the key of virtue. Before Häring these claims are already expressed. What then did Häring give us beyond this? I will argue that Häring incorporates the revisionist work into his own style of theology that later shapes the reception of Vatican II's theology.

### HÄRING'S LEGACY

In order to specify Häring's contemporary legacy, I compare him first with my own mentor, Josef Fuchs.<sup>26</sup> I hope my reasons for turning to Fuchs further highlight the achievement of Häring.

When I attended the Gregorian University (1982-1987), I studied at an institution that had been awarding degrees since the Jesuits arrived in Rome and founded the Gregorian's earlier incarnation, the Roman College (1551, suspended in 1773 during the suppression of the Society of Jesus). I did my licentiate with Klaus Demmer<sup>27</sup> and my doctorate with Josef Fuchs. I was the last person to study with Fuchs as a doctoral director.

In the 1950s Fuchs wrote two books, one on the sexual morality of Thomas Aquinas, the other on natural law. In those years, he was a moderate revisionist, with an emphasis on moderate. Then, in 1964, he was invited onto the now famous papal commission on birth control, where he radically changed his moral theology.

The basic shift in his moral theology concerned competency, with a distinct nod to subsidiarity. On the papal commission he realized that an individual married couple was ultimately competent to de-

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<sup>23</sup> Benedict XVI, *Deus Caritas Est*, December 25, 2005, [http://www.vatican.va/holy\\_father/benedict\\_xvi/encyclicals/documents/hf\\_ben-xvi\\_enc\\_20051225\\_deus-caritas-est\\_en.html](http://www.vatican.va/holy_father/benedict_xvi/encyclicals/documents/hf_ben-xvi_enc_20051225_deus-caritas-est_en.html).

<sup>24</sup> See "A More Excellent Way," *America* 194, no. 5 (February 13, 2006), 4.

<sup>25</sup> James Keenan, "Virtue, Grace and the Early Revisionists of the Twentieth Century," *Studies in Christian Ethics* 23 (2010): 365-380.

<sup>26</sup> The most perceptive and detailed assessment of Fuchs is Mark Graham, *Josef Fuchs on Natural Law* (Washington, D.C.: Georgetown University Press, 2002); see also, Keenan, *A History*, 120-126, 142-157, 179-189.

<sup>27</sup> Klaus Demmer, *Shaping the Moral Life: An Introduction to Moral Theology* (Washington, D.C.: Georgetown University Press, 2000); Klaus Demmer, *Living the Truth: A Theory of Action*, (Washington, D.C.: Georgetown University Press, 2010).

termine whether and how they should regulate the births for their own family. The Vatican's universal declarations that birth control was always wrong became, for Fuchs, at best a general rule that needed to be entertained by married couples, who had to consider other moral claims as well.

Like Lottin, who influenced him, Fuchs thought that the Christian disciple should form and follow her/his conscience. Moreover, he never wrote for a general audience but rather exclusively for theologians in general, and moral theologians in particular.<sup>28</sup>

In fact, he never wrote a book after *Natural Law*, though his essays were numerous, with six volumes of them being translated into English. His greatest influence was on very particular, critical, and technical discussions. His essays on intrinsic evil, basic freedom, the use of scripture, the distinctiveness of Christian ethics, and the competency of the Magisterium were focused and highly analytical.

As Charles Curran notes, Fuchs and Häring were quite clearly the two most influential figures on post-Vatican II moral theologians in the United States.<sup>29</sup> They specifically influenced the two most important moral theologians who shaped U.S. Catholic theological ethics, Richard McCormick and Curran himself.<sup>30</sup> Curran and McCormick each met Fuchs in Rome during their doctoral studies, though neither did their doctoral degrees with him. They each made his work known in the United States, McCormick through his "Notes in Moral Theology" which he authored in *Theological Studies* for twenty years, and Curran through his own extraordinarily prolific and accessible writing and the *Readings in Moral Theology* series which he and McCormick co-edited from 1979-1999.<sup>31</sup>

When I studied at the Gregorian, the claim was that while the Alfonsianum had many courses in moral theology, the Gregorian was more academic and its moral theology was rooted in systematic theology. The Alfonsianum was more "pastoral," but in hindsight I would add, "innovative" as well. Though both Fuchs and Demmer were innovative and wrote about innovation, they were the exception (along with the Australian Jesuit Gerald O'Collins) to the institutional stability of the Gregorian's theology. After all, the program for the

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<sup>28</sup> He frequently published in *Stimmen der Zeit*, a Jesuit monthly similar to the US Jesuit quarterly, *Theological Studies*.

<sup>29</sup> Charles E. Curran, *Catholic Moral Theology in the United States: A History* (Washington, D.C.: Georgetown University Press, 2008), 93-95.

<sup>30</sup> Keenan, *A History*, on McCormick, 142-42, 147-48, 156-7; on Curran, 96-104, 147-50.

<sup>31</sup> Additionally, Timothy O'Connell authored an important textbook used throughout the U.S., *Principles for a Catholic Morality* (Minneapolis: Seabury Press, 1976), which integrated Fuchs' writings into his own.

Gregorian's mass of the Holy Spirit, on the feast of Robert Bellarmine, lists each year all alumni who have been consecrated to the episcopacy or promoted to a higher position within the hierarchy.

In this light, we can begin to appreciate why I believe that the most distinctive contribution by Häring to the United States was that his work embodied and promoted what would eventually be called "the Vatican II style." In a noted essay in *America* magazine, the historian John O'Malley identified the singularity of the Council, in its style:

Style—no other aspect of Vatican II sets it off so impressively from all previous councils and thereby suggests its break with "business as usual." No other aspect so impressively indicates that a new mode of interpretation is required if we are to understand it and get at its "spirit."<sup>32</sup>

Style defines the legacy of Häring better than anything. His is an engaging style, one that presumed the competency and the interest of the laity, in a way that no one else did. He wrote for a Catholic looking to understand, wanting to be a disciple, searching to find the truth. His writing was accessible, inviting, uplifting, and challenging. No major moral theologian wrote in this way and none wrote for an educated-but-not-theologically-literate audience.

Among the early revisionists, only once (*The Master Calls*) did Tillmann write in such a way or for such an audience. Lottin wrote exclusively for the scholar; Gillemann wrote nothing but a dissertation for his director. Among Häring's contemporaries, none wrote in such a way or for such an audience. Fuchs, Auer, Demmer, Schüller, and Böckle wrote in academically thick German; Janssens wrote for his students and colleagues at Louvain. Only Häring wrote for this much more literate and disposed audience, in this way. Anyone reading the following words from O'Malley must see the name of Häring all over it. Häring was clearly interested in the Patristics, rhetoric, consolation, persuasion, and conversion.<sup>33</sup> Moreover, unlike the other moral theologians, Häring participated in and drafted documents for the council. No wonder why the style of the council is so clearly Häring's.

The style of the council was invitational. It was new for a council in that it replicated to a remarkable degree the style the Fathers of the

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<sup>32</sup> John O'Malley, "The Style of Vatican II," *America* (February 24, 2003), [http://www.americamagazine.org/content/article.cfm?article\\_id=2812](http://www.americamagazine.org/content/article.cfm?article_id=2812).

<sup>33</sup> On conversion and Häring, see Curran, *The Catholic Moral Tradition Today* 94-98; *Catholic Moral Theology in the United States*, 136-39.

Church used in their sermons, treatises and commentaries down to the advent of Scholasticism in the 13th century. The Scholastic style was essentially based on dialectics, the art of debate, the art of proving one's enemies wrong. But the style the council adopted was based, as was the style of the early Fathers for the most part, on rhetoric, the art of persuasion, the art of finding common ground. That is the art that will enable previously disagreeing parties to join in action for a common cause. The style was invitational in that it looked to motivation and called for conversion. It looked to winning assent to its teachings rather than imposing it.<sup>34</sup>

Style is not content-less; on the contrary, it shapes the text, the community, the Church. O'Malley continues: "We know, moreover, that content and mode of expression are inextricably intertwined, that there is no thought without expression, that expression is what style is all about. In dealing with style we are at the same time dealing with content."<sup>35</sup>

A significantly new approach or style is what Häring brought to his students. Häring taught at the Alfonsianum, a theological institute solely dedicated to moral theology, founded and staffed by members of the Redemptorist order since 1949. Unlike the Jesuits, the Redemptorists were forbidden until 1910 to earn degrees for teaching. From 1910 until 1960, Redemptorist professors studied at different European institutions, though notably not at the Gregorian. In 1960, they inaugurated their own doctoral program. In that year, they awarded their first doctoral degree to the American Charles Curran.

At the Alfonsianum, Häring directed seventy-seven dissertations of students from around the world, including: Terence Kennedy (Australia); Karl Heinz Peschke (Germany); Francisco Moreno Rejon (Peru); and Clement Waidyasekara (Sri Lanka).<sup>36</sup> To each of them, he taught this new style. "Style" in fact was what he wanted to offer. In his wonderful interview with Gary MacEoin, he said, "I don't want to destroy authority. What is needed is another style."<sup>37</sup>

Beyond his doctoral students, he influenced many other moralists, though most notably, two other Alfonsianum students, the American Curran and the Spaniard Marciano Vidal. Though they each did their

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<sup>34</sup> O'Malley, "The Style of Vatican II."

<sup>35</sup> O'Malley, "The Style of Vatican II." For more detail, see John O'Malley, S.J., *What Happened at Vatican II* (Cambridge: Harvard University Press, 2008); on style, see the two volume work, Christoph Theobald, *Le christianisme comme style: Une manière de faire de la théologie en postmodernité* (Paris: Cerf, 2007).

<sup>36</sup> [http://www.alfonsiana.edu/Italian/studenti/dissertazioni/db/index\\_db.html](http://www.alfonsiana.edu/Italian/studenti/dissertazioni/db/index_db.html).

<sup>37</sup> Gary MacEoin, "Conversation with Bernard Häring," *Worldview Magazine* 15, no. 8 (1972), 22-28 at 28.

doctorates with other Redemptorists, by their own admission, no one influenced them more than Häring.<sup>38</sup> Moreover, no two other theologians appreciated the style of Häring and emulated it more than Curran and Vidal. While McCormick wrote for readers of *Theological Studies*, Curran wrote for a broader audience in a series of books with Notre Dame University Press. My favorite, and one that I took with me to Rome, was *Catholic Moral Theology in Dialogue*. The dedication reads "To Bernard Häring, C.S.S.R. teacher, theologian, friend, and priestly minister of the Gospel in theory and practice on the occasion of his sixtieth birthday."<sup>39</sup> It introduced me to a variety of discussions of the contemporary Church.

What are the central components of Häring's style? The first was that there was a deep presumption of the theological competency and interest of the educated Catholic and of other sympathetic Protestant readers. Indeed, there was and is an American audience for this. Elsewhere, I have narrated the importance of Orbis Press publishing on liberation theology in the United States starting in 1970.<sup>40</sup> But, in 1960, Tillmann's *The Master Calls* and Gillemann's dissertation are both published in English in the United States. The next year, Häring's first volume of the *Law of Christ* appears, and is a bestseller.

While Curran, in English, and Vidal, in Spanish, develop and cultivate the same audience that Häring wrote for, Häring himself in 1978 validates again this audience by writing *Free and Faithful in Christ* for an English-speaking audience; it was later translated into German.<sup>41</sup> This instinct to write for the non-theologically trained but still educated Catholic lives on today in many of the works of the new generation of scholars in moral theology very intent on constructing a positive, relational, confessional, contemporary ethics. Though they write so as to capture an identity once formed by identifiable communities of Catholics raised and taught in the parochial school system,<sup>42</sup> like Häring they write in an accessible style, very much the style of Vatican II. The movement *New Wine, New Wineskins*,<sup>43</sup> shows a sensitivity to lay Roman Catholics that is certainly, to this day, not found in continental Europe, with the exception of Vidal's

<sup>38</sup> Curran actually did two doctorates, one at the Gregorian, the other at the Alfonsianum. On Häring's influence on Curran and Vidal, see Keenan, *A History*, 98-104.

<sup>39</sup> Charles Curran, *Catholic Moral Theology in Dialogue* (Notre Dame: University of Notre Dame Press, 1972).

<sup>40</sup> Keenan, *A History*, 211-215.

<sup>41</sup> Häring, *Free and Faithful in Christ* (New York: Seabury Press, 1987).

<sup>42</sup> David McCarthy, "Shifting Settings from Subculture to Pluralism: Catholic Moral Theology in an Evangelical Key," *Communio* 31 (2004): 85-110.

<sup>43</sup> William Mattison III, ed., *New Wine, New Wineskins: A Next Generation Reflects on Key Issues in Catholic Moral Theology* (Lanham, Md.: Rowman and Littlefield, 2005).

Spain and Häring's Italy. These texts include: David Matzko McCarthy and M. Therese Lysaught, ed., *Gathered for the Journey* (2007);<sup>44</sup> Jozef Zalot and Benedict Guevin, *Catholic Ethics in Today's World* (2008);<sup>45</sup> David Cloutier, *Love Reason, and God's Story* (2008);<sup>46</sup> and William Mattison, *Introducing Moral Theology* (2008).<sup>47</sup> They are works that continue today the vision first realized by Häring: confessional, traditional, communal, religiously sensitive and often biblically-based texts not only for the trained theologian but also for the searching Catholic. While these younger writers might think that Stanley Hauerwas more directly influenced them, still Häring shaped the readership disposed to such writing. Thus, we should note that, between Häring and this new generation there are others who wrote in similar styles, like Richard Gula,<sup>48</sup> Eileen Flynn,<sup>49</sup> Russell Connors and Patrick McCormick,<sup>50</sup> James Keenan,<sup>51</sup> and more recently, Patricia Lamoureux and Paul Wadell.<sup>52</sup>

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<sup>44</sup> David Matzko McCarthy and M. Therese Lysaught, ed., *Gathered for the Journey* (Grand Rapids: Eerdmans, 2007).

<sup>45</sup> Jozef Zalot and Benedict Guevin, *Catholic Ethics in Today's World* (Winona: St. Mary's Press, 2008).

<sup>46</sup> David Cloutier, *Love Reason, and God's Story* (Winona: St. Mary's Press, (2008).

<sup>47</sup> William Mattison, *Introducing Moral Theology* (Grand Rapids: Brazos Press, 2008).

<sup>48</sup> Richard Gula, *What Are They Saying about Moral Norms?* (New York: Paulist Press, 1982); Richard Gula, *Reason Informed by Faith* (New York: Paulist Press, 1989); Richard Gula, *Ethics in Pastoral Ministry* (New York: Paulist Press, 1996); Richard Gula, *Moral Discernment* (New York: Paulist Press, 1997); Richard Gula, *The Good Life* (New York: Paulist Press, 1999); Richard Gula, *The Call to Holiness* (New York: Paulist Press, 2003).

<sup>49</sup> Eileen Flynn, *AIDS: A Catholic Call to Compassion* (New York: Sheed and Ward, 1985); Eileen Flynn, *Issues in Healthcare Ethics* (New York: Prentice Hall, 1999); Eileen Flynn, *The Ten Commandments: Case Studies in Catholic Morality* (Notre Dame: Ave Maria Press, 2010).

<sup>50</sup> Russell Connors and Patrick McCormick, *Character, Choices and Community* (New York: Paulist Press, 1998); Russell Connors and Patrick McCormick, *Facing Ethical Issues* (New York: Paulist Press, 2002); Patrick McCormick, *Sin as Addiction* (New York: Paulist Press, 1989); Patrick McCormick, *A Banqueters Guide to the All-Night Soup Kitchen of the Kingdom of God* (Collegeville, Minn.: Liturgical Press, 2004).

<sup>51</sup> James Keenan, *Virtues for Ordinary Christians* (Kansas City: Sheed and Ward, 1996); James Keenan, *Commandments of Compassion* (Kansas City: Sheed and Ward, 1999); James Keenan, *Moral Wisdom: Lessons and Texts from the Catholic Tradition* (Lanham, Md.: Sheed and Ward, 2004); James Keenan, *The Works of Mercy: The Heart of Catholicism* (Lanham, Md.: Sheed and Ward, 2005).

<sup>52</sup> Patricia Lamoureux and Paul Waddell, *The Christian Moral Life* (Maryknoll: Orbis, 2010); Paul Waddell, *Friendship and the Moral Life* (Notre Dame: University of Notre Dame Press, 1989); Paul Waddell, *Happiness and the Christian Moral Life* (Lanham, Md.: Rowman and Littlefield, 2008).

A second trait of his style was his reliance on experience in order to share common ground with readers. This animates the style that most of the above-named authors use as well. Here we do well, then, to pause and consider the experiences that shaped Häring.

The most significant experiences for Häring in shaping his writing were the classes of moral theology that he took. When asked to prepare himself to teach in the field, he reported, "I told my superior that this was my very last choice because I found the teaching of moral theology an absolutely crushing bore."<sup>53</sup> In subsequently pursuing moral theology, Häring realized that if he found little benefit in its study so would the laity. He began to see that moral theology needed to be framed for others as well.

In looking to find a compelling source for this "new" approach to moral theology, Häring reflected on another experience: the war. Unlike the manualists who wrote during and after World War II, Häring's experience of the war shaped the breadth and depth of his project. The war empowered him: "During the Second World War I stood before a military court four times. Twice it was a case of life and death. At that time I felt honored because I was accused by the enemies of God. The accusations then were to a large extent true, because I was not submissive to that regime."<sup>54</sup> Häring witnessed to how many Christians recognized the truth, were convicted by it, and stood firm with it. There he found truth not primarily in what persons said but in how they acted and lived. The war experiences irretrievably disposed him to the agenda of developing a moral theology that aimed for the bravery, solidarity, and truthfulness of those committed Christians he met in the war.<sup>55</sup> Not surprisingly, then, he found truth more in persons than in propositional utterances.

While he encountered heroes and heroines, he also witnessed to

the most absurd obedience by Christians toward a criminal regime. And that too radically affected my thinking and acting as a moral theologian. After the war, I returned to moral theology with the firm decision to teach it so that the core concept would not be obedience but responsibility, the courage to be responsible.<sup>56</sup>

He realized therein the need to develop not a conforming, obediential moral theology, but rather one that summoned conscientious Christians to a responsive and responsible life of discipleship.

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<sup>53</sup> Häring, *My Witness for the Church* (Mahwah: Paulist Press, 1992), 19.

<sup>54</sup> Häring, *My Witness*, 132.

<sup>55</sup> Häring, *Embattled Witness: Memories of a Time of War* (New York: Seabury Press, 1976).

<sup>56</sup> Häring, *Embattled Witness*, 23-4.

The conviction of the competency of the laity and the belief in the truth of his experience led him to a third integral component of his style: its deep commitment to Vatican II. Häring's style is identifiable with Vatican II, not because he imitated it, but because, in a manner of speaking, he *shaped* it. At the council, Häring served on pre-conciliar and conciliar commissions. Thus, when the document on priestly formation, *Optatam totius*, defined seminary education, it offered a simple two sentence statement on moral theology. This comment not only validated the revisionists' work, but admonished the seminaries to incorporate the Scriptures in their study of moral theology and discipleship (Tillmann) and to embrace more clearly the virtue of charity (Gilleman). Häring was its draftsman and since its promulgation, the paragraph has become a kind of a terse manifesto of the revisionists' agenda:

Special care must be given to the perfecting of moral theology. Its scientific exposition, nourished more on the teaching of the Bible, should shed light on the loftiness of the calling of the faithful in Christ and the obligation that is theirs of bearing fruit in charity for the life of the world.<sup>57</sup>

Häring was the secretary of the editorial committee that drafted the *Pastoral Constitution on the Church in the Modern World*<sup>58</sup> and was referred to as "the quasi-father of *Gaudium et Spes*."<sup>59</sup> We see his hand throughout it. The anthropological vision of the document was based on the human as a relational, social being. Moral issues were not treated as primarily individual, but rather communal and even global. Moreover, even though sin is pervasive in the document, still the vision is fundamentally positive as the Church stands with the world in joy and hope. A new moral theological foundation was emerging: here the Church conveyed a deep sympathy for the human condition, especially in all its anxieties, and stood in confident solidarity with the world. The entire experience of ambivalence that so affected the world in its tumultuous changes of the 1960s was positively entertained and engaged.<sup>60</sup> Finally, in looking at contemporary moral challenges, the Church encouraged an interdisciplinary ap-

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<sup>57</sup> *Optatam totius*, no. 16.

<sup>58</sup> Häring also assisted in other documents, among them the chapters on the laity and the call to holiness in *Lumen gentium*.

<sup>59</sup> Charles Curran, "Bernard Häring: A Moral Theologian Whose Soul Matched His Scholarship," *National Catholic Reporter* 34 (17 July 1998), 11.

<sup>60</sup> Philippe Bordeyne, *L'Homme et son angoisse: La Théologie Morale de 'Gaudium et Spes'* (Paris: Cerf, 2004).

proach in understanding and promoting a globalized vision of modernity.<sup>61</sup>

Two particular dimensions of *Gaudium et spes* bear the indelible traits of Häring. First, his theology of marriage emerges from the constitution: marriage is a "communion of love" (47), an "intimate partnership" (48); it is no longer seen as a contract, but as a covenant (48). Rather than asserting procreation as the singular end of marriage, the council fathers argued: "Marriage to be sure is not instituted solely for procreation" (50).<sup>62</sup> Such positive, non-legalistic, but deeply affirming language was a new phenomenon for Vatican teaching on marriage.

That more and more lay people entered the field of moral theology after Vatican II is quite evident, but I think it fair to say that the positive reception of *Gaudium et spes* by the laity, particularly on marriage, had sustained positive repercussions on the later work of American moral theologians. Here I think of the work on marriage of Lisa Sowle Cahill,<sup>63</sup> Florence Caffrey Bourg,<sup>64</sup> David Matzko McCarthy,<sup>65</sup> and Julie Hanlon Rubio.<sup>66</sup> One cannot find parallel works in other countries by lay moral theologians.<sup>67</sup>

Also, out of this same framework, the council shaped its teaching on conscience, evidently indebted to Häring's extensive description of conscience in *The Law of Christ*.<sup>68</sup> His work anticipated, inspired, and formed some of the most important words from the Council, the now famous definition of conscience.<sup>69</sup> In fact, after the council,

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<sup>61</sup> Josef Römelt analyzed Häring's project on interdisciplinary cooperation between ethics and the social sciences; see his "*Fides quarens Scientiam*, Das Gespräch Bernard Häring mit den Humanwissenschaften am Beispiel der Ethik der Familie und der Bioethik," in 50 Jahre "*Das Gesetz Christi*," eds. Augustin Schmied and Josef Römelt, *Studien der Moraltheologie* 14 (Münster: LIT Verlag, 2005), 93-114.

<sup>62</sup> Todd A. Salzman and Michael G. Lawler, *The Sexual Person: Toward a Renewed Catholic Anthropology* (Washington, D.C.: Georgetown University Press, 2008), 41-47.

<sup>63</sup> Lisa Sowle Cahill, *Between the Sexes: Foundations for a Christian Ethics of Sexuality* (New York: Paulist Press, 1985); Lisa Sowle Cahill, *Sex, Gender and Christian Ethics* (New York: Cambridge University Press, 1996).

<sup>64</sup> Florence Caffrey Bourg, *Where Two or Three Are Gathered: Christian Families as Domestic Churches* (Notre Dame: University of Notre Dame Press, 2004).

<sup>65</sup> David Matzko McCarthy, *Sex and Love in the Home: A Theology of the Household* (London: SCM, 2004).

<sup>66</sup> Julie Hanlon Rubio, *Family Ethics* (Washington, D.C.: Georgetown University Press, 2010).

<sup>67</sup> Charles Curran and Julie Hanlon Rubio, eds., *Marriage: Readings in Moral Theology Number 15* (New York: Paulist Press, 2009).

<sup>68</sup> Häring, *Law of Christ*, I: 135-189.

<sup>69</sup> *Gaudium et spes*, no. 16. On Redemptorist writings on conscience, see Marian Nalepa and Terence Kennedy, eds., *La Coscienza morale oggi* (Rome: Editiones Academicæ Alphonsianæ, 1987).

Häring returned, again at length, to claims about conscience in *Free and Faithful in Christ*.<sup>70</sup>

The teaching on conscience is, I think, the emblematic expression of the hopeful expectations that were raised by Häring and affirmed by Vatican II. Universally, conscience becomes the point of departure for revisionists as witnessed by the plethora of books and essays on the topic.<sup>71</sup> While the influence of Häring (as well as Josef Fuchs) on promoting the primacy of conscience as a universally embraced claim within the Roman Catholic tradition is clearly evident, we should not fail to see the specific impact it had on the United States.<sup>72</sup>

While through the Council, Häring's own work helped shape a more social anthropology that was balanced by the personal freedom of conscience and a positive and integral notion of sexuality in a relational foundation for marriage, these two issues of conscience and marital sexuality came together in the showdown on *Humanae vitae*. I have already referred to the impact that the papal commission had on Josef Fuchs; it is important to remember, however, that before Fuchs was appointed to the commission, Häring was already an influential member of it.<sup>73</sup>

Häring was the singular theological catalyst for credibly opening the question on birth control.<sup>74</sup> That the question eventually led to the promulgation of *Humanae vitae* is of note, but also of note is how the notion of dissent was born in its wake, both universally<sup>75</sup> and, more particularly, in the American context especially regarding the claims of academic freedom espoused by Charles Curran.<sup>76</sup>

Americans might find it surprising that Häring, like Fuchs, rooted his understanding of conscience in freedom. This emphasis on freedom is a fourth identifiable trait of his style. The singularity of his interest in freedom, then, ought not to be overlooked: When his

<sup>70</sup> Häring, *Free and Faithful in Christ*, I: 224-301.

<sup>71</sup> See Keenan, *A History*, 96-97.

<sup>72</sup> For instance, Charles Curran, ed., *Conscience: Readings in Moral Theology Number 14* (New York: Paulist Press, 2004).

<sup>73</sup> See Häring, *My Witness for the Church*, 70-80; Eric Genilo, *John Cuthbert Ford, S.J.: Moral Theologian at the End of the Manualist Era* (Washington, D.C.: Georgetown University Press, 2007), 132-137; Graham, *Josef Fuchs*, 88-89.

<sup>74</sup> See Robert Kaiser, *The Politics of Sex and Religion: A Case History in the Development of Doctrine, 1962-1984* (New York: Sheed and Ward, 1985); Robert McClory, *Turning Point: The Inside Story of the Papal Birth Control Commission and How Humanae Vitae Changed the Life of Patty Crowley and the Future of the Church* (New York: Crossroad, 1997).

<sup>75</sup> See Hans Küng and Jurgen Moltmann, eds., *The Right to Dissent* (New York: Seabury Press, 1982).

<sup>76</sup> Charles Curran, *Loyal Dissent* (Washington, D.C.: Georgetown University, 2007); Charles Curran and Richard McCormick, *Dissent in the Church: Readings in Moral Theology Number 6* (New York: Paulist Press, 1988).

three-volume work, *Free and Faithful in Christ* was translated into German, the title simply read *Frei in Christus*.

Noticeably different from his predecessors, Häring privileges human freedom as the possibility of responding to God's call to do God's will. "In essence freedom is the power to do good. The power to do evil is not of its essence."<sup>77</sup> That freedom is itself a gift. As God calls, God provides. Sin is the refusal to accept the gift and the call; it is therefore the defeat of freedom and the entrance into slavery. There are many reasons for Häring's turn to freedom: the Fascist and Nazi movements that imprisoned millions across the European continent; the subsequent developments in the philosophy of existentialism; the incredibly obsessive control of the manualists and the ever-encroaching dictates from the Vatican; Soviet expansionism into Eastern Europe; and the growing appreciation in ordinary European culture of human freedom. Moreover, theologians, particularly his doctoral director, Theodor Steinbuchel, had been writing on freedom.<sup>78</sup>

The Irish Redemptorist Raphael Gallagher offers another reason for the turn to freedom: revelation. Häring has two thousand and thirty-one Scriptural citations in *The Law of Christ* and six hundred and fifty-nine come from Paul, "the apostle of Christian freedom."<sup>79</sup> These glad tidings are precisely that which makes us free. We have law as a pedagogue, teaching us how to proceed and revealing to us, forensically, our sins. But the Gospel, the law of Christ, makes us free to follow him. The Galatian message of Paul rings true in the life experiences of Häring, particularly those during the war; by his own testimony, Häring was free to stand and witness. Personal freedom is the foundation for doing good and for doing moral theology.

Though Tillmann broke the ground for a biblically-based moral theology, Häring is the one who brought the fullness of the moral tradition into the world of the Bible. Here, then, is the fifth trait. Tillmann brought the Bible with him when he left exegesis and entered moral theology. Häring, on the other hand, brought the moral tradition to be illuminated by the Scriptures. Describing *The Law of Christ*, he wrote, "The present work attempts to expound the most central truths in the light of the inspired word of the Bible."<sup>80</sup>

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<sup>77</sup> Häring, *The Law of Christ*, I: 99.

<sup>78</sup> Theodor Steinbuchel, *Existenzialismus und christliches Ethos* (Heidelberg: F. H. Kerle, 1948).

<sup>79</sup> Raphael Gallagher, "Bernard Häring's *The Law of Christ*: Reassessing its Contribution to the Renewal of Moral Theology in its Era," *Studia Moralia* 44 (2006): 336.

<sup>80</sup> Häring, *The Law of Christ*, I: viii.

The presentation of the content and specific characteristics of New Testament law is “the task of moral theology as a whole.”<sup>81</sup> As mediator of the biblical message, moral theologians should be nourished by the Word of God and learn from the work of biblical scholars so as to discern what helps us to know Christ and God’s salvific plan better.<sup>82</sup> “Moral theology, as I understand it...its basic task and purpose is to gain the right vision...we can gain the necessary vision of wholeness only by listening to the word of God.”<sup>83</sup>

What influence did his use of the Bible have on the field of moral theology? Jeffrey Siker remarks that a decade before the council, Häring’s style preceded the Council’s style. In writing on the biblical contributions of many theologians, he comments that Häring’s *Law of Christ* “initiated changes that Vatican II sought to bring about a decade later.”<sup>84</sup> Lúcas Chan Yiu Sing observes that for Häring “what makes Christian morality distinctively Christian is the normative nature of the Bible.”<sup>85</sup> James Bretzke also notes that Häring was convinced that Scripture does not only inform but also forms the community into one of a particular character, and it is in this sense that Scripture is authoritative.<sup>86</sup>

In writing *What Are They Saying About Scripture and Ethics?* William Spohn names Häring as the Catholic theologian who led Catholic moral theology back to the Bible.<sup>87</sup> While Tillmann led Häring, it is clear that Häring led Americans. Spohn heard the call. When American Catholic ethicists like Spohn, Cahill, Farley, Himes, Keenan, Matzko McCarthy, and others turn to the Scriptures as the foundations of theological ethics, they are following in Häring’s footsteps.

In a collection of essays celebrating the fiftieth anniversary of *The Law of Christ*, Raphael Gallagher makes clear that the Häring legacy is that ethics derives from the Church reflecting theologically on the

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<sup>81</sup> Häring, *The Law of Christ*, I: 257.

<sup>82</sup> Bernard Häring, “The Role of the Catholic Moral Theologian,” in *Moral Theology: Challenges for the Future*, eds. Richard A. McCormick, Charles E. Curran, and Walter J. Burghardt (Mahwah: Paulist Press, 1990), 32-33.

<sup>83</sup> Häring, *Free and Faithful*, I, 6.

<sup>84</sup> Jeffrey Siker, “Bernard Häring: The Freedom of Responsive Love,” *Scripture and Ethics: Twentieth Century Portraits* (New York: Oxford University Press, 1997), 59.

<sup>85</sup> Lúcas Chan Yiu Sing, *Why Scripture Scholars and Theological Ethicists Need One Another: Exegeting and Interpreting the Beatitudes as a Scripted Script for Ethical Living* (Dissertation, Boston College, September 23, 2010), 104.

<sup>86</sup> James Bretzke, *A Morally Complex World: Engaging Contemporary Moral Theology* (Collegeville, Minn.: Liturgical Press, 2004), 90.

<sup>87</sup> William Spohn, *What Are They Saying About Scripture and Ethics?* (Mahwah: Paulist Press, 1984), 11, 41.

Gospels.<sup>88</sup> Like Gallagher, Eberhard Schockenhoff argues that Häring's point of departure was always theology and from there he sought through ethics to engage culture and its sciences, with an appreciation for an interdisciplinary approach to understanding the human situation.<sup>89</sup> But Häring's theological foundation animated and sustained by the Scriptures prompted Norbert Rigali, in noting the lasting influence of Bernard Häring, to declare that the subject of moral theology's present incarnation is "unmistakably Christian: life in Christ. There can be no question that the new discipline is theology."<sup>90</sup>

Häring's enormous impact on Catholic moral theology in the United States was aided by his ecumenical spirit, a final trait of his style. In a very telling comment, James Gustafson wrote, "I believe Charles Curran and I had more agenda in common than I had with most of my Protestant colleagues and all of my Roman Catholic colleagues except Bernard Häring."<sup>91</sup> Häring's dialogue with Protestants was a considerably new initiative. While in the United States, several moral theologians (for example, Albert Jonsen, David Hollenbach, Margaret Farley, and Lisa Cahill) studied at Protestant schools of divinity with scholars like James Gustafson who encouraged these students to know the Roman Catholic and Protestant dimensions of Christian ethics. Häring was one of the few, if not the only European moralist of his generation who cemented the ecumenical foundations of much of contemporary American Christian ethics established in the 1970s. In one sense, his deep reliance on Scripture, conscience, and experience made him a credible interlocutor with interested Protestant scholars.

## CONCLUSION

There is much I have not considered. Without doubt, his ethics was Christologically-centered (think: *The Law of Christ* and *Free and*

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<sup>88</sup> Raphael Gallagher, "Das Gesetz Christi: Seine Bedeutung für die Erneuerung der Moratheologie," in *50 Jahre "Das Gesetz Christi,"* 11-42.

<sup>89</sup> Eberhard Schockenhoff, "Pater Bernard Häring als Wegbereiter einer konziliaren Moratheologie," in *50 Jahre "Das Gesetz Christi,"* 43-68.

<sup>90</sup> Norbert Rigali, "On Theology of the Christian Life," in *Moral Theology: New Directions and Fundamental Issues*, ed. James Keating (Mahwah: Paulist Press, 2004), 19.

<sup>91</sup> James Gustafson, "Charles Curran: Ecumenical Moral Theologian Par Excellence," in *A Call to Fidelity: On The Moral Theology of Charles Curran*, eds. James J. Walter, Timothy E. O'Connell, and Thomas A. Shannon (Washington, D.C.: Georgetown University Press, 2002), 211-234, at 211; see his comments on Häring in *Theology and Christian Ethics* (Philadelphia: Pilgrim Press, 1974), 50, 191-195.

*Faithful in Christ*).<sup>92</sup> Similarly, he wrote like Tillmann in the key of virtue<sup>93</sup> which furthered the development of his relational anthropology. Still, I think that his lasting contribution to the United States is like that which he offered to those in Spain, India, Australia and, indeed, to the world Church, and that is a whole new style that is deeply confessional, engaging, biblically-based, and confident. It's what makes moral theology today ring true. **M**

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<sup>92</sup> The opening words of the foreword to the *Law of Christ* were decisive: "The principle, the norm, the center, and the goal of Christian moral Theology is Christ" (vii). See Keenan, *A History*, 88-95.

<sup>93</sup> Particularly the virtue of religion; see Kathleen A. Cahalan, *Formed in the Image of Christ: The Sacramental-Moral Theology of Bernard Häring, C.Ss.R.* (Collegeville, Minn.: Liturgical Press, 2004).

## Servais Pinckaers and the Renewal of Catholic Moral Theology

CRAIG STEVEN TITUS

**S**URVEYING THE INTELLECTUAL and spiritual heritage of Servais-Théodore Pinckaers, O.P. (1925-2008) and the contribution that he makes to the renewal of Catholic moral theology is no small task. He is trained in the spirit of the *ressourcement* movement that has contributed to the renewal in biblical, patristic, and liturgical theology, preparing for the renewal in Catholic moral theology. Moreover, he is a forerunner of the virtue revival that has drawn from a rich Dominican heritage. This movement and this revival are part and parcel of the renewal that prepared for the Second Vatican Council and that continues on to this day.

In particular, Pinckaers addresses the need to break out of the Enlightenment and modern molds of casuistry and moral manuals that have so affected the Church. He recognizes that the post-Tridentine narrowing of the vocation of moral theology to be simply at the service of auricular confessions followed a trend in philosophical ethics to focus on duty and obligation at the expense of the internalization of charity and the other virtues and of attention to the beatitudes and the gifts of the Holy Spirit. While different sorts of casuistry continue in various forms of consequentialism and utilitarianism, Pinckaers offers a non-casuist approach to moral theory that acknowledges its roots in sacred Scripture and dogmatic theology, as well as in the philosophy of nature and metaphysics. It does not however deny the place for duty or for the study of cases within the pedagogy of virtue. His vision has been instrumental in bringing *ressourcement* to the

post-Vatican II renewal of Catholic moral theology, especially as it is epitomized in Pope John Paul II's encyclical *Veritatis splendor*<sup>1</sup> and in the *Catechism of the Catholic Church*.<sup>2</sup>

First, I would like to treat some of the themes that indicate the importance of Pinckaers' influence for this renewal. In understanding his contributions, we can see better how he has been received on the contemporary scene. Second, by placing Pinckaers' work in historical context, I will demonstrate the parallel between his efforts and this renewal. Lastly, I will explore the influence in Catholic moral theology of his approach to the relationship between law and love, precept and virtue, which in Pinckaers' understanding are aimed primarily at beatitude with and friendship-love of God, and love of neighbor.

### CONTRIBUTION TO THE RENEWAL

In comparing Father Pinckaers' work to that which preceded and followed the Council, we find that he not only exemplifies the development that led to the renewal in Catholic moral theology, but more interestingly, he actually nourishes it and prompts its growth. He treats the main themes of *Veritatis splendor* and the *Catechism* well in advance of their publication, in particular concerning the sources of moral theology, especially Christ and sacred Scripture, but also developing the key themes of virtue and the New Law of grace.

His concern for the sources of moral theology is evident in his first works. After his Sacred Theology Licentiate thesis (1952) on *Le "Surnaturel" du P. De Lubac*, directed by the future Cardinal, Jean Jerome Hamer,<sup>3</sup> Pinckaers' first publication was his scriptural reflection on the virtue of hope. This essay involves a scriptural study, putting an Old Testament theology of hope in dialogue with a Christian approach to the Bible.<sup>4</sup> In the preface of his first book *Le renouveau de la morale (The Renewal of Morality)*,<sup>5</sup> Marie-Dominique Chenu, O.P., notes the importance of Pinckaers' use of a historical method in

<sup>1</sup> John Paul II, *Veritatis splendor* (Vatican: Libreria Editrice Vaticana, 1993).

<sup>2</sup> *Catechism of the Catholic Church* (Vatican: Libreria Editrice Vaticana, 1994, second edition 1997).

<sup>3</sup> In this work, Pinckaers is nuanced in his praise and critique of the famous work of Father de Lubac. Pinckaers holds that the natural inclination or desire to see God is completed through the work of grace in the form of the theological virtues of faith, hope, and charity. It is thus that he avoids conflating the natural and supernatural.

<sup>4</sup> "L'espérance de l'Ancien Testament est-elle la même que la nôtre?" *Nouveau Revue Théologique* 77 (1955): 785–99.

<sup>5</sup> *Le renouveau de la morale: Etudes pour une morale fidèle à ses sources et à sa mission présente* (Paris: Tequi, 1979; orig. 1964). I will refer to his texts that have not been translated into English by their French title, after having given an English translation of the original title.

his work on Sacred Scripture and on the masters of the theological tradition, particularly on St. Thomas Aquinas. As one of the most notable French *ressourcement* theologians (along with Jean Daniélou, S.J.), Chenu was a forerunner in using historical methods in theology and thus suffered from the Roman sanctions in 1942.<sup>6</sup> Some twenty years later, Chenu was well placed to appraise this movement and Pinckaers' use of it for moral theology. Chenu says that Pinckaers' employment "of the historical method, in its diverse levels, serves up a keen doctrinal understanding, producing the most up-to-date of studies." It is the result of "the education of a spiritual sensibility in analyses where the contexts enter into the framework of the text. ... Such recourse to the great masters of classical theology is certainly an instrument and a guarantee of *The Renewal of Morality*."<sup>7</sup>

The significance for moral theology of the return to the scriptural, patristic, medieval, and magisterial sources cannot be overestimated. Instead of taking his cue from the manuals that served the previous generation, Pinckaers takes up the primary texts for a dialogue that is not simply historical, but contemporary and properly theological in its intent. He there finds direction in order to escape from the impasse of the casuistic approach of the manuals. Pinckaers' first works are marked by a concern for sources. His first articles and *Le renouveau de la morale* already outlined in many ways his life's work. The latter's subtitle, "*Studies for a morality that is faithful to its sources and to its present mission*," announces his extensive study on the sources of Christian ethics and the efforts at renewing Catholic moral theology—especially as a theological virtue theory based on friendship-love. It is interesting to see how the themes tie the work together. His first critiques of the system of an ethics of obligation (*morale de l'obligation*) contrasted that system with scriptural, Magisterial, and Thomist approaches to a "morality of friendship" (*morale de l'amitié*).<sup>8</sup> Afterward, he would call the latter a morality of happiness or beatitude.<sup>9</sup>

As a proponent of the importance of the virtues for moral theology, he has participated in the renewal of virtue theory that had al-

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<sup>6</sup> Concerning the use of the historical method in theology at the time of '*Humani generis*,' see: R. Guelluy, "Les antécédents de l'encyclique '*Humani generis*' dans les sanction romaines de 1942: Chenu, Charlier, Draguet," *Revue d'histoire ecclésiastique* 81 (1986): 421-97.

<sup>7</sup> Pinckaers, *Le renouveau de la morale*, 8.

<sup>8</sup> Pinckaers, *Le renouveau de la morale*, 26-43.

<sup>9</sup> Pinckaers, *The Sources of Christian Ethics* (Washington, DC: The Catholic University of America Press, 1995, original French 1985), and *Morality: The Catholic View*, preface by Alasdair MacIntyre, trans. Michael Sherwin (South Bend, IN: St. Augustine's Press, 2001, original French 1991).

ready started in philosophy with the works of Josef Pieper<sup>10</sup> and that would follow with Elizabeth Anscombe<sup>11</sup> and later with Alasdair MacIntyre.<sup>12</sup> British philosopher Fergus Kerr, O.P. has found in Servais Pinckaers “the greatest exponent” of the virtue tradition in theology, whose strength is to draw “on deep knowledge of the theology of Saint Thomas Aquinas and on the whole Catholic Christian inheritance.”<sup>13</sup> Pinckaers’ *theological* approach to virtue was already evident in *Le renouveau de la morale* as well as in his first four articles on virtue theory. Furthermore, this theological approach to virtue has been able to draw out new connections that are possible through experience (including that of mystics, such as St. John of the Cross),<sup>14</sup> revelation (scriptural sources), and systematic and speculative theological reflection.<sup>15</sup>

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<sup>10</sup> Josef Pieper, *Zucht und Mass: Über die vierte Kardinaltugend* (Hegner: Leipzig, 1939). His works on the cardinal virtues were first translated and published in English as: *Fortitude and Temperance* (1954); *Justice* (1955); and *Prudence* (1959).

<sup>11</sup> See her *Intention* (Oxford: Blackwell, 1957) and especially her “Modern Moral Philosophy,” in *Philosophy* 33, no. 124 (1958): 1-19.

<sup>12</sup> *After Virtue: A Study in Moral Theory* (Notre Dame, IN: Notre Dame University Press, 1981).

<sup>13</sup> Fergus Kerr, cover blurb for J. Berkman and C. S. Titus, *The Pinckaers Reader* (Washington, DC: The Catholic University of America Press, 2005). It is not typical to quote cover blurbs, but a few are used here to fulfill the assigned task of the essay to convey Pinckaers’ influence and reception. Compare this with an earlier assessment by Kerr, in *After Aquinas: An Introduction to His Life, Work, and Influence* (Grand Rapids, MI: Eerdmans, 2003), 111, in which he was not convinced on the position that Pinckaers took on the question of natural law. He says: “It is tempting to agree with Servais Pinckaers, however, that abstracting Thomas’s questions on natural law from those on the Old Law and the New Law, and from the questions on Beatitude and virtue, produces nothing but confusion, and that, whatever happened before his day, he never saw natural law as functioning independently of the eternal law which is nothing other than the creator. But it would be premature to opt for one interpretation rather than one of the many others, in what is currently perhaps the most contested topic in Thomas’s work.” In the midst of his erudition, Kerr (*Twentieth-Century Catholic Theologians: From Neoscholasticism to Nuptial Mysticism*, Oxford: Blackwell, 2007, 33) however mistakenly identifies Reginald Garrigou-Lagrange, O.P. (who was one of Pinckaers’ teachers along with future cardinals Jean Jerome Hamer and Mario Luigi Ciapi, as well as Paul Philippe) as his dissertation director. It was Louis-Bertrand Gillon, however, who directed Pinckaers’ dissertation, entitled: *La Vertu d’espérance de Pierre Lombard à St. Thomas d’Aquin* (Rome: Angelicum S.T.D. Thesis, 1954). This error has been repeated in the “Introduction” to *The Pinckaers Reader* (2005).

<sup>14</sup> Among his many articles on spiritual theology, Pinckaers published works on prayer and the Carmelite mystics, notably on the works of St. John of the Cross, St. Theresa of Avila, and St. Thérèse of the Child Jesus. A complete bibliography is found on the Pinckaers archives website (<http://www.unifr.ch/tmf/-Archives-Pinckaers>) and an older one in *The Pinckaers Reader*.

<sup>15</sup> Pinckaers, “Dominican Moral Theology in the 20<sup>th</sup> Century,” in *The Pinckaers Reader*, 73-89, see especially pages 86-89.

As an expert in fundamental moral theology, his lifetime work was to establish a sure footing for special moral theology (though he lectured in special moral theology—focused on the virtues—as a young professor, he did not teach it during his long appointment at the University of Fribourg). Although his focus was on the nature of true happiness, finality in moral agency, and the nature of freedom, it would be incorrect to downplay his contribution to studies on the natural law and action theory.<sup>16</sup> Moreover, though Pinckaers did not write one systematic monograph on the particular virtues, one can find treatments of all of them somewhere in his 28 books and 300 articles.

A further, and perhaps most unique, contribution involves the retrieval of the gifts of the Holy Spirit and the New Law of grace in moral theology and the spontaneity that there abides.<sup>17</sup> A Trinitarian vision is very active in his works. Faith in Christ inspires the organism of the virtues. Christ is the very center.<sup>18</sup> The evangelical law (as the grace of the Holy Spirit in those who have faith in Christ, working through love) is the keystone of the influence of Pinckaers' works, which revive neglected insights from the *Summa theologiae* (ST), such as the Christological dimension of the virtues.<sup>19</sup>

The connection between the believer's life of virtue and Christ is missed by some observers because of the influence of modern ethical theories and casuist approaches, and by others because of the division of the theological disciplines that separates moral theology from dogmatic and spiritual theology. Nonetheless, Pinckaers notes three

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<sup>16</sup> For example, William May and John Cuddeback minimize the place of law in Pinckaers' thought. Furthermore, Pinckaers' works that have been translated into English have not always been recognized for their treatment of the nature of acts and virtues. I would not endorse John Berkman's claim, in his otherwise fine introduction, when he says "Pinckaers was ultimately oriented neither to understanding the demands of the natural law, nor to elucidating the nature of acts and virtues, but to articulating an understanding of the *telos* of the human person" ("Introduction," *The Pinckaers Reader*, 16). In section three, I will treat differences concerning Pinckaers' thought on natural law and moral agency.

<sup>17</sup> Elsewhere I have demonstrated the importance of a Christological and Spirit-centered vision in Pinckaers' works. See C. S. Titus, "Passions in Christ: Spontaneity, Development, and Virtue," *The Thomist*, 73.1 (2009): 53-87.

<sup>18</sup> His article, "The Body of Christ: The Eucharistic and Ecclesial Context of Aquinas's Ethics," (*The Pinckaers Reader*, 26-45) shows the importance of Jesus Christ and the Church for Pinckaers' thought. See also: *L'Evangile et la morale* (Fribourg/Paris: Editions Universitaires/Cerf), 48ff.

<sup>19</sup> His treatment of the New Law draws upon Aquinas' *Summa theologiae* (ST) I-II, questions 106-108. The second element of the New Law is the written Word of God, especially the Sermon on the Mount.

incisive insights, drawn from Aquinas,<sup>20</sup> that demonstrate the interconnection of virtue theory and the centrality of Christ in moral theology. First, as Pinckaers says, the “fullness of Christ’s grace, acting through the virtues, the gifts, and the charisms, constitutes the spiritual reserve that spreads over the Church’s members, through Christ who is its Head.”<sup>21</sup> Second, Christ, through the Redemption he wrought for all people, provokes charity and informs morality.<sup>22</sup> Third, the New Law, as the center of Christian ethics, “is chiefly the grace itself of the Holy Spirit, which is given to those who believe in Christ”<sup>23</sup> and works through charity.<sup>24</sup> Christ, as the Head of the Church and wellspring of charity, serves to unite all of the virtues, which cannot be properly understood in an individualistic way. Moreover, the natural inclination toward social life develops through friendship-love, justice, and every virtue, inasmuch as they inform pro-social acts and relationships.

Another significant contribution to the renewal is Pinckaers’ work on the conception of the will, in which he finds the expression of “the true image of God within us, for it is in our mastery over our actions that we show forth his image.”<sup>25</sup> Pinckaers has focused many of his academic studies on the center point of moral agency and ethical theory, that is, its goal or finality. He has asked: what difference does it make whether moral theory aims primarily at obligation or beatitude? One of the primary differences is found in the conception of reason and will and in the freedom that flows from them. Even if a common notion of human nature is established, when construed primarily in terms of obligation, freedom is focused on the capacity to do what one wills (regardless of whether it be good or evil and regardless of one’s vocation to Christian beatitude). The result construes the human person as primarily seeking autonomy or freedom from constraint and from coercion.<sup>26</sup> On the contrary, when seen in terms of the capacity to do the good that one wills and to fulfill one’s Christian calling in life, a freedom for excellence and even for holi-

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<sup>20</sup> Pinckaers identifies numerous other examples of this connection that come at the end of moral analyses (such as is found in the prologue to the *Tertia Pars*). See Pinckaers, “The Body of Christ,” *The Pinckaers Reader*.

<sup>21</sup> In this text (“The Body of Christ,” *The Pinckaers Reader*, 42), Pinckaers refers to the *Tertia Pars*, questions 7 and 8. He discusses the interconnection of the virtues and the Church. Each virtue, far from being isolated, has an ecclesial dimension that is linked to its personal dimension.

<sup>22</sup> *ST III* q. 48, a. 4.

<sup>23</sup> *ST I-II* q. 106, a. 1.

<sup>24</sup> *ST I-II* q. 108.

<sup>25</sup> Pinckaers, *The Sources of Christian Ethics*, 327.

<sup>26</sup> See Pinckaers, “Aquinas and Agency: Beyond Autonomy and Heteronomy,” *The Pinckaers Reader*, 167-184; and Pinckaers, *The Sources of Christian Ethics*, 330-353.

ness, results. While not denying the need for freedom from constraints, the focus on “freedom for excellence” involves a life consciously seeking moral-spiritual flourishing.<sup>27</sup>

Pinckaers realizes that the effort to recover a Gospel morality centered on ultimate happiness has been misunderstood from two different sides: libertarianism and legalism. First, a libertarian perspective misses the interrelation between human virtue and true happiness, on the one hand, and the commands and precepts that spell out the path of moral development, right action, and a good life, on the other. Such a morality based on the freedom of indifference bypasses or relativizes the larger pedagogical purposes of obligation, law, and commandments. Such moral libertarianism cuts itself off from the viable means (including grace and the gifts of the Holy Spirit, as well as commands and precepts) to guide the person to the end of Christian moral life—to be perfect as our heavenly Father is perfect (Mt. 5:48). Second, the legalist or duty-driven morality (that has outlived the moral manuals) expresses suspicion of happiness, confusedly believing it leads to utilitarian and hedonist ethics.<sup>28</sup> This duty ethic, which counts on the purity of intention and the sentiment of duty to determine moral acts, is a result of various forms of Kantianism or political utilitarianism. Without denying a significant place for duty, precepts, intention, or emotion in moral agency, Pinckaers recognizes that a morality of beatitude and a freedom for excellence—an evangelical freedom of the Spirit—takes imitation of Christ as its goal. Expounding on *Veritatis splendor* (n. 26), he writes:

Each Christian enters into the New Covenant through faith in the person of the Son of God; every Christian receives, from the living tradition entrusted to the apostles and to their successors, the moral prescriptions that need to be conserved faithfully and fulfilled permanently in different cultures, throughout history. These precepts are summed up as to follow and to imitate Christ, according to the words of St. Paul: “For me, to live is Christ” (Phil 1:21).<sup>29</sup>

Because of his Trinitarian perspective Pinckaers can go on to affirm that “the moral life of the Christian is bound to the person of Christ forming his Body, the Church, by the work of the Holy Spirit.”<sup>30</sup>

<sup>27</sup> Pinckaers, “Ethics in the Image of God,” *The Pinckaers Reader*, 130-143; and Pinckaers, *The Sources of Christian Ethics*, 327-399.

<sup>28</sup> See Pinckaers, “Aquinas and Agency: Beyond Autonomy and Heteronomy,” *The Pinckaers Reader*, 167-184, especially 177.

<sup>29</sup> Pinckaers, “The Body of Christ,” *The Pinckaers Reader*, 26.

<sup>30</sup> Pinckaers, “The Body of Christ,” *The Pinckaers Reader*, 25.

From the beginning of his Dominican life, he was struck by love for Christ present in Word and Sacrament. This source would serve to found and organize his life as a religious, priest, and moral theologian. It also would put him in the line of a *ressourcement* theology, in a Dominican vein, and constitute the foundation for his contribution to and influence on the renewal of Catholic moral theology.

He was influenced, during a novitiate retreat, by the renowned Dom Olivier Rousseau, Benedictine monk of the monastery of Chevetogne (founded to promote unity between Christian East and West), who impressed two points on the young Pinckaers: the significance of the sacred Scripture and the need to read it theologically. First, realizing that the Word of God was weightier than any human word, he focused his reading on the Bible.<sup>31</sup> Second, following the theological prerogative of the Church Fathers, as communicated by the theological influence of Chevetogne, Pinckaers privileged a “spiritual” reading of sacred Scripture.<sup>32</sup>

Pinckaers affirms that Aquinas was his mentor in regard to his use of sources and his principal focus on Scripture.<sup>33</sup> He understands Aquinas as a model of moral theology built principally upon Scripture, while integrating the human elements that are needed for a Christian life. This scriptural model, as Pinckaers affirms, “encourages and helps us to have recourse to the Gospel and to Sacred Scripture, from which we will find the light, inspiration, and materials to build a Christian ethics in the style that is fit for today, using the particular resources of which we dispose.”<sup>34</sup>

A number of important Catholic writers, including Thomas O’Meara, O.P.,<sup>35</sup> Matthew Levering,<sup>36</sup> and Tracey Rowland<sup>37</sup> refer to Pinckaers as a “Biblical Thomist,” because of the importance he places on sacred Scripture in the Thomist revival of moral theology and

<sup>31</sup> Pinckaers, “My Sources,” *Communio* 26, (1999): 913.

<sup>32</sup> At the same time, he had a high regard for historical critical studies, as is seen in his article on the Word of God and morality: “La Parole de Dieu et la morale,” *Le Supplément de la vie spirituelle* 200 (March 1997): 21-38.

<sup>33</sup> See Pinckaers, “My Sources,” 913-15.

<sup>34</sup> *L’Evangile et la morale*, 10. He, furthermore, calls for the audacious confidence to believe that Christian thought can be creative at the level of expression, while remaining faithful to the Church’s rich patrimony.

<sup>35</sup> See the section entitled “A Biblical Thomist: Servais Pinckaers” (363-66) in Thomas F. O’Meara, O.P., “Interpreting Thomas Aquinas: Aspects of the Dominican School of Moral Theology in the Twentieth Century,” in Stephen J. Pope, ed., *The Ethics of Aquinas* (Washington, DC: Georgetown University Press, 2002), 355-73.

<sup>36</sup> Matthew Levering, *Biblical Natural Law* (Oxford: Oxford University Press, 2008), in which he compares Pinckaers’ teaching on natural law to that of Martin Rhonheimer and Graham McAleer. Levering also calls Pinckaers a *ressourcement* Thomist.

<sup>37</sup> Tracey Rowland, *Ratzinger’s Faith: The Theology of Pope Benedict XVI* (Oxford: Oxford University Press, 2008), 26.

in interpreting grace and the virtues. Thomas O'Meara explains that this appellation can be further justified due to the fact that Pinckaers published his first articles (1955 and 1956) on Biblical themes: one article involved a scriptural understanding of hope<sup>38</sup> and another prophetically called for the use of a *ressourcement* model to renew Catholic moral theology.<sup>39</sup> Pinckaers argues that the Word of God is an integral part of the Church's theological and moral project and that a renewal in moral theology needs to recover the use of Sacred Scripture. He recognizes that historical studies of the Bible are to help in this regard.<sup>40</sup> Avery Cardinal Dulles, for his part, has observed that Pinckaers emphasizes both the biblical and patristic grounding of Aquinas' moral theology, as a model for contemporary Christian ethics.<sup>41</sup>

Pinckaers has lived the liturgical renewal with a Catholic emphasis on Christ present not only in Word, but also in Sacrament, especially in the Eucharist. He defends the position that Christ builds up his Church through the sacraments, especially the Eucharist.<sup>42</sup> Employing St. Paul's reflections in his Letter to the Romans (12:1), Pinckaers says: "Morality appears as a kind of living sacrifice that directly recalls the Eucharist, the Sacrament of the body and blood of the Lord."<sup>43</sup> Because of Christ's real presence therein, Pinckaers recognizes the Eucharist as the apex of the Sacraments and the beginning of the moral life. Following St. Paul, he speaks of a liturgical morality. Pinckaers writes: "There is a close bond [and] a vital contact between liturgical prayer and the moral life. Before all theory and doctrine, the moral life is first nourished by the body of Christ, his presence in the Eucharist."<sup>44</sup> He goes on to explain that "moral life thus becomes the prolongation and activation in our daily life of the

<sup>38</sup> "L'espérance de l'Ancien Testament est-elle la même que la nôtre?" *Nouvelle Revue Théologique* 77 (1955): 785-99 (republished in his *Renouveau de la morale*, 1964).

<sup>39</sup> "Le renouveau de la théologie morale," *Vie intellectuelle* 27 (October 1956): 1-21.

<sup>40</sup> See especially the collection of articles found in *L'Evangile et la morale* (1990). It is hard to find one of his articles or books that does not concern itself with Sacred Scripture.

<sup>41</sup> Avery Dulles, "John Paul II and the Renewal of Thomism," in *John Paul II and St. Thomas Aquinas*, ed. by Michael Dauphinais and Matthew Levering (Ann Arbor, MI: Sapientia Press, 2006), 15-29, at 16.

<sup>42</sup> Pinckaers, "The Body of Christ," *The Pinckaers Reader*. On the importance of the sacrament of the Eucharist for his moral theology, see his first essays in 1955, *Renouveau de la morale* (1964), *The Sources of Christian Ethics* (orig. 1985), *La vie selon l'Esprit: Essai de théologie spirituelle selon saint Paul et saint Thomas d'Aquin* (Luxembourg: Editions Saint-Paul, 1996), esp. 249-259, *Spiritualité du martyr* (2000), and "My Sources."

<sup>43</sup> "The Body of Christ," *The Pinckaers Reader*, 32, where Pinckaers also refers to 1 Cor. 10: 16-17.

<sup>44</sup> "Conscience and Christian Tradition," *The Pinckaers Reader*, 325.

Eucharistic liturgy where we communicate in the Body of Christ to which we have been united by baptism.”<sup>45</sup> Pinckaers also recognizes the correlation of the Eucharist and the faith of martyrs, who are the epitome of Christian courage.

His devotion to Christ in the Eucharist demonstrates that he was profoundly contemplative. He lived the Dominican motto as understood by St. Thomas “*contemplata aliis tradere*,” to share with others the fruit of contemplation.<sup>46</sup> His apostolic activities and university teaching grew out of his contemplative prayer and study. His writing grew out of all four. He was turned toward a prayerful and studious contemplation of all things philosophical and theological. His article on an eclipse demonstrates his admiration for nature, as did his regular walks in the Fribourg countryside that kept him in touch with the seasons and the elements.<sup>47</sup> But it must be said that he found communion with and adoration of Christ in the Eucharist to be the source of moral strength and virtue. In one of his last works published before his death, he says: “in the still attentiveness to the unique presence of the Lord, in silent faith, adoration discretely and surely arouses and animates the moral life of the Christian with its virtues.”<sup>48</sup> This devotion to Christ personally present in the Eucharist was his inspiration from his youth, as he testifies in “My Sources.”<sup>49</sup>

As a Dominican priest and theologian, Pinckaers read the sources of the Christian tradition together: Scripture in its context, as part of the Christian tradition that also involves the Church Fathers’ interpretation of Scripture and the Church’s Magisterium.<sup>50</sup> Pinckaers consistently argues furthermore that Catholic moral theology can be separated neither from dogmatic theology (Trinitarian theology and Christology and grace), nor from spirituality, nor from the Magisterium. Neither can it be separated from historical investigations or

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<sup>45</sup> “Conscience and Christian Tradition,” *The Pinckaers Reader*, 325. In his article “The Body of Christ” (45), Pinckaers sums up the importance of the Eucharist for theology saying: “Thus, we would dare say that faith and devotion to the Body of Christ in the Eucharist and also in his ecclesial Body—in their strongest meaning—are a primary inspiration and source of St. Thomas’s theology. It is like a primary experience, hidden under the toil of reflection, which belongs to the realm of prayer and spiritual attraction, as the Holy Spirit forms them in us.”

<sup>46</sup> *ST II-II* q. 188, a. 6.

<sup>47</sup> Pinckaers, “L’éclipse ou le réveil de l’admiration,” *A l’école de l’admiration* (Versailles: Saint-Paul, 2001), 7-12.

<sup>48</sup> Pinckaers, *Plaidoyer pour la vertu* (Paris: Parole et Silence, 2007), 56 (author’s translation).

<sup>49</sup> Pinckaers, “My Sources,” 913-15.

<sup>50</sup> Pinckaers also emphasizes the principal role that sacred Scripture must have in Catholic moral theology, in “The Sources of the Ethics of St. Thomas Aquinas,” in *The Ethics of Aquinas*, Pope, ed., 17-29.

from philosophical studies (and the sciences).<sup>51</sup> He has become known for demonstrating that a division of the sciences has become exaggerated, as a result of nominalist, Enlightenment, and Baroque influences. One of his major criticisms of modern theology is that it has lost vitality due to the specialization that compartmentalizes at the expense of synthesizing what has been analyzed.

In contrast, he has shown that the patristic and magisterial tradition, as well as the nearly eight century-old Dominican tradition, integrate systematic and spiritual theology and practical issues in moral considerations.<sup>52</sup> Pinckaers is able to praise the contributions of diverse scriptural, theological and historical disciplines, while calling for a thorough-going integration of these theological disciplines in the work of Christian ethics. After the arid treatment found in the pre-Vatican II moral manuals, moral scholars and Church leaders today have found refreshing his conviction that moral theology cannot be simply separated from spirituality.<sup>53</sup> This insight, so much a part of *Veritatis splendor* and the new evangelization discussed therein,<sup>54</sup> recognizes the truly theological nature of moral theology, in par-

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<sup>51</sup> In "My Sources" (915), Pinckaers shows himself consistent with the encyclicals *Veritatis splendor* (1993) and *Fides et Ratio* (1998). After having a solid foundation in the Eucharist and in the study of sacred Scripture and the works of Aquinas, he moved on to the study of philosophy in order to make his studies current. He says: "Firm in my faith, I was able to undertake the study of ancient and modern philosophers ... a study that is necessary if one desires to be enriched by experience and to acquire a mind that is open to all that is human."

<sup>52</sup> Pinckaers, "L'enseignement de la théologie morale à Fribourg" (433). Father Benedict Ashley is a close ally in the River Forest school of Thomism that dialogues with the sciences with ease and competence. Pinckaers addresses modern philosophy, however, without an extensive treatment of modern science.

<sup>53</sup> For example, Francis Cardinal George, O.M.I. has recognized that Pinckaers' works make a "sound and substantial contribution ... to the renewal of moral theology called for by Vatican II" (cover blurb, *The Pinckaers Reader*). He affirms that Pinckaers "shows how the New Law of the Gospel is the necessary rediscovery—at once traditional and of the future—that gives fresh heart and insight to Christian morality." Cardinal George, furthermore, notes that Pinckaers "integrates morality and spirituality in a way that will guide the teacher of moral theology and suggest new paths for the speculative theologian."

<sup>54</sup> John Paul II, in *Veritatis splendor* (n. 21), states that the Christian's "moral life has the value of a 'spiritual worship' (*Rom* 12:1; cf. *Phil* 3:3), flowing from and nourished by that inexhaustible source of holiness and glorification of God which is found in the Sacraments, especially in the Eucharist: by sharing in the sacrifice of the Cross, the Christian partakes of Christ's self-giving love and is equipped and committed to live this same charity in all his thoughts and deeds." See also *Veritatis splendor*, nos. 5, 26, and 107, the last of which connects the new evangelization with morality and the Sacraments, especially the Eucharist.

ticular the place that Christ plays in being its master and teacher in Word and Sacrament.<sup>55</sup>

We can thus grasp something of the contribution that Pinckaers has made to the renewal of Catholic moral theology through a survey of major themes in his work, all of which are central to that renewal. The themes that have been especially influential include: the return to the sources of Catholic moral theology, the centrality of Jesus Christ and the virtues, the necessity of the New Law of grace and the gifts of the Holy Spirit, the distinction between freedom of indifference and the freedom for excellence, and the importance of Word and Sacrament for the practice of moral theology. Beyond these explained here, he has also addressed other themes that contribute to the renewal and that merit closer consideration, especially the *Imago Dei*, the human person and dignity, ultimate finality and beatitude, sanctification and the beatitudes, and the theme of love and law, the latter of which I treat in the third section of this essay.

## HISTORICAL PLACEMENT

The above-mentioned themes and Pinckaers' contributions to them have been very important for the renewal of Catholic moral theology. In order to assess the intellectual and spiritual heritage of Servais Pinckaers and the import of his work for the renewal, not only preceding the Second Vatican Council, but also up to *Veritatis splendor* and the *Catechism*, I will demonstrate the parallel between his efforts and the renewal, by placing his work in historical context. I first survey some more general assessments of the influence of his work by prominent thinkers, and then track how his work has paralleled renewal in Catholic moral theology.<sup>56</sup>

<sup>55</sup> Pinckaers, for example, treats Christ as the master in *The Sources of Christian Ethics*, 359-374, 120-122 and in "An Encyclical for the Future: *Veritatis Splendor*," in *Veritatis Splendor and the Renewal of Moral Theology: Studies by Ten Outstanding Scholars*, ed. by J. A. DiNoia and R. Cessario (Princeton, NJ: Scepter Publications, 1999), 11-71, especially 20-22.

<sup>56</sup> A major contribution to this task has been furnished by Romanus Cessario, O.P., in five very different publications: "On the Place of Servais Pinckaers († 7 April 2008) in the Renewal of Catholic Theology," *The Thomist* 73 (2009): 1-27; "Hommage au Père Pinckaers, OP: The Significance of His Work, *Nova et Vetera*, English Edition, 5.1 (2007): 1-15; the forward to the English edition of *Sources of Christian Ethics* (1995); "Theology at Fribourg," *The Thomist* 51 (1987): 325-66; and *A Short History of Thomism* (Washington, DC: The Catholic University of America Press, 2005), 78-79. The "Hommage au Père Pinckaers" was the keynote address at the Belgian theologian's eightieth birthday conference; the papers delivered at this event were published as a Festschrift in French, as: M. Sherwin and C. S. Titus, eds., *Renouveler toutes choses en Christ: Vers un renouveau thomiste de la théologie morale* (Fribourg: Academic Press, 2009).

Numerous contemporary thinkers have attributed great importance to Pinckaers' works. George Weigel and Richard John Neuhaus have highlighted the timeliness of Pinckaers' construal of a freedom for excellence,<sup>57</sup> with the latter affirming that Pinckaers' "history of Christian ethics and other writings—and especially his acute distinction between the 'freedom of indifference' and the 'freedom for excellence'—has had a powerful influence in Christian circles, and not only among Catholics, and certainly not only among Thomists."<sup>58</sup> Alasdair MacIntyre has also described the continuing importance of Pinckaers' contribution to the renewal of moral theology, especially his resistance to modern oversimplifications and errors.<sup>59</sup> Romanus Cessario, O.P. highlights Pinckaers' role in freeing moral theology from being trapped in its pre-Vatican II form of religious jurisprudence.<sup>60</sup> This influence extends beyond Catholics, as evidenced by Stanley Hauerwas' interest in Pinckaers' work.<sup>61</sup> As evidence of his international influence, Pinckaers' work has been translated into seven languages at this point, including Spanish, Italian, and Polish in addition to English.<sup>62</sup> His work has been honored in two Festschrifts as well as in volumes of *The Thomist* and the *Josephinum Journal of Theology*.<sup>63</sup> Such evidence of Pinckaers' influence suggests why his work will have a long standing legacy.

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<sup>57</sup> See George Weigel, "A Better Concept of Freedom," *First Things* 121 (March 2002): 14-20.

<sup>58</sup> Richard John Neuhaus, "A Giant Moves On," *First Things* (April 7, 2008).

<sup>59</sup> See Alasdair MacIntyre, "Preface," in Pinckaers, *Morality: The Catholic View*. See also Michael Sherwin, O.P., "Eulogy for Fr. Servais Theodore Pinckaers, O.P.," *Nova et Vetera*, English Edition, 7.1 (2009): 549-553.

<sup>60</sup> Cessario says: "Pinckaers has clearly shown that the rise of casuistry as a new form of moral theology constitutes a complete departure from the doctrine of St. Thomas Aquinas" (*A Short History of Thomism*, 78-79). In his "On the Place of Servais Pinckaers" article, Cessario contrasts Pinckaers' work and that of the major theologians selected by Fergus Kerr in his *Twentieth-Century Catholic Theologians*.

<sup>61</sup> Hauerwas states that "the work of Servais Pinckaers is essential for the renewal of moral theology [and] is as important for Protestant theological ethics as it is for Catholic moral theology" (cover blurb, *The Pinckaers Reader*). He also insightfully notes that "Pinckaers quite simply avoids the unhappy alternatives represented by recent debates in Catholic moral theology by a profound recovery of Aquinas' understanding of beatitude and the virtues." See also Hauerwas' review of *The Sources of Christian Ethics* in *First Things* (May 1996).

<sup>62</sup> We should also note that, in the year 2000, Pinckaers was granted an honorary doctorate (*Honoris causa*) in "Theology of Marriage and Family" from the Pontifical Lateran University (Rome), in the presence of Cardinal Camillo Ruini, Grand Chancellor of the University, and Cardinal Angelo Sodano, Secretary of State for the Vatican.

<sup>63</sup> See the Festschrifts for his 65<sup>th</sup> birthday, *Novitas et Veritas Vitae: Aux sources du renouveau de la morale chrétienne*, ed. by Carlos-Josaphat Pinto de Oliveira (Fribourg/Paris: Ed. Universitaires/Cerf, 1991) and for his 80<sup>th</sup> birthday, *Renouveler*

Pinckaers tells something of his historical place in the renewal of moral theology, through his two semi-autobiographical articles, in which he identifies his mentors and his intellectual and spiritual sources: "Dominican Moral Theology in the 20th Century"<sup>64</sup> and "My Sources."<sup>65</sup> Pinckaers was relatively young when the Council opened in 1961, only 36 years old, but already solidly situated in his home province's seminary (house of studies), the Dominican College of Theology at La Sarte, Huy, Belgium. Although too young to participate as a *peritus* (invited expert), he was consulted on the draft Constitution on Morality (*De re morali*).<sup>66</sup> It is indicative of the situation of moral theology at the time of the Council and of the type of renewal that was afoot beforehand that the Council fathers could not finalize the Constitution on moral matters. Pinckaers tells the heart of this story that he followed from a distance.<sup>67</sup> It is particularly interesting to see the failure of *De re morali* in the optic of the return of the New Law to moral theology. Pinckaers astutely recognizes that the work of overcoming a certain static post-Tridentine conception of morality was advanced—but not sufficiently so—in the deliberations of the Council fathers. The importance of fundamental and special moral theology was too great to promulgate a document that was not mature. The influence of the Council and other efforts at renewal<sup>68</sup> would come to fruition only more than twenty five years later, in the two magisterial documents that authoritatively treat moral matters, namely *Veritatis splendor* and the *Catechism*.

Pinckaers' eventual influence on these latter documents comes in no small part from the manner his work is marked by three ways the Council addressed the need for renewal in moral theology. First, he finds in *The Constitution on Divine Revelation* a call to make sacred

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*toutes choses en Christ: Vers un renouveau thomiste de la théologie morale*, Sherwin and Titus, eds., as well as the volumes of *The Thomist* 73.1 (2009) and *Josephinum Journal of Theology*, 17.2 (2010), which are both dedicated to Pinckaers' work.

<sup>64</sup> This article was originally delivered in Fribourg on the occasion of the one hundredth anniversary of the *Revue Thomiste* (*RTh*) and then published under the title "L'Enseignement de la théologie morale à Fribourg." *RTh* 93 (1993): 430–42.

<sup>65</sup> Pinckaers, "My Sources," 913–15.

<sup>66</sup> Records of his commentary on the *Constitutio de re morali* are found in the Pinckaers archives at the University of Fribourg.

<sup>67</sup> Pinckaers, "The Return of the New Law to Moral Theology," in *The Pinckaers Reader*, 369–84. Mgr. Pierre D'Ornellas provides a fuller history of the events around drafting and debating the failed schema *De re morali*, in his *Liberté, que dis-tu de toi-même? Une lecture des travaux du Concile Vatican II, 25 janvier 1959 – 8 décembre 1965* (Saint Maur: Paroles et silence, 1999).

<sup>68</sup> These examples include the failed meeting that brought together major moral theologians from different perspectives in 1981, under the direction of the Congregation of the Doctrine of the Faith, with Jean Jerome Hamer as secretary. See Pinckaers, "Un symposium de moral inconnu," *Nova et Vetera* 76 (2001): 19–34.

Scripture fully accessible to all Christians.<sup>69</sup> This call recognizes that Scripture, together with the tradition, is the primary source of knowledge of Christ.<sup>70</sup> Second, Pinckaers takes as a guide the *Decree on Priestly Training*, whose text marks out three themes in moral theology that had already guided Pinckaers' academic work and would do so until his last word: faith in Christ, love for Sacred Scripture, and fruitful charity, all in the service of "perfecting" moral theology.<sup>71</sup> Third, he finds in the Council's two constitutions on the Church further indications for the renewal of moral theology. On the one hand, *Gaudium et Spes* emphasizes the tradition's teaching on conscience—as the law God sets in the human heart—that informs Pinckaers' understanding of the virtue of prudence, so important for the normative understanding of virtue theory and agency.<sup>72</sup> On the other hand, *Lumen Gentium* provides direction about keeping moral theology and spirituality of one piece. Pinckaers finds support to overcome the post-Tridentine separation of morality from asceticism and mysticism, in *Lumen Gentium*'s (n. 40) observation that: "The call to the fullness of the Christian life and to the perfection of love is addressed to all those who believe in Christ, whatever their class or status may be."<sup>73</sup> Although other teachings of the Magisterium found in *Humanae vitae* and the encyclicals on Catholic social teaching since Pope Leo XIII's *Rerum novarum* have succeeded each other with renewed pertinence to the social issues at hand, Pinckaers recognized that it was not until *Veritatis splendor* in 1993 that fundamental moral theology had clear direction from magisterial teaching.

Those who have studied the works of Pinckaers and who know the history of the documents realize that Pinckaers was intimately involved in shaping the encyclical *Veritatis splendor* and the *Catechism*.<sup>74</sup> For example, the first section of the third part of the *Cate-*

<sup>69</sup> *Dei Verbum*, nos. 21, 24, 25.

<sup>70</sup> *Dei Verbum* (no. 25) calls for a greater use of Sacred Scripture in moral theology and the formation of priests and seminarians. See Pinckaers, *The Sources of Christian Ethics*, 292-293.

<sup>71</sup> Pinckaers repeatedly finds inspiration in *Optatam Totius* (1965, no. 16): "Special care should be given to the perfecting of moral theology. Its scientific presentation should draw more fully on the teaching of Holy Scripture and should throw light upon the exalted vocation of the faithful in Christ and their obligation to bring forth fruit in charity for the life of the world." For examples of his use of this text, see *The Sources of Christian Ethics*, 293 and 302; "The Return of the New Law to Moral Theology," *The Pinckaers Reader*, 372.

<sup>72</sup> On conscience, see *Gaudium et Spes*, no. 16, and Pinckaers, "Conscience and the Virtue of Prudence," *The Pinckaers Reader*, 347.

<sup>73</sup> Pinckaers, "The Return of the New Law to Moral Theology," *The Pinckaers Reader*, 381.

<sup>74</sup> In his *Witness to Hope: The Biography of Pope John Paul II* (New York: Harper Collins, 1999), Weigel (691) identifies the influence of Pinckaers on the encyclical

*chism* (Part III: Life in Christ, Section I: Man's Vocation: Life in the Spirit) bears the structure of the fundamental moral theology perceived in the structure of Pinckaers' own courses and publications.<sup>75</sup> Moreover, the main themes found in *Veritatis splendor* and the *Catechism* are found published in Pinckaers' books well in advance of the magisterial documents. In addition to the particular studies found in his articles, three of Pinckaers' books serve as complete presentations of his thought on fundamental moral theology and a clear indication that his work preceded and contributed to the teaching found in *Veritatis splendor* and the *Catechism*. First, his opus magnum *The Sources of Christian Ethics*, originally published in 1985, propelled him onto the American scene with its English translation in 1995, because it spoke of Catholic moral theology's sapiential character in terms of the power of Christ and the influence of the Holy Spirit to lead the moral agent to God the Father, as man's complete beatitude and final end. Second, *L'Evangile et la morale (Gospel and Morality)*, originally published in 1990, presents the content of the Gospel in terms of ethics, the law, especially the New Law of the Holy Spirit, the Sermon on the Mount, beatitude, love, the Church, and conscience. Third, the masterful short overview found in *Morality: The Catholic View*, originally published in 1991, gives his thought on Catholic moral theology in a more popular form. Furthermore, *The Pinckaers Reader* collects his contributions to the renewal and his mature reflections on fundamental moral theology that he published after his *Sources* book. These works give us a sense of the breadth and depth and import of his thought. Another particular aspect of his influence on *Veritatis splendor* and the *Catechism* is found in his treatment of law and love, precept and virtue, which at the same time raises certain questions that I will treat presently.

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*Veritatis splendor*. Articles that address details concerning Pinckaers' part in *Veritatis splendor* and the *Catechism* include: John Corbett, "Pinckaers et le nouveau catechisme," in *Renouveler toutes choses en Christ* (Fribourg: Academic Press, 2009), 173-189; John Berkman, "Introduction," *The Pinckaers Reader*; and Romanus Cessario (see footnote 56). The *Catechism* was drafted in part in Fribourg. Christoph Cardinal Schönborn, O.P. was then Professor of Dogmatic Theology at the University of Fribourg and the Secretary of the commission responsible for drafting the *Catechism*. It cannot be doubted that the proximity of the two professors and the respect for Pinckaers' works both inside the Church and at large (as is evident in his being invited to join the International Theological Commission in 1990 and his growing international influence) were instrumental in allying Pinckaers to these projects of the Magisterium.

<sup>75</sup> See especially, two of his articles, "Conscience and the Christian Tradition" and "Conscience and the Virtue of Prudence" both in *The Pinckaers Reader*, 321-341 and 342-355 respectively.

## LAW AND LOVE, PRECEPT AND VIRTUE

It may seem odd to posit *Veritatis splendor* and the *Catechism* as the epitome of renewal in Catholic moral theology and exemplary of the work and influence of Pinckaers, especially when some people who have followed the virtue revival and Pinckaers' works from afar have been taken aback by the structure of both *Veritatis splendor* and the *Catechism*. They have seemed to find an unresolved tension therein. In regard to the encyclical, its first chapter on "The moral good for the life of the Church and of the World" seems disconnected from the second one on "The Church and the discernment of certain tendencies in present-day moral theology." The emphasis on freedom and truth in the first chapter seems distant from that on rules and commandments in the second, so the argument goes. In regard to the *Catechism*, its two sections of Part III on Christian morality (entitled "Life in Christ"), which treat "Man's Vocation: Life in the Spirit" (Section One) and "The Ten Commandments" (Section Two), seem to exhibit a similar tension. If Pinckaers were to have some influence on the first section ("Man's Vocation: Life in the Spirit"), why did the second section follow the structure of the Decalogue, as was so common in the manualist tradition decried by Pinckaers? Why didn't it follow the structure of the second part of the moral section of Aquinas' mature moral treatise in the *Summa theologiae*, which starts with the theological virtues and then the cardinal ones, only putting the precepts at the end of the treatment of the major virtues?<sup>76</sup> This is a vexing point for those who have read Pinckaers as a virtue theorist who simply focuses on character at the expense of moral obligation and obedience.<sup>77</sup> Do the structures of these texts reveal an incoherence, or an incomplete stage of the renewal evident in Pinckaers' work, or even a repudiation of that work? There are two related assumptions behind these objections: first, there is no significant place for law and the commandments in virtue ethics; and second, moral theology should be more a question of law than of virtue.

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<sup>76</sup> Janet Smith states this tension—and perhaps a defeat of Pinckaers' influence on the *Catechism*—in her book review of *The Pinckaers Reader*, where she says (p. 641): "He reluctantly allows that the use of the commandments to provide the structure of the bulk of the moral portion of the *Catechism* has merit but he never ceases to insist that beatitude, virtue, grace, spirituality, and the gifts of the Holy Spirit define Christian morality more than laws and obligations." Janet E. Smith, "The Pinckaers Reader: Renewing Thomistic Moral Theology." *American Catholic Philosophical Quarterly* 80.4 (2006): 638-641.

<sup>77</sup> This perspective, for example, is found in Roger Crisp and Michael Slote, eds., *Virtue Ethics* (Oxford: Oxford University Press, 1997), 2.

There is a related common assumption among philosophers and theologians regarding virtue ethics in general. They see it as tending toward relativism, without sure footing in normative theory and as inimical to a significant role of precepts and the natural law in moral theology. This attenuated approach to morality has led to a misunderstanding of Pinckaers' theological approach to law and love, precept and virtue, for reasons recognized by Elizabeth Anscombe over fifty years ago.<sup>78</sup> Pinckaers, as is seen in his work on intrinsically evil acts,<sup>79</sup> seeks to rectify the tendency to focus either on concepts of 'obligation' and 'right' or on the agent and his character at the expense of his acts. Pinckaers is known for his insistence on the primacy of charity-friendship and on freedom for excellence as an efficacious moral-spiritual motivation and the center of the Christian vocation to beatitude, though not without faith, knowledge, natural law, and the prudent judgment giving form to charity.<sup>80</sup> In his view, strict obligation-based moral systems are true neither to the message of the Gospel (especially the Sermon on the Mount and the beatitudes) nor to the human psyche. Unlike Pinckaers, the thinkers who hold that there is an inherent conflict between moral obligation and virtue see a divide separating the Decalogue and moral precepts, on the one hand, and the Sermon on the Mount and New Testament *paraclesis* on the other.<sup>81</sup> Such a construal pitting natural law against virtue theory is often rooted in modern anti-teleological approaches to morality.<sup>82</sup> In particular, some natural law advocates have thought to

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<sup>78</sup> See her "Modern Moral Philosophy," 1-19. The modern moral philosophy that Anscombe faced in the 1950s lacked an adequate philosophy of psychology. In particular, she rejected the tendency to construe morality as the analysis of concepts such as "obligation," "right," and "wrong," apart of human acts and the real world. These concepts do not exist exclusively in the mind as phenomena or psychological facts. She notes, in part thanks to Wittgenstein, that psychology cannot be reduced to thoughts and feelings, but must consider the transversal relationships between human psychology, agency and dispositions in the interrelation of intentional acts and moral virtues. See also Kevin Flannery, "Anscombe's Philosophy of Psychology," in *Philosophical Psychology: Psychology, Emotions, and Freedom*, ed. by C. S. Titus (Arlington, VA: The Institute for the Psychological Sciences Press, 2009), 38-54.

<sup>79</sup> Two major sections of his book on intrinsically evil acts are found in *The Pinckaers Reader*, namely "A Historical Perspective on Intrinsically Evil Acts" (185-235) and "Revisionist Understandings of Actions in the Wake of Vatican II" (236-270).

<sup>80</sup> ST II-II q. 23, a. 1. See also: Michael Sherwin, *By Knowledge and By Love: Charity and Knowledge in the Moral Theology of St. Thomas Aquinas* (Washington, DC: The Catholic University of America Press, 2005).

<sup>81</sup> Pinckaers, "An Encyclical for the Future," 27.

<sup>82</sup> Russell Hittinger argues that in ancient and classic teleological theories, natural law analysis illuminates the goods involved in human acts and their completion in the virtues. The rejection of classic teleological thinking limits consideration of right reason to concern natural goods and values, without reflection on the virtues. See his "Natural Law and Virtue: Theories at Cross Purposes," in *Natural Law Theory: Con-*

find in the works of Pinckaers a soft version of moral theology, a virtue theory unable to confront moral relativism.<sup>83</sup> Likewise, others have misunderstood the attention that Pinckaers pays to the virtues, gifts, beatitudes, and the New Law of grace as a rejection, or at least neglect, of the natural law.<sup>84</sup> These positions have missed important elements of Pinckaers' thought needed in order to understand the normative character of virtue and to explain both why *Veritatis splendor* and the *Catechism* are structured the way they are, and why they are not at all in tension with Pinckaers' vision of moral theology.

First, we will focus on the encyclical. Pinckaers has argued that the most basic question of morality, "What is good in life?", opens up horizons that outstrip a limited casuist approach that focuses on what is permitted or forbidden.<sup>85</sup> As found in the Sermon on the Mount and the works of the Fathers of the Church, St. Thomas, Pope John Paul II, and the *Catechism* (CCC 1716-29), this question of the good finds its origin in God, who creates man and woman in God's image, while calling us to the beatitude that Jesus epitomizes in the gospel beatitudes (Mt. 5 & Lk. 6). On this foundation, Pinckaers audaciously claims that acting morally by rules alone will not adequately answer the question about "what is good" and about true happiness. Considering God and the love of God and even the call to give

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*temporary Essays*, ed. by Robert P. George (Oxford: Oxford University Press, 1995), 42-70. Matthew Levering has identified the compatibility and interdependence of natural law and virtue, in his *Biblical Natural Law* (43).

<sup>83</sup> Several critics have ventured the idea that Pinckaers does not have a way to integrate moral norms and duty into his vision of Catholic moral theology that critiques nominalism and legalism. In particular, William May's book review of Pinckaers' *The Sources of Christian Ethics* ("Recent Moral Theology: Servais Pinckaers and Benedict Ashley," *The Thomist* 62.1 (1998): 117-131) is sympathetic and respectful to the Belgian moral theologian's work, while criticizing the moral robustness of his *Sources*. However, May's review does not directly address Pinckaers' thought on natural law.

<sup>84</sup> John Cuddeback's "Law, Pinckaers, and the Definition of Christian Ethics" (*Nova et Vetera* 7.2 [2009]: 301-326) points out that, in *The Sources of Christian Ethics*, Pinckaers does not mention law in his "short definition" of moral theology. However, Pinckaers does extensively treat natural law (*The Sources of Christian Ethics*, 327-456) and explicitly recognizes the importance of law in his longer definition of moral theology, which ends with these words: "Christian ethics ... is implemented by laws of behavior and commandments, which reveal God's way to us" (44). As the original French ("la loi morale") makes clear, Pinckaers teaches that these "laws of behavior" are divine in origin and moral in their application to what people do. Matthew Levering's *Biblical Natural Law* (Oxford: Oxford University Press, 2008), which directly addresses Pinckaers' treatment of natural law, serves as a gentle corrective both to the review of William May and to the article of John Cuddeback.

<sup>85</sup> Pinckaers, *The Sources of Christian Ethics*, 327-353.

one's life in martyrdom are also necessary.<sup>86</sup> Addressing *Veritatis splendor*, Pinckaers says:

In fact, God is the only one who can answer the question about what is good, since he is Goodness itself, according to Jesus' word, 'No one is good but God alone.' Thus the encyclical restores its religious dimension to morality by relating it to the love of God, who is 'the source of man's happiness and ... the final end of human activity' (VS 8-9).<sup>87</sup>

Because of the interrelationship between the good and charity, the question about "what is good" sets that context for the whole of Christian ethics, including law.

Pinckaers' treatment of the natural law, as a "participation of the eternal law in the rational creature," is dependent upon natural inclinations and the virtue of prudence, involving (1) deliberation and taking-counsel, (2) decision, and (3) the practical command to move into action.<sup>88</sup> However, theological agency cannot be understood apart from charity or fidelity to the Magisterium, as well.<sup>89</sup> Pinckaers thus holds that moral adjudication cannot be completely understood unless it involve a treatment, not only of the natural inclinations, reason, and the natural law, but also of the divine law (including the Decalogue and the rest of the moral teaching of the Bible), the New Law (of grace), the virtues (including prudence, justice, and charity), and the gifts of the Holy Spirit (especially counsel).

According to Pinckaers, *Veritatis splendor* invites "us to correct our idea of morality so as to assure the definitive primacy of charity, thanks to a rereading of the Ten Commandments."<sup>90</sup> This interpretation of the Decalogue takes charity as the starting point. Instead of

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<sup>86</sup> See Pinckaers' book on the spirituality of martyrdom, *La Spiritualité du martyre* (Versailles: Editions Saint-Paul, 2000). Concerning his treatment of the interconnection of the eighth Beatitude and martyrdom, see Patrick Mahaney Clark, "Servais Pinckaers's Retrieval of Martyrdom as the Culmination of the Christian Life," *Josephinum Journal of Theology* 17.2 (2010): 1-27.

<sup>87</sup> Pinckaers, "An Encyclical for the Future," 21-22.

<sup>88</sup> Pinckaers builds upon this quote from Aquinas (*ST* I-II q. 91, a. 2) as well as upon q. 94, a. 2 in his numerous treatments of the natural law and natural inclinations, e.g.: *The Sources of Christian Ethics* (327-456); "Conscience and the Virtue of Prudence" (*The Pinckaers Reader*, 342-55; where he cites *Veritatis splendor*, no. 51); "The Sources of the Ethics of St. Thomas Aquinas" (*The Pinckaers Reader*, 10-11, where he cites *Veritatis splendor*, no. 43.2); and "Esquisse d'une morale chrétienne. Ses bases: la Loi évangélique et la loi naturelle," *Nova et Vetera* 55 (1980): 102-125.

<sup>89</sup> Pinckaers, "An Encyclical for the Future," 60-67.

<sup>90</sup> "An Encyclical for the Future," 23, where Pinckaers refers to *Veritatis splendor*, no. 22.3 and says that "The *Catechism of the Catholic Church* does the same thing"—that is, it corrects our idea of morality.

being ultimately grounded in rules and precepts, this charity is rooted in the Bible and especially the Gospel, at the heart of which stands the person of Christ. It seeks to hold "fast to the very person of Jesus ... sharing in his free and loving obedience to the will of the Father." Pinckaers supports John Paul II's affirmation that "following Christ is the essential and primordial foundation of Christian morality."<sup>91</sup> The rich young man in Matthew's Gospel (19:16) asks the primordial moral question to Jesus: "What good must I do to have eternal life?" The story of the rich young man's account of the human desire for ultimate good leads us to understand that the Decalogue is crucial to the moral life, but does not exhaust its intrinsic dynamic. Christ's way of perfection leads to the love of God and neighbor that continues toward a further detachment from possessions and the following of Christ. The full meaning of life, therefore, is not found in the rules per se, but in the love of God, "who is the origin and goal of man's life."<sup>92</sup>

Pinckaers claims that a corrective to legalistic voluntarism is found in the encyclical's use of St. Thomas' definition of the natural law as "a light of the intelligence infused in us by God."<sup>93</sup> Pinckaers seeks to put law back in the biblical setting of God's covenant with his people. The Commandments thus provide both a sure barrier against evil and a pointer toward the Kingdom of God. Instead of servile obedience, the perspective of filial obedience reverses the outlook that would have put obligation at the heart of obedience. Sacred Scripture provides the way, on the one hand, to understand the commandments as anchored in love instead of fear and, on the other, to understand the New Law as a law of freedom that produces spontaneous action of friends instead of servants. The double commandment of love is mapped out by the two tablets that Jesus summarizes in love of God and neighbor, so dear to the teaching of St. John and the synoptic gospels.<sup>94</sup> Moreover, *Veritatis splendor* takes a pedagogical approach to law, as Pinckaers says:

the encyclical explains how necessary the role of the Decalogue is during the first stage of the development of the moral personality on its journey toward spiritual freedom. As St. August-

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<sup>91</sup> *Veritatis splendor*, no. 19.

<sup>92</sup> *Veritatis splendor*, no. 7.

<sup>93</sup> Pinckaers, "An Encyclical for the Future," 22.

<sup>94</sup> See: Dt. 6: 4-5; John 13:34; Mt 22:37-40; Mk 20-39-40; Lk 20:39-40; and Pinckaers, "An Encyclical for the Future," 23-25. In this context, Pinckaers takes special note of the personalist themes that John Paul II employs in the encyclical (see *Veritatis splendor* no. 13.2; Pinckaers, "An Encyclical for the Future," 24). See also *Veritatis splendor* nos. 10 and 14.2; *Catechism* 1965-74.

tine affirms, avoidance of the serious sins forbidden by the Commandments form in us ‘an initial freedom... but this is only the beginning of freedom, not perfect freedom’ (*In Ioannis evangelium tractatus*, 41, 10: CCL 36, 363; cf. VS 13.4).<sup>95</sup>

Pinckaers explains that moral theology will achieve renewal inasmuch as it reintegrates the Decalogue with the Sermon on the Mount and the New Law of grace, which is fundamentally an interior law. The secondary and material elements through which the Holy Spirit communicates the grace of Christ include the sacraments and the biblical texts. In addition to the Decalogue, the basic scriptural sources for moral theology include especially the Sermon of the Lord (Mt. 5-7; Lk. 6) and St. Paul’s letters (Romans 12-15, 1 Corinthians, Galatians 5, Ephesians 4-5, Philippians 2-3, Colossians 3, 1 Thessalonians 4-5). Pinckaers explains that the New Testament provides exhortation (*paraclesis*) that has moral authority and further complements the Decalogue and the primary precepts of the natural law.<sup>96</sup> In the words of Pinckaers, “the New, or Gospel, Law ... is *the very grace of the Holy Spirit, received through faith in Christ who justifies and operating through charity which sanctifies*.”<sup>97</sup> Fulfilling and perfecting the Decalogue, the New Law “regulates man’s interior acts at the level of the ‘heart,’ where faith and charity operate with the other virtues, while the Decalogue bears directly on external actions.”<sup>98</sup> This level of the “heart” involves a complete and Thomist anthropology, in which knowledge and love are interdependent and necessary for moral adjudication and agency, as Pinckaers has demonstrated in his works on moral agency and the virtue of prudence and conscience.<sup>99</sup>

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<sup>95</sup> “An Encyclical for the Future,” 24.

<sup>96</sup> Pinckaers, *The Sources of Christian Ethics*, 164-67; and “An Encyclical for the Future,” 27. See Aquinas, *ST I-II* q. 97, a. 4 ad 3 and q. 100, a. 8. See also John Corbett, O.P., “The Functions of Paraclesis,” *The Thomist* 73 (2009): 89-107. Patristic teaching, such as that of St. Augustine in his *Commentary on the Sermon on the Mount*, also provides important sources for this moral reading of Sacred Scripture.

<sup>97</sup> “An Encyclical for the Future,” 25-26. He focuses on the Holy Spirit as the source of sanctification, for: “All the energy of this law comes from the Holy Spirit. Thus the active principle of justification and of sanctification, of forgiveness and of perfection, is within us” (Pinckaers, “The Return of the New Law to Moral Theology,” *The Pinckaers Reader*, 378).

<sup>98</sup> Pinckaers (“An Encyclical for the Future,” 26) here draws upon St. Thomas’ treatment of the New Law found in *ST I-II* q. 106, a. 1; q. 107; and q. 108, a. 1 and 3.

<sup>99</sup> In addition to the two articles on prudence and conscience in *The Pinckaers Reader*, Pinckaers addresses moral agency in his extensive notes in his translation of the *Summa theologiae* in French: *Les actes humains. Somme théologique*, Ia-IIae, qq. 6-17; vol. I. (Paris: Cerf, 1961) and qq. 18-21, vol. II (Paris: Cerf, 1965).

Second, in addition to this treatment of the encyclical, the same question about the relationship between law and love, precept and virtue has been posed in the context of the structure and pedagogy of the *Catechism of the Catholic Church*. The fact that the Decalogue has regularly served as a fruitful core of the Church's ancient tradition of catechesis gives one reason for the Decalogue serving as the central structure for the recent *Catechism*.<sup>100</sup> We find another reason for continuing this tradition, when examining the *Catechism* in the light of Pinckaers' work on moral development. The reason is that, as I explained in the treatment of *Veritatis splendor*, Pinckaers holds that obligation and obedience have a positive role in moral theology.<sup>101</sup> He observes that divine pedagogy has set an order between the Ten Commandments, the beatitudes, the gifts of the Holy Spirit, and the virtues in the moral-spiritual growth of the Christian. This ordering is apparent in his treatment of the growth of charity, which progresses through three stages.<sup>102</sup> First, the beginners must through discipline and purification fight against sin and the inclinations that undercut charity. Pinckaers explains that: "The negative precepts of the Decalogue are especially appropriate during this early stage of the moral life, when the seed of love of God and neighbor implanted in our hearts needs protection for future growth."<sup>103</sup> Second, progressives advance in virtue under the guidance of the Sermon on the Mount. Finally, the mature reach a type of spiritual spontaneity that is guided by the New Law of the Holy Spirit. The stage of maturity involves the continuing reliance on the Decalogue (which has been internalized) and the virtues, which are perfected in a deeper love for and union with God.

Pinckaers thus affirms the positive role of the precepts. He repeatedly states, first, that the precepts and obligations are needed from the beginning (and throughout) to assure the strength of virtue and the truth of freedom. Second, attempting to construct a Christian morality without obligation or without recognizing sin would be an illusion. Third, precepts, following Aquinas, have the full force of obligation—as an act of the reason and then as an act of the will.

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<sup>100</sup> The extended tradition, in addition to the Decalogue, has included the Beatitudes, the gifts of the Holy Spirit, the petitions of the Our Father, and the virtues. See John Corbett, "Pinckaers et le nouveau catechisme," 188.

<sup>101</sup> He discusses the positive role of obedience and obligation in development of virtues in the following places: *The Sources of Christian Ethics*, 354–378; *L'Evangile et la morale*, 30–34. See also C. S. Titus "Moral Development and Making All Things New in Christ" *The Thomist* 72.2 (2008): 233–258.

<sup>102</sup> Pinckaers, *The Sources of Christian Ethics*, 362–368. He finds his inspiration in Aquinas' treatment of growth in the virtue of charity, in *ST II-II* q. 24, a. 9.

<sup>103</sup> Pinckaers, *The Sources of Christian Ethics*, 363.

Nonetheless, obligation is subordinated to virtue, inasmuch as it plays a vital role in the first step of education in the moral life.<sup>104</sup> Its purpose is to help the person to fight against disordering tendencies (social and personal) and to develop positive moral and theological virtues that respond to the question of love and happiness, but not without the help of grace, that is, the evangelical law or the New Law of the Holy Spirit.<sup>105</sup> Therefore, the ordering of the *Catechism* not only finds support in the larger Catholic tradition, but also in Pinckaers' vision of the moral-spiritual pedagogy involved in continuing fidelity to the Decalogue, while acknowledging the primacy of faith, hope, and love and the movement of the Holy Spirit in following Christ, who leads us to the Father.<sup>106</sup>

In sum, through a Catholic moral theology that is faithful to these spiritual and theological sources and its ecclesial mission, Pinckaers has sought to correct the tendencies that pit commands, obligation, and obedience against beatitude, charity and the virtues, and the gifts of the Holy Spirit. In this context, there is permanent and pedagogical importance for the natural law, as inscribed by God on the human heart (Rom 2:15) and the Decalogue, as God's gift that shows "the path of life and leads to it."<sup>107</sup> Both have their origin in God. The natural law is established in the continual relationship of creature and Creator (and relates to the ordering of the human person toward God and others). The Decalogue is God's gift of the covenant that brought into existence the people Israel as "a holy nation." God's promises to the people are not limited to the Promised Land, which symbolizes eternal life. The commandments, however, not only protect the people from extremes, but even more so exercise the positive role of indicating the way to the Kingdom of God. Thus the Decalogue is no longer seen as a summary of obligations, commands, and

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<sup>104</sup> Pinckaers, *L'Evangile et la morale*, 33.

<sup>105</sup> See also Pinckaers *L'Evangile et la morale* (chapter 5) concerning Christian ethics and moral precepts. He notes the difference between Aquinas' *Summa theologiae* and that of the Franciscan, Alexander of Hales, who put a priority on the commandments instead of the virtues (66).

<sup>106</sup> Pinckaers ("The Return of the New Law to Moral Theology," 381-2) says: "I feel that the solution that was adopted, conserving the divisions according to the Commandments, was the best one for a *Catechism* ultimately destined for the Universal Church, and which therefore had to take into account different traditions. Above all, the *Catechism* could not give the impression that the Church was abandoning the Decalogue, which for so long has constituted the cornerstone of Christian moral teaching; it was necessary, moreover, to revitalize the understanding of the Commandments, which had become too static and negative. The *Catechism* thus attempted to infuse a new dynamism into its account of the Commandments by putting them once more in contact with their corresponding virtues."

<sup>107</sup> *Veritatis splendor*, no. 12.2.

prohibitions, as was the case in pre-Vatican II textbooks and catechisms. In this context, we can understand that Pinckaers' resistance to casuistry should *not* be understood as resistance to the study of cases or precepts in the training of the virtue of prudence and conscience.<sup>108</sup>

## CONCLUSION

According to Alasdair MacIntyre, Pinckaers' magnum opus, *The Sources of Christian Ethics*, "shed new light on the controversies of the preceding forty years within Catholic communities and provided an alternative way of understanding Christian ethics that overcame the misunderstandings of those controversies."<sup>109</sup> MacIntyre observes that Pinckaers has not fallen into the current

false choices between inadequately characterized alternatives: Is the moral life about rules or consequences? Which has priority, authority or autonomy? Is our language to be scholastic or patristic? Should we make use neither of the scholastics nor the Fathers, but return to the New Testament? Are we to look to the Second Vatican Council or to its predecessors? What Father Pinckaers provided was a historical perspective in which later Christian writers, whether patristic or scholastic or modern, are understood as contributing to and enriching our reading of scripture. The culmination of his argument is a wonderfully illuminating enquiry into the relationship of human freedom to the natural law.<sup>110</sup>

It is precisely for this reason that Pinckaers' work is so helpfully examined as exemplary of, and an impetus for, renewal in Catholic moral theology after the Second Vatican Council. It is also why his work has been so well-received, especially in the English speaking world.

Servais Pinckaers was thrust onto the English-speaking scene of Catholic moral theology because of his contributions to a theological approach to virtue theory that is centered in Christ, the law, and the Church. His treatment of law has focused on the New Law of grace,

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<sup>108</sup> Pinckaers, "An Encyclical for the Future," 17. Pinckaers focuses his writings primarily on fundamental moral theology (because of his teaching position). The use of cases is called for especially, but not exclusively, in special or applied moral theology. As with his affirmation of the importance of law and obedience, he affirms the need to use the virtue of prudence not simply in theory, but in practice concerning real issues—peace or war, fidelity or adultery, birth or abortion, life or death. For an appeal to a renewed vision of cases, see Edward T. Oakes "A Return to Casuistry?" *Nova et Vetera* (English edition) 2.1 (2004): 182-204.

<sup>109</sup> Alasdair MacIntyre, "Preface," in Pinckaers, *Morality: The Catholic View*, vii-viii.

<sup>110</sup> MacIntyre, "Preface," vii-viii.

though without exclusion of the natural law or the Magisterium. His work is exemplary of the *ressourcement* renewal that helped to prepare the Second Vatican Council and that finds its epitome in *Veritatis splendor* and the *Catechism of the Catholic Church*. Lastly, Pinckaers' *ressourcement* method for reading the biblical, patristic, magisterial, and philosophical sources offers a vigorous example of a Catholic approach for fundamental moral theology and Christian virtue ethics that integrates sapiential and personal and social dimensions of human agency in a Trinitarian perspective. **M**

## Religious Freedom, Morality and Law: John Courtney Murray Today

DAVID HOLLENBACH, S.J.

**A**LITTLE OVER FIFTY YEARS AGO, in December 1960, a portrait of John Courtney Murray appeared on the cover of *Time* magazine. *Time*'s editors joined Murray with Reinhold Niebuhr and Karl Barth as one of the very few theologians with the public influence needed to appear on their cover.<sup>1</sup> Behind Murray's portrait was an enlarged reproduction of the title page of Robert Bellarmine's *De Controversiis*. Few *Time* readers likely noticed this linking of Murray with Bellarmine as thinkers engaged in significant theological controversy. There is little doubt, however, that Murray was deeply involved in some of the most important controversies in both Catholic and American life in the mid-twentieth century. Despite the controversies that initially greeted his work, Murray's ideas came to have major influence at the Second Vatican Council and were received into the ongoing tradition of Catholic thought on religious freedom in the post-Conciliar period. Over the past decade, however, another topic Murray addressed—the role of the Church in shaping the moral dimensions of political life—has become a focus of new controversy, especially in the United States. Whether and how Murray's thinking on political morality should guide the public ministry of the Church today thus calls for fresh examination.

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<sup>1</sup> Murray appeared on the cover of *Time* on December 12, 1960, Reinhold Niebuhr on March 8, 1948, Karl Barth on April 20, 1962.

This essay, therefore, will address the ways Murray's thought has been and might continue to be influential in shaping church engagement in public life. It will do so in four steps. First, the controversy concerning and subsequent reception of Murray's thought on religious freedom will be sketched. Second, some of today's disputes concerning the way the leadership of the Catholic community is addressing the relation between civil law and morality will be noted. Third, an emergent challenge to the efforts by religious communities to address public life will be presented, namely the polarization of political life in the United States along religious lines. Fourth, it will be argued that a deeper appropriation and reception of Murray's approach to the relation of religious freedom, morality, and civil law could enhance the effectiveness of the Church's role in public life.

#### **MURRAY'S THOUGHT ON RELIGIOUS FREEDOM: ITS RECEPTION AT VATICAN II AND SINCE**

The caption to Murray's picture on *Time's* 1960 cover read "U.S. Catholics & the State." In the 1950s Murray had written innovatively on the way the Catholic Church should interact with the state (or, as he preferred to call it, the government). As a public intellectual Murray had also been deeply engaged in debates with Protestant and secular opinion-makers about the religious role of Catholicism in U.S. public life. Catholics had long been held in suspicion by these opinion-makers, who feared that the Catholic understanding of religious freedom was a threat to American democracy. This suspicion had become very clear to Murray when he sought to collaborate with them in the early 1940s to shape a plan of action that would help make post-World War II international relations more stable and peaceful. Such suspicion was vividly perceptible when the Catholic John F. Kennedy ran for president of the United States in 1960. In that year, Murray published *We Hold These Truths: Catholic Reflections on the American Proposition*, a book that argued that Protestant and secular shapers of U.S. culture should get over their fears that Catholicism was a threat to U.S. political institutions. The book eloquently suggested that the United States had much to learn from the long Catholic tradition. Though not directly addressed to Kennedy's campaign, Murray's thought provided much of the intellectual background for Kennedy's political breakthrough. This breakthrough occurred only after significant political disagreement and debate, symbolized by Kennedy needing to reassure the Protestant ministers who were members of the Greater Houston Ministerial Association that his faith did not threaten the well-being of the Republic. Kennedy's election broke through the barrier that had long excluded Catholics from full participation in U.S. political life. Murray's theological in-

novation on religious freedom was the intellectual analogy to Kennedy's political breakthrough. The convergence of Kennedy's election and the publication of Murray's *We Hold These Truths* was a key reason for Murray's appearance on *Time's* cover in 1960.

Murray's work also addressed the internal reflection of the Catholic community on religious freedom. This line of thinking surely had greater personal cost for Murray because of the initial response of Church leadership to his thinking. In the end, however, Murray's theology helped bring about an extraordinary shift in the Catholic Church's stance toward religious freedom. Murray argued that attention to the historical contexts of the rejection of religious freedom by nineteenth century popes such as Pius IX and Leo XIII could enable the Church to affirm religious freedom in contexts that were different, such as those prevailing in mid-twentieth century democracies.<sup>2</sup> When Murray proposed this approach, his views were roundly rejected by his traditionalist theological adversaries. These adversaries saw his defense of religious freedom as encouraging a religious relativism (they called it "indifferentism") that would effectively deny the unique truth of the Catholic faith. Adopting such a critical stance, Murray's critic Francis Connell made the blunt charge that Murray's theological advocacy of a positive Catholic stand on religious freedom could not be "harmonized with revealed truth."<sup>3</sup>

Such opposition and resulting Vatican pressure led to Murray being effectively marginalized from the discussion of the topic. In 1958 it led his Jesuit superiors to tell him to remain silent on the topic of religious freedom until the climate in Rome had changed. That change came much more quickly than either they or he had a right to expect. Soon after John XXIII's election in that same year, the new pope announced his intent to convene an ecumenical council, which opened in 1962. Murray's arguments were fully vindicated by this Council, where he played a major role in drafting Vatican II's *Declaration on Religious Freedom*. Indeed Murray's thought was a major source of the doctrinal development that led Vatican II to declare that "the right to religious freedom has its foundation in the very dignity of the human person as this dignity is known through the

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<sup>2</sup> See Murray's five articles on Leo XIII, the first four published in *Theological Studies* in 1953 and 1954, the fifth (dealing with both Leo XIII and Pius XII) not published in Murray's lifetime, but now available in John Courtney Murray, *Religious Liberty: Catholic Struggles with Pluralism*, ed. J. Leon Hooper (Louisville, Kentucky: Westminster/John Knox Press, 1993), 49-125.

<sup>3</sup> Francis J. Connell, memorandum in the Connell Papers, in the Redemptorist Archives Baltimore Province, cited in Joseph A. Komonchak, "Catholic Principle and the American Experiment: The Silencing of John Courtney Murray," *U.S. Catholic Historian* 17, no. 1 (Winter, 1999), 28-44, at 31.

revealed word of God and by reason itself.”<sup>4</sup> This conciliar proclamation stands in stark contrast with Connell’s assessment that Murray’s views could not be reconciled with the revealed truth of the gospel.

The continuing influence of Murray’s thought on religious liberty, as mediated through Vatican II’s *Declaration on Religious Freedom*, is evident in the recent teachings of both Pope John Paul II and Pope Benedict XVI. John Paul II called religious freedom the “heart of human rights,” thus affirming its central place in the Church’s larger social mission.<sup>5</sup> Such a papal statement would have been unthinkable before Murray made his contribution. Under John Paul II’s leadership, the defense of religious freedom assumed a central place not only in the teaching but also in the practice of the Church. The late Samuel Huntington, a Harvard political scientist with much interest in the development of democracy in the modern era, argued that the Second Vatican Council, especially its affirmation of the right to religious liberty, transformed the Catholic Church during the pontificate of John Paul II into one of the leading human rights actors on the world stage. Catholicism played a key role in the move of a number of countries from authoritarianism to democracy in the latter third of the twentieth century: Portugal and Spain in the mid-1970s, multiple Latin American states in the late 1970s and early 1980s, the Philippines in the mid-1980s, Poland and Hungary in the late 1980s. Due to the influence of the Council, Huntington concluded, “roughly three-quarters of the countries that transited to democracy between 1974 and 1989 were Catholic.”<sup>6</sup> Murray’s thought was surely one of the key sources of this dramatic development.

Pope Benedict XVI has continued the strong emphasis on religious freedom as the leading edge of his advocacy of human rights. Benedict’s approach to religious freedom has several distinct but related elements. First, in his January 1, 2011, message for the Church’s World Day of Peace, Benedict placed religious freedom in a broadly international context, arguing that the protection of this freedom is a precondition for peace within and among nations. He sees religious

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<sup>4</sup> Vatican Council II, *Dignitatis humanae* (*Declaration on Religious Freedom*), no. 2, in *The Documents of Vatican II*, ed. Walter M. Abbott (New York: Guild Press/America Press/Association Press, 1966).

<sup>5</sup> John Paul II, “Respect for Human Rights: the Secret of True Peace,” World Day of Peace Message, January 1, 1999, section title, at no. 5. [http://www.vatican.va/holy\\_father/john\\_paul\\_ii/messages/peace/documents/hf\\_jp-ii\\_mes\\_14121998\\_xxxii-world-day-for-peace\\_en.html](http://www.vatican.va/holy_father/john_paul_ii/messages/peace/documents/hf_jp-ii_mes_14121998_xxxii-world-day-for-peace_en.html).

<sup>6</sup> Samuel P. Huntington, “Religion and the Third Wave,” *National Interest* 24 (Summer, 1991), 30. Huntington’s argument about the sources of democratization is more fully developed in his *The Third Wave: Democratization in the Late Twentieth Century* (Norman, OK: University of Oklahoma Press, 1991).

persecution and acts of violence based on religion as serious threats to peace.

Second, Benedict is particularly concerned that the religious freedom of Christians is being restricted and even denied in a number of countries today. In the pope's assessment, "At present, Christians are the religious group which suffers most from persecution on account of its faith."<sup>7</sup> In his 2011 Address to the Diplomatic Corps at the Holy See, Benedict specifically mentioned limitations on the religious freedom of Christians in Arab and Muslim countries like Iraq, Egypt, the Arabian Peninsula, and the Middle East more generally, in African countries like Nigeria, and in Asian nations such as China and Pakistan.<sup>8</sup> The recent bombings of Christian churches in Egypt and Iraq are the most deadly signs of such persecution of Christians.

Third, concern with the religious freedom of Christians does not detract from Benedict's commitment to the religious freedom of all persons. He sees religious freedom as rooted in the fundamental dignity of the person, which Jewish and Christian scriptures affirm is grounded in the creation of every person in the image of God. At the same time, the pope argues that Scripture is in harmony with human experience and that, through the use of reason, human dignity "can be recognized by all."<sup>9</sup> Thus *all* persons have a right to this freedom and *all* have a duty to respect it. In Benedict's words, "Religious freedom is not the exclusive patrimony of believers, but of the whole family of the earth's peoples."<sup>10</sup>

Fourth, religious freedom means freedom to exercise one's belief in public, not only in private, with others in community and not only alone. Drawing on a "relational" or "communitarian" understanding of religious freedom, Benedict argues that secularist efforts to restrict religion to the private domain of an individual's faith are as serious a threat to religious freedom as is fundamentalist fanaticism.<sup>11</sup> Benedict XVI's stress on the importance of the public and communal dimensions of the exercise of religious freedom was also an explicit teaching of the Council. *Dignitatis humanae* had affirmed that free exercise of religion is not only a personal freedom but includes the freedom to seek to influence the institutions and policies that shape

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<sup>7</sup> Benedict XVI, World Day of Peace Message, January 1, 2011, no. 1. [http://www.vatican.va/holy\\_father/benedict\\_xvi/messages/peace/documents/hf\\_ben-xvi\\_mes\\_20101208\\_xliv-world-day-peace\\_en.html](http://www.vatican.va/holy_father/benedict_xvi/messages/peace/documents/hf_ben-xvi_mes_20101208_xliv-world-day-peace_en.html).

<sup>8</sup> Benedict XVI, Address to Members of the Diplomatic Corps, January 10, 2011. [http://www.vatican.va/holy\\_father/benedict\\_xvi/speeches/2011/january/documents/hf\\_ben-xvi\\_spe\\_20110110\\_diplomatic-corps\\_en.html](http://www.vatican.va/holy_father/benedict_xvi/speeches/2011/january/documents/hf_ben-xvi_spe_20110110_diplomatic-corps_en.html)

<sup>9</sup> Benedict XVI, World Day of Peace Message, January 1, 2011, no. 2.

<sup>10</sup> Benedict XVI, World Day of Peace Message, January 1, 2011, no. 5.

<sup>11</sup> Benedict XVI, World Day of Peace Message, January 1, 2011, nos. 6 and 8.

and govern public life. In the Council's words: "it comes within the meaning of religious freedom that religious communities should not be prohibited from freely undertaking to show the special value of their doctrine in what concerns the organization of society and the inspiration of the whole of human activity."<sup>12</sup> Commenting on this passage from the Council, Murray observed: "Implicitly rejected here is the outmoded notion that 'religion is a purely private affair' or that 'the Church belongs in the sacristy.'"<sup>13</sup>

Each of these points about religious freedom show the lasting impact of Vatican II's *Declaration on Religious Freedom* and of Murray's continuing influence through the *Declaration*. Murray's thinking on religious freedom has clearly been received into the Catholic tradition in its contemporary form and continues to help shape the development of this tradition.

#### CONTROVERSY CONCERNING CIVIL LAW AND MORALITY

The fact that the Council and the Pope saw religious freedom as requiring respect for the Church's right to play an active role in public life shows, however, that Catholicism remains in some tension with more secular aspects of the freedom-affirming, liberal traditions of the modern West. Through Murray's influence the Church had learned much from these traditions. But Pope Benedict, like Murray himself, strongly resists efforts to exclude religious influence from public affairs, seeing such exclusion as an unacceptable secularism. For example, Benedict has often protested against Europe's recent unwillingness to acknowledge publically the Christian roots of its cultural life. The pope, also like Murray, objects to philosophies that regard skepticism about the possibility of attaining knowledge of truth in the religious sphere as a precondition for commitment to religious freedom. Thus the Catholic understanding of religious freedom shaped by Murray at the Council stands in sharp contrast to secularizing approaches to public life and privatizing interpretations of the place of religion. This approach has generated argument and even resistance today.

This resistance is particularly evident with regard to Pope Benedict's approach to the *moral* dimensions of the Church's exercise of its role in public life. In several recent teachings focused particularly on religious freedom, Benedict sees the public freedom of the Church being morally exercised in efforts to protect the right to life. He has also suggested that the Church has a right to call for the defense of

<sup>12</sup> Vatican Council II, *Dignitatis humanae* (*Declaration on Religious Freedom*), no. 4.

<sup>13</sup> Murray, comment on *Dignitatis humanae*, no. 4, in *The Documents of Vatican II*, 683, note 11.

the family founded on marriage between a man and a woman, thus rejecting same sex partnerships and gay marriage.<sup>14</sup> Needless to say, abortion and same sex relationships are among the most hotly disputed moral issues in Western society today. In the United States they have become particular flash points of moral-political controversy.

The United States Catholic Bishops have adopted particularly pointed public advocacy positions on the right to life (including opposition to abortion, euthanasia, and embryonic stem cell research) and on resistance to gay marriage and public acceptance of the legitimacy of same sex relationships. The Bishops' 2007 statement *Forming Consciences for Faithful Citizenship* was a formal instruction by the U.S. hierarchy covering the full range of the public dimensions of the Church's moral concerns. In this document, the U.S. bishops placed particular emphasis on abortion and euthanasia. The bishops teach that these actions are "intrinsically evil" and "always incompatible with love of God and neighbor." Thus they must "always be rejected and opposed and must never be supported or condoned."<sup>15</sup> In a similar way, echoing the affirmation by the Catechism of the Catholic Church that homosexual acts "are contrary to the natural law" and that "under no circumstances can they be approved,"<sup>16</sup> the bishops oppose "same-sex unions or other distortions of marriage."<sup>17</sup>

It is notable that the U.S. bishops link their opposition to same sex relationships and gay marriage to the exercise of religious freedom. They state that human rights of all persons must be protected, but that this "should be done without sacrificing the bedrock of society that is marriage and the family and without violating the religious liberty of persons and institutions."<sup>18</sup> This linkage of opposition to gay relationships with religious freedom echoes recent controversies that have arisen about whether Catholic institutions can be civilly required to provide forms of family health care benefits that would benefit the partners of employees in same sex relationships, or whether Church agencies can be required to provide adoption ser-

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<sup>14</sup> See Benedict XVI, Address to Members of the Diplomatic Corps, 10 January, 2011, and Benedict XVI, World Day of Peace Message, January 1, 2011, no. 4.

<sup>15</sup> U.S. Conference of Catholic Bishops, *Forming Consciences for Faithful Citizenship*, 2007, no. 22. Online at: <http://www.usccb.org/faithfulcitizenship/FCSStatement.pdf>.

<sup>16</sup> United States Conference of Catholic Bishops, 2009 Pastoral Letter, *Marriage: Love and Life in the Divine Plan*, p. 22. <http://www.usccb.org/laity/loveandlife/MarriageFINAL.pdf>. The reference to the Catechism of the Catholic Church is to its no. 2357, and *Forming Consciences for Faithful Citizenship*, no. 46.

<sup>17</sup> U.S. Conference of Catholic Bishops, *Forming Consciences for Faithful Citizenship*, no. 46.

<sup>18</sup> United States Conference of Catholic Bishops, *Marriage: Love and Life in the Divine Plan*, p. 26.

vices to gay couples. Though the bishops do not discuss the linkage between such policy matters and religious freedom in a developed way, that linkage is explored in a document called the Manhattan Declaration that has been supported by a number of Catholic, Orthodox and Evangelical church leaders. This document explicitly links opposition to abortion and gay marriage with protection of the religious freedom of Christians who advocate such positions.<sup>19</sup> It has been endorsed by a number of the leaders of the Bishops' Conference, including Archbishop Timothy Dolan. In addition, as current President of the Bishops' Conference, Archbishop Dolan has established the Conference's new Ad Hoc Committee on Religious Liberty to pursue these issues in an ongoing way.<sup>20</sup> As is well known, the bishops' positions on these matters have generated much argument and considerable resistance.

Argument and resistance to the way the U.S. bishops have been approaching their role in public life reached high intensity during the debate on the Affordable Health Care Act, passed by the U.S. Congress and signed into law by President Obama in March 2010. The U.S. bishops intervened vigorously in the legislative debate about this bill. The bishops have long supported affordable and universally available health care insurance for all Americans. However, in 2010 they opposed the legislation that would greatly expand the number of people covered by health insurance as "profoundly flawed."<sup>21</sup> This opposition was based on their conclusion that the bill could lead to funds paid by taxpayers being used to fund abortions. In reaching this conclusion, the bishops disagreed with the leadership of the Catholic Health Association and a significant group of leaders of women's religious communities, who argued that that the bill would not in fact fund abortions. The action by the bishops has led a number of commentators to conclude that resistance to abortion has come to overshadow their other social ethical concerns. It also raises questions about whether the bishops have rightly interpreted the relation between moral principles, such as the duty to protect human life, and civil law, such as a complex piece of legislation like the 2010 Health Care Bill. The questions about the abortion-related consequences of the legislation were not matters of moral principle; they

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<sup>19</sup> The Manhattan Declaration was issued on November 20, 2009, and is available at: <http://www.manhattandeclaration.org/home.aspx>.

<sup>20</sup> See Archbishop Dolan's letter establishing this Ad Hoc Committee and other material related to the Committee's work at: <http://usccb.org/issues-and-actions/religious-liberty/>.

<sup>21</sup> Cardinal Francis George, OMI, President on the National Conference of Catholic Bishops, Statement on Universal Health Care, March 23, 2010. <http://www.usccb.org/healthcare/cardinal-george-healthcare-statement.pdf>.

were prudential judgments about the consequences that would follow if the legislation were passed. Whether the bishops possess the competence and authority to make such judgments about the complexity of public policy can be questioned.<sup>22</sup>

The bishops' strong opposition to the 2010 Health Care Bill was surely an exercise of the public dimension of their right to religious freedom. It raises the question, however, of how the exercise of right to religious freedom relates to other moral concerns such as the right of all persons to adequate health care. In addition, when religious freedom is exercised to advocate legislative policy designed to enforce certain moral standards, such as opposition to abortion, the question of the role of civil law in the enforcement of such moral norms comes to the fore. A similar question arises with regard to the opposition by church groups to legislation that would civilly recognize same-sex partnerships. The public discussions about policy on both abortion and homosexual partnership raise important questions about whether and how civil legislation is an appropriate means for the promotion of the moral norms taught by the Church's magisterium. The question of the relation of civil legislation to moral norms was treated with theological acumen by John Courtney Murray. Before addressing these aspects of Murray's thought, it will be useful to note the growing religio-political polarization in U.S. society today. This polarization is of great importance both for the ethical quality of public life and for the well-being of the Church itself. It shapes the context for a possible further reception of Murray's thought today.

#### **POLARIZATION AS A CHALLENGE TO PUBLIC RELIGION IN THE U.S. TODAY**

Murray's thought on the public exercise of religious freedom to influence legislation and on the appropriate relation between moral law and civil law remains relevant because public opinion on both issues has become highly polarized in the United States. Murray addressed a number of practical ethical issues with implications for public policy. Probably his most creative contribution was a retrieval

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<sup>22</sup> Nevertheless, official representatives of the bishops have held that the bishops rightly make such detailed judgment on policy, maintaining that "providing guidance to Catholics on whether an action by government is moral or immoral, is first of all the task of the bishops, not of any other group or individual." See Cardinal Daniel DiNardo, Chairman of the United States Conference of Catholic Bishops Committee on Pro-Life Activities; Bishop William Murphy of Rockville Centre, New York, Chairman of the USCCB Committee on Domestic Justice, Peace and Human Development, and Bishop John Wester of Salt Lake City, chairman of the USCCB Committee on Immigration, "Setting the Record Straight," May 21, 2010. <http://www.usccb.org/comm/archives/2010/10-104.shtml>.

and restatement of the just war tradition in a way that addressed the threats of the Cold War and the nuclear age. This contribution had strong influence on the U.S. Catholic Bishops' 1983 pastoral letter on the ethics of nuclear weapons and strategy, *The Challenge of Peace*.<sup>23</sup> Murray also reformulated key elements in the Catholic tradition's approach to the relation between morality and civil law in ways that addressed the pluralism of moral convictions present in the United States of his day. In particular, he addressed several issues where moral convictions held within Catholic tradition were in considerable tension with the stance of non-Catholics, notably free speech, censorship, contraception and some other aspects of sexual morality.

Needless to say, this moral aspect of Murray's work was also marked by controversy. It remains highly relevant to analogous controversies today. Serious disputes about the relation between Catholicism and the public life of pluralist America continue today on both the religious and moral levels. These contemporary disagreements, however, take a notably different form than they did before Murray made his contribution. The chief difference, thanks to the appropriation of Murray's thinking at Vatican II, is that no Catholic thinker can address the role of religion in public life today without presupposing the existence of the right to religious freedom. How this right is to be interpreted, however, and how religious freedom affects the moral realm, remain highly disputed. Murray's thought continues to be a fertile resource for reflection on the contribution of Catholicism in the United States in the face of on-going disputes about the role of religion in public life.

The religious divisions in U.S. politics today take different forms from the suspicions that excluded Catholics from high office before the Kennedy presidency. Nevertheless, the role being played by the Catholic Church in American politics today remains a key element in current religio-political division. When another Catholic, John Kerry, ran for president in 2004, his election was not opposed by secular and Protestant leaders who feared his Catholicism as a threat to American freedoms. Rather, Kerry's most visible adversaries were several U.S. Catholic bishops who regarded the Senator's pro-choice stance on abortion as a betrayal of the value of human life that Catholics should be advocating in the political domain. Several bishops threatened to deny communion to Kerry, in effect suggesting that he was not a Catholic in good standing. Abortion, along with stem

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<sup>23</sup> National Conference of Catholic Bishops, *The Challenge of Peace: God's Promise and Our Response* (Washington, D.C.: United States Catholic Conference, 1983). Murray's influence on this pastoral letter was mediated by the work of J. Bryan Hehir, a devoted follower on Murray who served as principal consultant to the bishops in the drafting of the letter.

cell research, euthanasia, and gay marriage, have come to be seen by the leadership of the U.S. Conference of Catholic Bishops today as moral matters on which no political compromise is possible. This stance has significant political implications.

The current trends in the interaction of religion with politics in the United States have been studied in depth in the important book by Robert D. Putnam and David E. Campbell, *American Grace: How Religion Divides and Unites Us*. Putnam and Campbell see two outcomes resulting from recent developments in the relation between religion and society in the United States that point to the continuing relevance of Murray's thought today.

First, largely because post-baby boomer generations are increasingly alienated from the approach taken by both Catholic and evangelical religious leaders to gay rights and abortion, younger Americans have become increasingly secularized. One survey indicates that many younger persons in the United States have come to view religion as "judgmental, homophobic, hypocritical, and too political."<sup>24</sup> In an extraordinary development, the percentage of young people who say they have "no religion" increased from 5% in the 1970s, 80s and 90s to 25% who describe themselves that way today. Those who respond "none" when asked what religious community they belong to are not necessarily atheists; many of them state that they continue to believe in God. But the data suggest that their divergence from the positions of religious leaders on homosexuality and somewhat less so on abortion are at least part of the explanation of their alienation from any religious community. Putnam and Campbell see this divergence as an important source of the reconfiguration of the relation of religion and society that has occurred in the United States in the first decade of the twenty first century.<sup>25</sup>

This departure from religious community and religious practice has been particularly marked among Catholics. The Pew Forum on Religion and Public Life's U.S. Religious Landscape Survey concluded that "Approximately one-third of the survey respondents who say they were raised Catholic no longer describe themselves as Catholic. This means that roughly 10% of all Americans are former Catholics."<sup>26</sup> Putnam and Campbell reach a conclusion that should be even

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<sup>24</sup> David Kinnemann and Gabe Lyons, *Unchristian: What A New Generation Really Thinks about Christianity—And Why It Matters* (Grand Rapids: Baker, 2007). Cited in Robert D. Putnam and David E. Campbell, *American Grace: How Religion Divides and Unites Us* (New York: Simon and Schuster, 2010), 121.

<sup>25</sup> Putnam and Campbell, *American Grace*, 130. See pp. 123-132 for their fuller discussion of this shift.

<sup>26</sup> Pew Forum on Religion and Public Life, *U.S. Religious Landscape Survey* (2008), "Summary of Key Findings." <http://religions.pewforum.org/reports>.

more disturbing for Catholic pastors. Their data imply that among non-immigrant Catholics today, 60 percent who were raised as Catholics "are no longer practicing Catholics, half of them having left the Church entirely and half remaining nominally Catholic, but rarely, if ever, taking part in the life of the Church."<sup>27</sup>

Second, there is a notable correlation between being actively engaged in a religious community and supporting the Republican Party, and a similar link between being not being active in any religious community and supporting the Democratic Party. Thus there is a growing religio-political polarization in the U.S. today. Putnam and Campbell's data suggest that the growing divide between religious Republicans and unchurched Democrats revolves primarily around the issues of abortion and homosexual relationships. The intensity of a person's religious engagement is significantly correlated with that person's stance on abortion or gay rights. Being religiously active is less linked with people's positions on other issues that have significant moral dimensions, such as income inequality or spending on foreign aid.<sup>28</sup> As the Republican Party has increasingly taken a pro-life, anti-gay marriage stance and Democrats have moved in the other direction, we have seen the emergence of the so-called "God-gap" in American political alignment. Those who are pro-life and pro-traditional marriage are likely to be both believers and Republican, while those who are pro-choice and pro-gay rights are increasingly secular and Democratic. Thus a coalition of more religiously active citizens in support of the Republican Party has emerged. Putnam and Campbell suggest that opposition to abortion and homosexuality are "the glue that holds the coalition together."<sup>29</sup>

Such religious-political alignment is, of course, nothing new. Throughout the first three-fourths of the twentieth century the Catholic population was closely linked to the Democratic Party. This was largely due to Democratic support for the labor unions and the social policies that aided many immigrant and working class Catholics to advance economically. The question that arises, however, is whether it is a good thing for the United States today that the divisions between religiously active and more secular people are increasingly linked with a growing political polarization between Republicans and Democrats. This question is particularly important because abortion and homosexuality appear to be overshadowing a large range of other public issues having moral importance. These include the avoidance of war, ending reliance on the death penalty, promotion of

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<sup>27</sup> Putnam and Campbell, *American Grace*, 140-141.

<sup>28</sup> Putnam and Campbell, *American Grace*, 384-388.

<sup>29</sup> Putnam and Campbell, *American Grace*, 384.

greater economic justice through jobs and just wages, provision of affordable and accessible health care, overcoming racial and gender discrimination, alleviating global poverty, and promoting religious freedom and human rights globally.<sup>30</sup>

The alignment of active Catholics with the Republican Party's agenda thus raises the question of whether abortion and same sex relationships should play an overriding role in shaping where a faithful Christian should stand politically. Or should the broader range of other issues play determining roles as well? The U.S. Bishops' 2007 statement on political responsibility set the stage for the emergence of this "God gap" when they argued that abortion and homosexuality are intrinsically evil and thus must *always* be politically opposed, while other political issues such as the justification of war involve prudential judgments concerning concrete circumstances, leaving some room for consideration of the overall effect of decisions about policy. The U.S. Bishops' 2007 statement, perhaps unintentionally, has suggested to many of the most active and devout Catholics that a politician's or a party's stance on public policy regarding abortion or homosexual partnerships are litmus tests for how they should vote. This way of thinking was further encouraged when the U.S. Bishops Conference directly appealed to legislators to vote against the 2010 Affordable Health Care Act because they saw it as placing insufficient barriers to using funds raised through taxes to pay for abortions. As noted above, other Catholic organizations, such as the Catholic Health Association, argued that the bill would not lead to the funding of abortion. In the face of this disagreement, the stance of the Bishops Conference has been interpreted as suggesting that some moral judgments, such as the unacceptability of abortion or gay sex, have direct and immediate consequences in the legislative and legal domains. Other concerns, such as the threat to human dignity of a lack of health care or the harm inflicted by war, can be related to the policy domain only through a process of prudential reasoning.

Thus the question of how normative judgments about the moral status of actions like abortion relate to prudential judgments about the moral impact of complex pieces of legislation like the 2010 Health Care Bill assume considerable importance. This importance is heightened in the context of the growing political polarization in the United States, where religious-secular splits around the issues of abortion and gay relationships are increasingly pronounced. Mary Jo

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<sup>30</sup> These and other issues are discussed as matters that should be of moral and religious concern to Catholics in U.S. Conference of Catholic Bishops, *Forming Consciences for Faithful Citizenship* (Washington, D.C.: U.S. Conference of Catholic Bishops, 2007).

Bane, professor and former Academic Dean of Harvard's Kennedy School of Government, has argued that this growing polarization in American politics today is making it increasingly difficult to agree upon or achieve common purposes in national life.<sup>31</sup> Since the Catholic moral tradition, as shaped by Thomas Aquinas and reshaped by Murray, sees the promotion of the common good as the principal purpose of law and politics, one can ask whether such polarization should not raise serious concerns among Catholics.<sup>32</sup> For this reason Bane, who is an active Catholic, expresses worries about the apparent contribution by religious leaders to the growing inability to work for common purposes and the common good in U.S. politics. Though religious leaders seem not to have direct impact on the political views of their church members through preaching or organizing, they do indirectly influence these views through the environment they create in congregations. Thus Bane is dismayed that religious leaders have become "complicit" in the political divisions that make the common good increasingly difficult to attain. Indeed Bane goes as far as to suggest that encouraging such polarization contributes to what may be a social form of "sin" in America today.<sup>33</sup>

Even if Putnam, Campbell, and Bane are only partly right about what is happening at the intersection of religion and politics in the United States today, the stakes are very high as we consider how people should exercise their religious freedom and express their religious convictions in public life. The religiously based activity of at least some Americans appears to be deepening the political divisions that make the pursuit of the common good increasingly difficult. It also seems that the activity of religious leaders, including the U.S. Catholic Bishops, is the occasion for a notable rise in the percentage of younger people who are alienated from active participation in religious life. It is true, of course, that neither the unity of society nor the percentage of the society who are religiously active should override all other values as the Church determines its pastoral agenda. There may well be some moral questions that have such high importance that pursuing them justifies pastoral actions that lead to social conflict and the departure of some from active involvement in the Church. For example, it could be argued that the abolition of slavery would not have been successful if some religious leaders had not been willing to cause conflict and risk losing some of their followers because of their uncompromising stands against it. A similar argu-

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<sup>31</sup> Mary Jo Bane, "God and Country," *Democracy: A Journal of Ideas* 19 (Winter, 2011), 91. This essay by Bane is a review of Putnam and Campbell, *American Grace*.

<sup>32</sup> See Thomas Aquinas, *Summa theologiae*, I-II, q. 90, a. 2.

<sup>33</sup> Bane, "God and Country," 92.

ment could be made concerning the willingness to risk conflict and alienation of some churchgoers in the later civil rights struggle for racial equality. Fortunately, the issues of abortion and gay rights do not seem to threaten American political life with the armed civil conflict that occurred in the 1860s. Nevertheless, religio-political polarization can threaten efforts to work for the common good in less dramatic ways and the sharp decline in active participation in religious community by the younger generation is surely a genuine loss for the Church. Thus careful consideration of Church positions on public policies toward abortion and same-sex relationships is surely needed.

### **FULLER APPROPRIATION OF MURRAY ON FREEDOM, LAW, MORALITY**

John Courtney Murray's reflections on the appropriate relation between civil law, moral norms, and religious convictions can help us think through how we should address these controversial matters today.

In the chapter in *We Hold These Truths* entitled "Should There Be a Law," Murray drew on the thought of St. Thomas Aquinas to present an overall framework for how morality should be related to human or civil law.<sup>34</sup> Murray argued, as did Aquinas, that civil law should be founded on moral values, but that civil law need not seek to abolish all immoral activities in society. De facto, such a goal is impossible to attain. The demands made by civil law should be compatible with the level of virtue that has been attained by most of the people the law regulates. It is very unlikely that the majority of people in a particular society will be fully virtuous. Civil law, therefore, should not try to coerce people to move beyond the level of virtue they have already attained. Efforts to coerce people to move dramatically beyond their existing level of virtue are likely to produce resistance, bringing civil law into disrepute and thus leading to an outcome that may be worse than pursuing most modest moral goals.

Murray observed that efforts to promote virtue in the sexual area through civil coercion are particularly unlikely to succeed. For this reason, governments influenced by the Catholic tradition have rarely sought to enforce the Church's sexual code in a rigorous way. A rather tolerant approach to a moral issue like prostitution has often been found in Catholic states. For example, Murray noted that in late sixteenth century papal Rome, under the rule of the otherwise quite

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<sup>34</sup> Murray "Should There Be a Law? The Question of Censorship," in *We Hold These Truths: Catholic Reflections on the American Proposition* (New York: Sheed and Ward, 1960), 155-74; see Thomas Aquinas, *Summa theologiae*, I-II, q. 96, a. 2 and 3.

strict Pope Sixtus V, 9,000 prostitutes practiced their trade among a population of 70,000. Needless to say, Murray strongly held prostitution to be morally unacceptable. He called it “debauchery.” Nevertheless, like both Aquinas and Augustine before him, Murray maintained that an effort to abolish prostitution through the coercive police power of the state is not required by a Catholic understanding of the moral power of civil law.<sup>35</sup> Indeed such an effort could be counterproductive.

In a similar way, Murray argued in the mid-1960s that preventing the use of contraception by civil legislation is also unlikely to be successful. He recommended, therefore, that Cardinal Richard Cushing of Boston not oppose a change of law that would permit the sale of contraceptives in Massachusetts by reversing legislation linked with the Protestant-influenced Comstock laws of the 1870s. Here again Murray drew on Aquinas, distinguishing between public and private morality. Aquinas had argued that civil law has as its goal the promotion of *public* morality. This public morality is limited to the common good of the civil multitude. It does not extend to coercively promoting the full virtue of each citizen, including the virtues that govern behavior in private interactions such as friendships or personal relationships.<sup>36</sup> Murray acknowledged that the question of whether contraception was a matter of public or private morality was disputed among Catholics. He argued, however, that the case for holding it to be a matter of private morality was “sufficiently conclusive.”<sup>37</sup> Since civil law should seek to use coercion only in matters of public and not private morality, Murray recommended to Cardinal Cushing that the Church not advocate for the continuation of the Massachusetts law that prevented the sale of contraceptives.

Murray further argued that the case for not seeking to prevent the use of contraception through the power of civil law was reinforced by the fact that many people not only rejected the argument that contraception was immoral but that some, including some religious leaders, held that it could be morally required as a means to responsible parenthood. Murray did not accept this argument in his mid-1960s memo to Cardinal Cushing, which presumed as a starting point the

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<sup>35</sup> Murray, *We Hold These Truths*, 163. Augustine discussed the issue tolerating prostitution in his *De ordine* Book Two, 4, 12, and the limits of the moral reach of civil law in *De libero arbitrio*, Book One, V. I. Murray refers to the former passage in Augustine, Thomas Aquinas to the latter.

<sup>36</sup> Thomas Aquinas, *Summa theologiae*, I-II, q. 96, a. 3.

<sup>37</sup> Murray, “Memo to Cardinal Cushing on Contraception Legislation,” in *Bridging the Sacred and the Secular*, 83.

Catholic teaching that birth control was morally objectionable.<sup>38</sup> Still he argued against seeking to translate the Catholic moral objection to contraception into a civilly enforced ban because many citizens, including many religious citizens and clergy, saw it as morally acceptable. In Murray's words:

It is difficult to see how the state can forbid, as contrary to public morality, a practice that numerous religious leaders approve as morally right. The stand taken by these religious groups may be lamentable from the Catholic moral point of view. But it is decisive from the point of view of law and jurisprudence, for which the norm of "generally accepted standards" is controlling.<sup>39</sup>

Respect for the religious convictions of those not sharing the official Catholic rejection of contraception thus led Murray to judge that civil law should not attempt to prevent all citizens from using contraceptives by preventing their distribution. Though the Church could teach its members that birth control is morally unacceptable, the role of civil law was limited in this domain.

Nevertheless Murray certainly did not maintain that the existence of moral disagreement on a particular matter of public policy should *always* lead to the rejection of the use of civil legislation on that matter. He noted that civil law can sometimes play an "educative" role that helps to shape the consciences of members of the public. The civil law can sometimes be "ahead" of the public consensus on the moral standards that should govern society.<sup>40</sup> He noted that this was the case on the matter of racial equality, where civil law was clearly in advance of public opinion in southern states when Murray wrote in the mid-1960s. He was ready to support the use of civil law to seek to reshape the values of those who were ready to accept racial inequality because fundamental standards of justice were at stake, and these standards are matters of public rather than private morality.

The central importance of justice in determining the proper reach of civil law also appears in Vatican II's *Declaration on Religious Freedom*, no doubt due to Murray's influence. As noted above, the right

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<sup>38</sup> Toward the very end of his life, however, Murray seems to have held that the traditional teaching could no longer be theologically sustained. I say "seems" because the text of the talk in which he was reported to have argued this, given in Toledo on May 5, 1967, is not in the Murray archives. However, J. Leon Hooper has studied the press reports on this talk with care and presented his best effort to reconstruct what Murray said. See "Appendix: Toledo Talk," in *Bridging the Sacred and the Secular*, 334-341, esp. 336-337.

<sup>39</sup> Murray, "Memo to Cardinal Cushing on Contraception Legislation," 83.

<sup>40</sup> Murray, "Memo to Cardinal Cushing on Contraception Legislation," 83.

to religious freedom not only requires the protection of private belief and practice, but also guarantees that persons and religious communities may seek to influence public affairs in accord with their religious conviction. Thus churches legitimately seek to influence legislation in ways that reflect their convictions about what makes a society a good society. This is an essential aspect of religious freedom, and as the Council put it, this freedom is to be “respected as far as possible, and curtailed only when and in so far as necessary.”

This is directly relevant to how a society should frame civil laws regarding matters about which there is considerable moral and religious disagreement. Should the government use civil legislation and coercive regulation to prevent abortion and same sex relationships, and if so how should it do so? Or are these matters where the Church and other moral educators such as the family should seek to develop the kind of virtue in people that will lead them to do what is right in these domains without being compelled to do so by threat of police action? Both Murray and the Council’s *Declaration* stated directly that the presupposition of how the government should respond to matters on which moral or religious disagreement exists is a presupposition in favor of freedom. As the Council put it, “the freedom of man is to be respected as far as possible, and curtailed only when and in so far as necessary.”<sup>41</sup> In analyzing this text, which was clearly dear to his heart, Murray added that this means freedom should be limited only so far as necessary to preserve society’s very existence.<sup>42</sup>

Both Murray and the Council went on to specify a set of criteria that should be used to determine when such a threat to society exists and when it does not, and thus when coercive limitation of freedom is legitimate and when it is not. They called these criteria the standards of “public order.”<sup>43</sup> Public order, as Murray and Vatican II understand it, has three components: justice, which secures the rights of all citizens; public peace, which itself is grounded in justice; and those standards of public morality on which consensus exists in society.<sup>44</sup> Understood this way, public order is a moral concept. It is not, however, the rich reality of the full common good that citizens would be able to achieve in their lives together if they were entirely virtuous.

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<sup>41</sup> Vatican Council II, *Dignitatis humanae*, no. 7.

<sup>42</sup> Murray, “Arguments for the Human Right to Religious Freedom,” in Murray, *Religious Liberty: Catholic Struggles with Pluralism*, 239. It is noteworthy that Thomas Aquinas uses the same standard: civil law should intervene coercively only in moral matters “without the prohibition of which human society could not be maintained” (*Summa theologiae*, I-II, q. 96, a. 2).

<sup>43</sup> Vatican Council II, *Dignitatis humanae*, no. 7.

<sup>44</sup> Murray, comment on *Dignitatis humanae*, no. 7, in *Documents of Vatican II*, 686, note 20.

Rather, it is a more minimal level of morality that includes the protection of the most basic prerequisites of social life. These prerequisites include protection of the levels of justice and peace that are required if a society that is civil is to exist at all. When such requirements of public order are endangered, the use of the coercive power of the state is justified.

Drawing on Murray's analysis, we can conclude that the question to be faced in addressing the matters of same sex relationships and abortion in the United States today is whether permissive stances toward them threaten social life, and thus whether the justice and public peace that sustain social life require that they be civilly prohibited. Clearly, some religious leaders, including the leadership of the U.S. Conference of Catholic Bishops, believe that abortion and same sex relationships do threaten the justice required in social life this way. They hold that homosexual relationships, especially civil recognition of same sex partnerships, are threats to the family bonds that hold society together, and that abortion is unjustified taking of innocent human life. Therefore the bishops argue against laws granting civil recognition to same sex partnerships and advocate for laws that will prevent or restrict the resort to abortion. They also stand against public policies that they see as providing financial or other support for abortion, as they argued the 2010 Affordable Health Care Act would do. Thus the U.S. bishops suggest that the standards of justice and public morality that Murray and the Council saw as setting appropriate limits to freedom can be invoked to support the use of coercive governmental power to limit same sex partnerships and prevent abortion.

As noted above, a significant number of U.S. citizens do not agree with the bishops on these issues. They do not see same sex relationships or all abortions as violations of the justice and public morality required to hold society together. Some of those who disagree with the position of the U.S. bishops do so on religious grounds. One could argue, of course, that those who disagree with the bishops are simply in error when they hold that homosexual partnerships based on mutual love and commitment can be morally justifiable, or when they conclude that in some tragic circumstances abortion could sadly be justified. This is not the place to engage in examination of the theological and natural law arguments on which the positions of Church teaching on homosexuality and abortion are based. The question that is urgent in the present context, and to which Murray's thought makes a valuable contribution, is whether it is appropriate to use coercive civil restraint when there is significant disagreement in society about the ethical values at stake in the domains of homosexual rela-

tionships and public policy on abortion. This is especially true when some of these disagreements are related to religious conviction.

As noted above, one might argue that the use of civil law on these matters of moral disagreement can be justified by appeal to the educational role of civil law. Indeed, civil law in a number of European countries does seek to discourage abortion in what could be seen as an educational way by setting conditions for its legality that are notably stricter than the standards legally in effect in the United States.<sup>45</sup> Similar civic education through statutes regarding divorce could also surely reinforce the social importance of marriage and family stability better than they do now in the United States. To appeal to the educational role of civil law as a basis for criminalizing behavior on which there is substantial moral and religious disagreement in society, however, moves dangerously close to affirming that those in moral error regarding homosexuality and abortion simply have no rights.

The position that “error has no rights” was the position of those who rejected Murray’s argument for religious freedom.<sup>46</sup> They believed that because Murray was in favor of the civil right to religious freedom for all persons that he was saying, in effect, that persons were free from any obligation to seek and hold the truths about God, Christ, and the Church. Murray repeatedly had to make clear that his argument for religious freedom was not based on a relativistic stance toward religious truth that held that all religions are equally true or equally false. His argument had an entirely different basis. He justified religious freedom by arguing that it is not the role of the state or of government to reach decisions about religious truth and enforce such decisions about which religious beliefs are true and which are false. The government and its officials are simply “denied all competence” to make judgments regarding religious truth or error.<sup>47</sup> Murray’s argument for religious freedom, therefore, was based on the limited power of the government to determine and enforce truth in the religious sphere.

This argument for limits on the power of government has implications for moral issues when there is significant pluralism in society. As noted above, government’s coercive power does not extend to the full scope of the moral life, just as it does not extend to the regulation of religious truth. Attaining the fullness of the moral life, which en-

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<sup>45</sup> See Mary Ann Glendon, *Abortion and Divorce in Western Law: American Failures, European Challenges* (Cambridge, MA: Harvard University Press, 1987).

<sup>46</sup> For Murray’s own exposition of the view of those who opposed him on this question, see Murray, “The Problem of Religious Freedom,” in *Religious Liberty*, 130-137.

<sup>47</sup> Murray, *We Hold These Truths*, 66. The Council affirms this in *Dignitatis Humane*, no. 3

compasses the entire scope of the common good, is the responsibility of civil society, including the Church and the broader components of cultural life. As Murray put it, "there are circumstances in which human authority has neither mandate nor duty nor right to use its coercive power against error and evil."<sup>48</sup>

We are thus led to ask where Murray's line of reasoning leads on some key issues facing the Catholic community in the United States today. For example, can we establish that same sex unions have such negative effects on the stability of family life that they undercut the justice required for society to sustain its necessary unity? Can we clearly show that the 2010 Health Care Bill, in fact, supported abortion or that a strict ban on abortion is a requirement of justice? If so, we rightly argue that laws against same sex unions are called for by the standards of public morality, and that the U.S. bishops were right to urge members of Congress to vote against the 2010 Health Care Bill in the name of justice. But if we cannot clearly establish that homosexual relationships so threaten the continued unity of society by undermining the family bonds that are important to this unity, then we ought not maintain that coercive use of state power to prevent such relationships is called for or legitimate. Similarly, the appropriateness of the bishops' recommendation that members of Congress vote against the 2010 Health Care Bill depends on showing that the bill's support for abortion was so clear that it outweighed its contribution to justice by the provision of greater access to health care. If the standards of justice do not lead to these conclusions, this does *not* mean all same sex relationships and all abortions should be simply accepted. They could be civilly regulated to prevent abuses that are clearly unjust. In addition, the Church itself should work vigorously to improve the level of virtue among both its members and in society at large in ways that significantly improve the level of sexual morality in society and reduce the number of abortions. The Church, the family, educational bodies, and many other groups have formative moral influence in the broader culture, and resort to the coercive power of the state is not the only way to work for moral improvement.

It should be noted that suggesting that the government may not be the appropriate agent for pursuing the advancement of moral values in the domain of homosexuality and abortion is *not* an argument that homosexuality and abortion are morally insignificant or acceptable. Murray clearly maintained that attaining and holding to religious truth is of the highest importance. But he also maintained

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<sup>48</sup> Murray, "Leo XIII and Pius XII: Government and the Order of Religion," in Murray, *Religious Liberty*, 106.

that it is not the role of the government to compel people to hold the right beliefs. Similarly, we could extrapolate from Murray's argument and suggest that when there is the kind of moral disagreement that we have in the United States today on committed and stable same sex relationships and on abortions that occur in situations of grave distress, it is not the role of government to resolve these disagreements through the use of its police power. Indeed, the use of coercive law in these areas is likely to be ineffective, may well have negative consequences such as increased social division, and could lead to a disrespect for the law that makes society less worthy overall.

Whether such negative effects flow from efforts to control homosexual activity and eliminate abortion by law calls for careful attention to what can be known about the consequences of such efforts. If Putnam's, Cassidy's and Bane's interpretations of what is happening at the intersection of religion and American public life are correct, the approaches of a number of religious leaders, including the U.S. Catholic Bishops, seem to be leading to social divisions that make the common good increasingly difficult to attain. Such divisions also seem to be making it more difficult to attain justice in addressing matters such as the reduction of poverty and unemployment. These strategies are also alienating a sizable segment of the younger generation of Americans from religious community. This loss of the young will itself make it more difficult in the future for the Church to influence the larger culture in light of moral values.

John Courtney Murray's work in the mid-twentieth century does not answer all questions concerning how we should relate religion, morality and the civil law in the second decade of the twenty first century. Murray did, however, lead the Church to a transformative discovery that human freedom is the essential link between human beings and the truth about God. He certainly understood that freedom might need to be limited in some social situations. But his great insight was what he called the principle of the "free society," which affirms that each human person "must be accorded as much freedom as possible, and that this freedom is not to be restricted unless and insofar as necessary." Through Murray's influence this principle was enshrined in the *Declaration on Religious Freedom* of Vatican II. In words that Murray himself surely wrote, the Council declared: "[T]he usages of society are to be the usages of freedom in their full range. These require that the freedom of the human person be respected as far as possible, and curtailed only when and insofar as necessary."<sup>49</sup>

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<sup>49</sup> The sentence from Murray is from his "Arguments for the Human Right to Religious Freedom," in Murray, *Religious Liberty*, 239. The parallel sentence from the Council is from *Dignitatis humanae*, no. 7.

The question today is not whether the restriction of freedom is sometimes necessary to protect social unity, but whether some of the efforts by the Church to secure such restriction in the areas of sex and reproduction have themselves become threats to social unity and to common good. If this is the case, it suggests that a different approach to same sex relationships and the links between abortion and health care is called for.

As I have suggested elsewhere, it may be more fruitful for the Church to seek first to influence the moral values held in the larger culture, and only when a greater agreement has been reached on those values to seek to embody them in civil law.<sup>50</sup> Indeed, through the dialogue and public argument that is needed to shape cultural values it is at least imaginable that the Church will itself gain some new insights into the issues that cause so much controversy today. It was Murray who helped the Church to new and deeper insight on the matter of religious freedom, thus enabling the Church to become a stronger force for human rights, justice, and public morality. Perhaps a fuller reception and deeper appropriation of Murray's thought today can help the Church address the controversies of our time with greater effectiveness. **M**

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<sup>50</sup> See my "Catholicism and American Political Culture: Confrontation, Accommodation, or Transformation," in *Inculturation of the Church in North America*, ed. T. Frank Kennedy (New York: Crossroad, 2006), 7-22, esp. 17-22.

## James M. Gustafson and Catholic Theological Ethics

LISA SOWLE CAHILL

FOR THIS INAUGURAL ISSUE of the *Journal of Moral Theology*, the editors invited me to write about the influence of a major Protestant theological ethicist on his Roman Catholic students. The basic directions of this influence are captured in the fact that most of them would probably refer to themselves as “theological ethicists” more readily than as “moral theologians.”<sup>1</sup> The shift in terminology connotes the specifically theological and biblical grounding, the ecumenical interests, and the concern with the “big picture” of agency and action (equally to specific decisions and acts) that characterize the typical “Gustafson student.”

Of course, the mutual influence of James Gustafson and Catholic moral theology is not limited to his education of students. He has interacted constantly, contentiously, and collegially with his Catholic theological peers, notably Charles Curran and Richard McCormick. In addition, Gustafson’s theological questions, insights, and warnings have influenced many Catholics who were neither his direct students nor his personal conversation partners. He has offered assessments of Catholic ethics both in ecumenical venues, and in distinctively Cath-

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<sup>1</sup> Former student Albert R. Jonsen muses amusingly on the appropriation of this term by a group of Gustafson students who gathered regularly for lunch in the Yale refectory in the mid-1960’s: Jonsen, Stanley Hauerwas, James Childress, Gene Outka, and James Laney (“The Ethicist as Improvisationist,” in *Christian Ethics: Problems and Prospects*, ed. by Lisa Sowle Cahill and James F. Childress (Cleveland: Pilgrim Press, 1996), 167). See also John A. Gallagher, *Time Past, Time Future: An Historical Study of Catholic Moral Theology* (Mahwah, NJ: Paulist, 1990), 219.

olic ones, such as the Catholic Theological Society of America and *Theological Studies*.

Nevertheless, as someone who wrote a dissertation under the guidance of Jim Gustafson, and has continued to be instructed, challenged and chastened by his ideas, I am privileged to illustrate his relation to Catholicism by taking as my point of departure his impact on his students. The resulting reflections will have an unavoidable personal note, due not only to my own relationship to this great teacher, but also because my first step toward researching the present essay was to appeal to the common pool of wisdom shared by my doctoral siblings. Their responses begin to illustrate both the tenor and the topics of my analysis that follows.

One student recalls Gustafson's "profound endorsement of intellectual passion, an endorsement I drew deep into my heart and which has pulsed strongly ever since." Another learned that "the primary virtue of the scholar is intellectual honesty and intellectual honesty is difficult. ...My agenda must not override the integrity of my sources and I must come to grips with other views....Yet intellectual honesty is rooted in an affective posture. Love the work. Order it to God. Order it to others. Remember, it is not about you."

That applied to Gustafson's own writing and theologizing. One notes that Gustafson's "enthusiastic embrace" of Margaret Farley's "concept of 'the grace of self-doubt' says a lot about Jim's own humility in thinking, speaking, writing." This does not, however, preclude his having "very strong convictions, some of them foreign to most Catholic approaches." These were revealed especially in his two-volume masterwork, *Ethics from a Theocentric Perspective*,<sup>2</sup> in which he vehemently rejects theology and ethics that focus God's providence on human welfare, insisting instead in Calvinistic style that authentic piety recognizes God's sovereignty, including divine purposes that "bear down upon" and even destroy human wellbeing, as well as enable human flourishing and fulfillment. Yet Gustafson never insisted that his students conform to his theological preferences, nor even contend with them directly: "we never read his work for our courses." "He never encouraged followers or tolerated fawners." Versions of this latter point were numerous. "Jim never cultivated disciples or followers.... The result is that Jim's students are never known as 'Gustafsonians' but rather simply as a quite diverse group of con-

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<sup>2</sup>James M. Gustafson, *Ethics from a Theocentric Perspective*, Volume One: Theology and Ethics (Chicago and Oxford: University of Chicago Press and Basil Blackwell, 1981) and *Ethics from a Theocentric Perspective*, Volume Two: Ethics and Theology (Chicago and London: University of Chicago Press, 1984). Henceforth ETP.

tributing scholars in the field of Christian ethics. This is true of the Catholics as well as the Protestants.”

In the Catholic case, the Catholic theological traditions, approaches, ecclesiology, and moral-theological questions were treated with respect and appreciation, even as Catholic students were encouraged to be critical, constructive, and ecumenically-minded. Therefore, there was no contradiction in the Catholic student remaining Catholic while being mentored theologically by Gustafson. For many of us, his courses—for example his seminar on Barth and Aquinas—were an opportunity to see Catholic tradition in a new light, to appreciate its distinctive riches in comparison with other approaches, and to freely embrace what otherwise might have seemed outdated or stultifying.<sup>3</sup> One former student notes that it was that seminar that “pushed me to read Aquinas in depth for the first time.”<sup>4</sup>

Another explains, “even though he never ‘adopted’ aspects that are important to many Catholic theologians... he ‘got it’ (at least respected it) more than many other Protestant thinkers.” He always “took seriously” the Catholic and other traditions, incorporating “whatever he deemed important enough to help... his own point of view.” A different person recalls that Gustafson’s teaching style was “critical but appreciative,” that he had a “really insightful knowledge of Catholic ‘moral theology,’” and that he affirmed “the possibilities of mutual influence of Catholic and Protestant traditions.”

I recommend a few key, accessible, and relatively compact sources through which other Catholic theologians may grasp and appreciate the influence of Gustafson on our field of ethics or “moral theology.” The first is an essay that Gustafson himself identifies as one of his most successful, in terms of being an incisive analysis of contested issues that at the time were front and center in the fields both of Christian ethics more broadly and of moral theology in the Catholic sense: “Context vs. Principles: A Misplaced Debate in Christian Ethics.”<sup>5</sup> A second is an early book that displays Gustafson’s ecumenical interests and his ability to appreciate the strengths of different but

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<sup>3</sup> Much of the work undertaken in that seminar is reflected in James M. Gustafson, *Protestant and Catholic Ethics: Prospects for Rapprochement* (Chicago and London: University of Chicago Press, 1978).

<sup>4</sup> Gustafson includes a substantial and appreciative discussion of Aquinas on sanctification as early as 1968, in *Christ and the Moral Life* (New York, Evanston, London: Harper & Row), 98-115.

<sup>5</sup> James M. Gustafson, “Context vs. Principles: A Misplaced Debate in Christian Ethics,” *The Harvard Theological Review* 58/2 (1965), 171-202. This and several other characteristic or seminar essays may be found in James M. Gustafson, *Moral Discernment in the Christian Life: Essays in Theological Ethics*, ed. Theo A. Boer and Paul E. Capetz (Louisville and London: Westminster John Knox, 2007).

potentially complementary strands of Christianity: *Protestant and Catholic Ethics: Prospects for Rapprochement*.<sup>6</sup> Another comparison of Catholic and Protestant ethics, one that identifies the importance of ethics' theological foundations and (fading?) ecumenical bent, was written to commemorate *Theological Studies*' fiftieth anniversary: "Roman Catholic and Protestant Interaction in Ethics: An Interpretation."<sup>7</sup>

A short book that captures the theocentric perspective elaborated in the two-volume work on that topic, and situates it engagingly within a treatment of the religious affections as evoked by experiences of the natural world, is *A Sense of the Divine: The Natural Environment from a Theocentric Perspective*.<sup>8</sup> Finally, *An Examined Faith: The Grace of Self-Doubt* traverses the course of Gustafson's theological development over his lifetime, putting hard questions to contemporary faith, and reiterating what for Gustafson's readers is a familiar refrain: "the Almighty has his own purposes."<sup>9</sup> The last two works communicate beautifully the personal contexts and experiences that have shaped Gustafson's own piety and theological choices. They also bring home one of his most essential convictions: all church life and all theology are contextual and perspectival, but they are nonetheless accountable both to the reality of God, and to scientific and other sources for understanding the human condition in relation to God and nature.<sup>10</sup>

#### GUSTAFSON'S BIOGRAPHICAL BACKGROUND AND ITS THEOLOGICAL SIGNIFICANCE

James Moody Gustafson was born to a Swedish immigrant family in an ore-mining town on Michigan's Upper Peninsula in 1925. His father, from whom he learned "devotion to and respect for the natural environment," was a minister of the evangelical Swedish Covenant Church. Decades later, Gustafson says, to hear the cry of the loon on Maine's Lake Umbagog "is for me, like many other per-

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<sup>6</sup> James M. Gustafson, *Protestant and Catholic Ethics: Prospects for Rapprochement* (Chicago and London: University of Chicago Press, 1978).

<sup>7</sup> James M. Gustafson, "Roman Catholic and Protestant Interaction in Ethics: An Interpretation," *Theological Studies* 50/1 (1989): 44-69.

<sup>8</sup> James M. Gustafson, *A Sense of the Divine: The Natural Environment from a Theocentric Perspective* (Cleveland: The Pilgrim Press, 1994).

<sup>9</sup> James M. Gustafson, *An Examined Faith: The Grace of Self-Doubt* (Minneapolis: Fortress Press, 2004).

<sup>10</sup> For an overview of Gustafson's theology and its biographical contexts, not limited to its influence on moral theology, see Lisa Sowle Cahill, "James M. Gustafson" in *A New Handbook of Christian Theologians*, ed. by Donald W. Musser and Joseph L. Price (Nashville: Abingdon, 1996), 178-88.

sons who grew up in those northern climes, a powerful experience.”<sup>11</sup> Gustafson’s memories of Michigan include identifying and enjoying a variety of trees, berries, nuts, and flowers; fishing and canoeing on local lakes; and ice-skating, skiing, sledding, and tobogganing in the winter. Branded on his memory as well are the screams of girls drowning in one of those lakes; the cut of winter temperatures at 40 below zero; and the ugly environmental effects of logging and iron ore mining necessary for community survival. When the family relocated to a rural Kansas farming community, they knew both bountiful crops and drought and tornadoes.

Nature’s beauty brought peace and awe. We used its resources for our sustenance, recognizing both the harmful and beneficial outcomes of that. We knew its powers to harm and destroy and thus learned to adapt to its threats.<sup>12</sup>

Nature’s parts are interdependent and mutually affecting, but nature’s equilibrium is not static and harmonious, nor entirely predictable, nor ultimately controllable by humans. “We meet God as the power that brings all things into being, that bears down on them and threatens or limits them, that sustains them and is the condition of possibility for their change.”<sup>13</sup>

Nature, along with relationships to human persons and the experience of historical events, is for Gustafson a powerful stimulant to the “religious affections,” the affective ability to begin to comprehend God, God’s purposes, and God’s relation to finite beings and relationships. Common human experiences give rise to “senses” of dependence, gratitude, obligation, remorse and repentance; as well as of new possibilities of agency, change and happiness.<sup>14</sup> “From experiences that are shared in common, to experience of others, or of otherness, to experience of the reality of an Other; these are the steps, phases, aspects, of monotheistic religious faith and life.”<sup>15</sup>

Yet Gustafson found the sociological, historical and ethnic differences among the churches of his acquaintance to be at least as remarkable as the similarities of their shared Christian faith. In Michigan, Gustafson’s Irish, Italian, and Belgian friends were all Catholic; while all Swedes were Protestant. In his teens, Gustafson found a book on religion and immigration that revealed that the senses of the

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<sup>11</sup> Gustafson, *Sense of the Divine*, 3-6.

<sup>12</sup> Gustafson, *Sense of the Divine*, 4.

<sup>13</sup> Gustafson, *Sense of the Divine*, 14.

<sup>14</sup> Gustafson, *ETP One: Theology and Ethics*, 129-36. See also, James M. Gustafson, “Tracing a Trajectory,” *Zygon* 30/2 (1995), 182.

<sup>15</sup> Gustafson, *ETP One: Theology and Ethics*, 136.

divine that undergird religious narratives and belief systems take forms that are “relative to different cultures, symbols, and communities.”<sup>16</sup> Religion, religious belief, and theology are cultural, historical and sociological phenomena. They are also authentic expressions of humanity’s relation to and experience of God. Gustafson is adamant that religious and theological claims be investigated in terms of their historical and sociological causes, the possibility of their experiential validation, and their coherence with biblical and doctrinal premises.

Gustafson’s sense of cultural and religious relativity, along with his experience of nature as a source of the religious affections, and his conviction that ultimate powers bear down upon human beings as well as bear them up, were all reinforced by his tour of duty in India and on the China-Burma border during the Second World War. Subsequently he resumed studies in sociology and anthropology at Northwestern University, then ministerial studies at the University of Chicago and Chicago Theological Seminary.

Though he is today an ordained minister of the United Church of Christ, his 1951 ordination was almost blocked due to Gustafson’s critique of standard theologies, and due to what he calls “my candid agnosticism and skepticism about personal immortality.”<sup>17</sup> Nevertheless, as he affirmed much later, he may be a sort of “Christian stoic or a stoical Christian,” but “the life of the church and its Christian message and mission are part of my life.”<sup>18</sup> His target is not Christian piety as such, but impious religious rhetoric that makes facile or inflated claims about God and God’s ways to serve self-interest or avoid the intransigent realities of conflict and suffering.

In Chicago, Gustafson’s previous studies in sociology found resonance in Ernst Troeltsch’s approach to the churches, and in the theology of H. Richard Niebuhr, especially *The Social Sources of Denominationalism* (1941) and *The Meaning of Revelation* (1941). He saw in Niebuhr a way to affirm a historic religious tradition, while avoiding excessive metaphysical inferences, and acknowledging historical relativity.<sup>19</sup> At the urging of James Luther Adams and other teachers, Gustafson left Chicago to begin doctoral studies at Yale with Niebuhr.

On receiving his doctorate in 1955, Gustafson joined the Yale faculty. In 1972, he relocated to the Divinity School of the University of Chicago, where he also served on the University’s Committee on Social Thought, an interdisciplinary degree-granting program. In 1989,

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<sup>16</sup> Gustafson, “Trajectory,” 182. The book was George M. Stephenson, *The Religious Aspects of Swedish Immigration* (1932).

<sup>17</sup> Gustafson, “Trajectory,” 181.

<sup>18</sup> Gustafson, *Examined Faith*, 106.

<sup>19</sup> Gustafson, “Trajectory,” 183.

Gustafson was invited to Emory University, where until 1996 he chaired the Luce Seminars for faculty across schools and fields. In 1998 he retired from formal academic life to his residence in Albuquerque, NM, keeping up correspondence with former students and colleagues, as well as occasional travel to lecture and participate in conferences.

#### GUSTAFSON, THE CHURCH, AND REFORMED THEOLOGY

Gustafson's first book, *Treasure in Earthen Vessels: The Church as a Human Community* (1961), incorporated Niebuhr's attunement to the historicity of the experience of God into a new vision of the nature of the Church. On the one hand, Gustafson maintains, particular forms of the Church cannot be equated with absolute revelation. On the other hand, the relativity of historical experience does refer to an absolute object: God. And it is only through its limited, human, social, political, and historical forms that the Church can survive over time and maintain a continuous community of "believers in God revealed in Jesus Christ."<sup>20</sup>

Around the time of the writing of *Treasure in Earthen Vessels*, Gustafson reflects, the Christ and the Church Commission of the World Council of Churches produced literature about the implications for the Church of Christ, Spirit, and eschatology. However, this literature neglected to account for the human, social, and historical aspects of actual church communities or institutions. Meanwhile, the use of "middle axioms," mediating ethical guidelines derived by Christian bodies and theologians from premises such as "love," were being used to frame church responses to timely social and political questions. But the application of these axioms in the concrete was insufficiently backed by social and scientific analysis of the conditions they were meant to address. Hence the resulting recommendations tended to be either irrelevant to the real capacities of churches and their members; or platitudinous when juxtaposed with the complexity of real social problems.<sup>21</sup>

Gustafson's affinity with the Reformed tradition (especially John Calvin and Jonathan Edwards) leads him to embrace yet reinterpret Augustinian-Reformed themes of divine sovereignty, theocentric piety, humility and a certain pessimism about lasting or widespread reform of the social order. With Calvin and Edwards he believes that the end of human beings and of all nature is to glorify God, and that the *eschaton* will not bring universal redemption and happiness. Like

<sup>20</sup> James M. Gustafson, *Treasure in Earthen Vessels: The Church as Human Community* (New York: Harper and Brothers, 1961).

<sup>21</sup> Gustafson, "Trajectory," 177-78, 183-84.

them, he attributes unredeemed suffering, human or otherwise, to God's mysterious ways. His participation in the Church is strong but his confidence in its "orthodox" theologies, as in its holiness, is not high.

Gustafson holds traditional belief, theology and ecclesiology accountable to other disciplines such as the human and natural sciences, as to a breadth of human experiences of God. In the light of these critical standards, Gustafson is willing to challenge—explicitly or tacitly—the credibility of many traditional Christian affirmations, such as the Trinity, the divinity and resurrection of Jesus, and the promise of "eternal life."

The result for Gustafson however is neither religious alienation nor liberal Protestantism. His theological message is an adamant, if stern, interpretation of the *pietas* of Augustine, Calvin and Edwards. God is a force to be reckoned with, and to be worshipped in awe. As he concludes *Ethics from a Theocentric Perspective*:

God will not be manipulated.

God will not be ignored or denied.

God will be God.<sup>22</sup>

#### GUSTAFSON'S CATHOLIC INTERLOCUTORS

One reason that Gustafson was able to have a large effect on Catholic students is that, throughout his career, he has engaged with Catholic moral theologians. He has published books and articles that dissect, analyze, and advise Catholic moral theology and its spokespersons. He has incorporated some of their works and ideas into his own. Gustafson has always been convinced that by working together the two traditions could make headway toward solving shared theological problems. Gustafson's work with Catholic theologians who were themselves among the most influential in postconciliar U.S. moral theology enhanced the educational environment of his students. Gustafson smoothed the way for their own personal and professional interaction with senior Catholic mentors like Richard McCormick, Charles Curran, and others to whom Gustafson introduced them.

Gustafson wrote *Protestant and Roman Catholic Ethics: Prospects for Rapprochement* just after the ecumenical wave that followed Vatican II had crested. The introduction expresses gratitude to his "mentor" Richard McCormick, and to "conversation partner" Charles

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<sup>22</sup> Gustafson, *ETP, Two: Ethics and Theology*, 322.

Curran (to both of whose *festschriften* he later contributed<sup>23</sup>), as well as to several former students whose dissertations Gustafson advised. Gustafson explains that he began to study the social encyclicals when still a student, and that the book idea took root during a 1966 summer seminar at Union Theological Seminary (New York) that was filled with “Roman Catholic theologians and philosophers of considerable intellectual maturity.”<sup>24</sup>

The book clarifies “historic divergences,” such as the centrality to Catholicism of morality and law, compared to the more diffuse, ambiguous, and pedagogical function of moral teaching in Protestantism; the Catholic emphasis on individual responsibility for sins, compared to the Protestant emphasis on the general state of fallenness; and the centrality of natural law in Catholic moral theology, compared to that of Scripture for Protestants. These differences led to differences of style and substance in practical moral reasoning. While Protestants risk losing their compass in “wastelands of relativism,” Catholics have inherited “a rather tight and closed system which needs loosening and opening to come to grips with modern moral and social problems.”<sup>25</sup> Past Catholic moral theology functioned quite autonomously from systematic theology, but is now renewing its relation to doctrinal and biblical sources, according to Gustafson. Meanwhile Protestant theologians are also finding ways to bring nature and grace, creation and redemption, closer together.

Gustafson suggests finally that the traditions are drawing together toward a view of God as “a gracious ordering dynamic presence and power,” whose being and purposes are not fully disclosed, but continue to be discovered “through human experience in time.” He believes there to be a growing consensus on “the priority of grace over ‘nature,’” leading to an ethics that affirms nature and history, “without denying the necessity for order, the reality of evil, and the distortion of human sin.”<sup>26</sup>

The majority of Gustafson’s Catholic students reached him—at Yale and in greater numbers at Chicago—in the two decades following the Second Vatican Council. This was an era when the Catholic Church itself opened its windows and doors to ecumenical exchanges

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<sup>23</sup> James M. Gustafson, “The Focus and Its Limitations: Reflections on Catholic Moral Theology,” in *Moral Theology: Challenges for the Future, Essays in Honor of Richard A. McCormick, S.J.*, ed. by Charles E. Curran, (New York/Mahwah: Paulist Press, 1990) 179-192; and “Charles Curran: Ecumenical Moral Theologian Par Excellence,” in *A Call to Fidelity: On the Moral Theology of Charles E. Curran* (Washington, D.C.: Georgetown University Press, 2002), 211-43.

<sup>24</sup> Gustafson, *Catholic and Protestant Ethics*, vii-viii.

<sup>25</sup> Gustafson, *Catholic and Protestant Ethics*, 32-33.

<sup>26</sup> Gustafson, *Catholic and Protestant Ethics*, 158.

and to modern approaches to knowledge. The very calling of the Council by John XXIII, in a spirit of “aggiornamento,” already suggested that ecclesial structures and theological certitudes might be open to renegotiation.

The degree to which these actually could change, did change, and are still changing, is a matter of continuing debate within the Roman Catholic communion.<sup>27</sup> But certainly a change of clear relevance for the future of Catholic theology and theological ethics was the entry into the study of theology by a huge number of laypersons, inspired by the engaging openness and vitality of the Council proceedings and documents. For the first time, large numbers of lay students were welcomed to the study of theology by Catholic colleges and universities. Jesuit and other Catholic institutions began to admit women, and to establish undergraduate theology majors. Within a few years, not only lay Catholics but priests and religious were seeking entry to originally Protestant, now interdenominational, divinity schools like Yale and Chicago. Catholic applicants were inspired by the post-conciliar spirit of ecumenism, the hope that vocational opportunities would be available in the sorts of schools from which they had graduated, and attraction to the longstanding academic reputations of the theological schools at which they were soon to arrive.

It would not be for another two decades or so that Catholic universities in the U.S. would have developed research faculties and well-established doctoral programs that could educate theologians to be research scholars and mentors of new generations of graduate students. In the 1960's and early 70's, little was available in the U.S. other than the Catholic University of America, a pontifical institution administered by the U.S. Catholic bishops, whose mandate in theological graduate programs had been primarily the education of clergy and religious. Rather than seek out degrees at Catholic institutions in Europe, many U.S. Catholic doctoral applicants turned to non-Catholic schools at home.

In a history of Catholic moral theology in the United States, Charles E. Curran notes that James Gustafson was familiar not only with Aquinas, but with postconciliar Catholic developments on the European and North American scenes. According to Curran, “No Protestant scholar illustrates the thoroughly ecumenical aspect of Catholic moral theology better than James Gustafson,” both in research and in teaching.

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<sup>27</sup> See David Schultenover, ed., *Vatican II: Did Anything Happen?* (New York: Continuum, 2007).

At Yale, Chicago, and Emory universities, Gustafson directed the doctoral dissertations of more than twenty Catholic moral theologians, almost all of whom have published extensively and made significant contributions to moral theology. No Catholic moral theologian in the United States in the latter part of the twentieth century even came close to directing that number of dissertations by future Catholic scholars.<sup>28</sup>

The Catholics found Gustafson's correlation of different ethical sources—Scripture, theological traditions and figures, philosophy or “reason,” human experiences, the human and natural sciences—amenable for many reasons. Like Protestants, of course, they were attracted to his astute mapping of contemporary theological options, their roots, and their consequences for ethics. Moreover, as one student recalls, “post-conciliar Catholic aspirations for lay renewals encountered cratered confidence in ecclesial leadership that unjustly fragmented practical questions into camps—bereft of nonpolemical constructive scholarship.”

From Gustafson they began to appreciate that contested issues were part of a bigger picture—theologically, ecclesially, socially and politically. By reading together and on the same topics (like marriage, war, or euthanasia) figures like Aquinas, Barth, John C. Ford, John Courtney Murray, Bernard Haring, John Howard Yoder, Paul Ramsey, and Catholic popes, they began to see the theological commitments behind natural law ethics, how conclusions develop over time, and how they are continually renegotiated: “living traditions are always contested.”

Gustafson seminars not only introduced major figures, texts, and theological ideas, they also provided a model for critical yet non-polemical engagement. The texts and readers constituted “a community of moral discourse” in which Catholic students learned that if they were going to work within a tradition that makes public moral claims, they would have to appreciate “the value of argument (how assertions are linked to claims using evidence).” Gustafson believed that the churches and their ethicists should have a public voice and participate in important social and political questions.<sup>29</sup> This supported one of the most characteristic legacies of Catholic moral theology and especially of Catholic social teaching. Yet Gustafson was

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<sup>28</sup>Charles E. Curran, *Catholic Moral Theology in the United States: A History* (Washington, D.C.: Georgetown University Press, 2008), 147.

<sup>29</sup> See his address to the Catholic Theological Society of America: James M. Gustafson, “The Sectarian Temptation; Reflection on Theology, the Church, and the University,” *Proceedings of the Catholic Theological Society of America* 40 (1985), 83-94.

more clear than most Catholics that social-ethical recommendations should be coherently linked to theological and biblical base points, as well as to scientific and philosophical sources.

Most of his Catholic students work with some revised version of the ethics of "natural law" historically embedded at the center of Catholic theological ethics. But they reinterpret it in light of more explicit allusions to Aquinas's theology, in conversation with Protestants, by engagement with biblical narratives, as incorporating the natural and social sciences, and with a critical assessment of the historical limits of past formulations. Gustafson taught Catholic students to appreciate that human individuals must be seen as part of larger wholes of culture and of the natural world, with whose other species they share continuities.<sup>30</sup>

Gustafson also helped those interested in natural law to better address the "is-ought problem" (going back to David Hume and G.E. Moore), that is, the objection that no statement of moral obligation can be derived from a simple description of beings or states of affairs that in fact exist. Gustafson astutely distinguished between two senses of "the human": the normative and the descriptive. Natural law begins with the descriptive, that is, with descriptions of what in fact exists or occurs. But the descriptive alone does not yield moral obligations and norms. Moral judgment involves a "normative" view of the human: which among the observed "facts" of human existence actually fulfill human beings, or contribute to human wellbeing or flourishing? Only on the basis of the latter discernment or judgment can a moral claim be made.<sup>31</sup>

It is important that nature and natural law be integrated with more properly theological stances, themes and concepts. A salient example is the relation of nature to grace, understood as the gift of Christian love, charity, or *agape*. A recurrent theme in Gustafson's courses was the meaning and force for ethics of this central Christian virtue. Students were urged to be precise in defining love, and to evaluate the value of any specific concept partly in terms of whether the disposition and practice of love espoused by the ethicist could be confirmed as a possibility by the natural and social sciences. Particular targets of critical examination were the ideas that love as *agape* consists in radical self-sacrifice, regardless of family obligations, cost or the agent's survival; that *agape* is diametrically opposed to "natu-

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<sup>30</sup> Gustafson, "Nature," 124-25.

<sup>31</sup> James M. Gustafson, "Genetic Engineering and the Normative View of the Human," *Ethical Issues in Biology and Medicine*, ed. Preston N. Williams (Schenkman, 1973), 46-58. See also "Nature: Its Status in Theological Ethics," in *Moral Discernment*, 111-125 (originally published in 1982 in *Logos*).

ral" human desires and fulfillments; and that Christian love totally transforms the capacities of persons and communities.

From their mentor, Gustafson students further imbibed a healthy dose of realism about human limits and sin. They learned to beware the theological evasions and anthropocentrisms that, not just rarely, but usually infect theological pronouncements. They also learned the virtue of various modes or styles—narrative, prophetic, ethically analytic, and policy-oriented—and how to use them at different times rather than seeing them as mutually exclusive.<sup>32</sup>

Gustafson's Catholic students, virtually without exception, incorporated their mentor's theocentrism, contextualization of theology, and empirical criteria of validation into interpretations of theological ethics that also found room for much more traditional interpretations of theology, Christology, and eschatology. I think a major reason for this was that even pre-Vatican II Catholics had been formed by a "sacramental" or "analogical" imagination."<sup>33</sup> Therefore, almost by innate constitution, Catholics already tended not to see biblical revelation (literally interpreted) as the sole source of knowledge of God, were inclined to "finding God in all things" (in a phrase characterizing Ignatian spirituality), and assumed no inherent contradiction between faith and reason.

Gustafson's Catholic students also belonged to a church that since the Middle Ages had sponsored university-level engagement of theology with philosophy and even the sciences. It accepted the potential usefulness of historical-critical approaches to the Bible. And, at least since the Council, the Catholic Church endorsed the idea that God works salvation beyond the Christian churches. Catholic students, therefore, did not perceive Gustafson's application of critical criteria in theology oppositionally, nor think it necessarily threatened their own affirmation of essentials of Christian faith: a providential Creator; redemption in Jesus Christ (as human, divine and resurrected); the presence of God's Spirit in human churches; and the destiny of humanity, perhaps of all creation, to final union with God.

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<sup>32</sup> James M. Gustafson, *Varieties of Moral Discourse: Prophetic, Narrative, Ethical, and Policy* (Grand Rapids, MI: Calvin College and Seminary, 1988). David Hollenbach registers this contribution and also notes that Gustafson demands reasons be given even for judgments in the narrative and prophetic modes. See David Hollenbach, S.J., *Justice, Peace and Human Rights: American Catholic Social Ethics in a Pluralistic Context* (New York: Crossroad, 1988), 192.

<sup>33</sup> Andrew Greeley, *The Catholic Myth* (Macmillan Publishing Company, 1990), 45. "The Catholic 'classics' assume a God who is present in the world, disclosing Himself in and through creation. The world and all its events, objects, and people tend to be somewhat like God. The Protestant classics, on the other hand, assume a God who is radically absent from the world, and who discloses [Himself] only on rare occasions (especially in Jesus Christ and Him crucified)."

### APPLIED ETHICS

At a more specific level, Gustafson believes that Christian moral norms and choices ought to be informed but not tightly controlled by theological convictions and ethical dispositions. Given finitude, sin, and the ambiguity of many circumstances, absolute moral certitude belongs to God, not human beings, as Gustafson illustrated whenever he addressed applied ethics.<sup>34</sup> Instead, we may be guided by such beliefs as God intends the well-being of creation (not limited to human beings), God sustains and orders nature and history (not eradicating all conflicts of goods); and God creates new possibilities (not always used well). Hence, in medical ethics, for instance, we must approach ethics with attitudes of respect for life, of openness and courage, and of self-criticism.

Gustafson's approach to applied ethics can be illustrated by essays on abortion and on care for newborn infants with serious congenital abnormalities, areas that have absorbed much Catholic moral-theological attention. While different from the Catholic approaches within which his students tended to be most at home, Gustafson's analyses were able to expand their range of vision. On abortion, Gustafson expresses indebtedness to Catholic thinking. He then describes a "Protestant" approach as one that adopts the perspective of personal responsibility as contrasted to obedience to law, that concerns itself with a particular pregnant woman and her relations and circumstances, that takes into account the complexity of lived experience, and that attempts to be "tolerant, patient, loving, and forgiving, rather than judgmental."<sup>35</sup>

In the case of a Down Syndrome infant, Gustafson views less tolerantly the decision of his parents to withhold consent for a life-saving surgical procedure. Writing in a festschrift for Gustafson, Albert Jonsen, a notable developer of the Catholic tradition of "casuistry,"<sup>36</sup> uses Gustafson's essay to illustrate that the ethicist is an "improvisationist."<sup>37</sup> In it, Gustafson appeals eclectically and experientially to religious convictions and to more general moral beliefs to defend a human calling "'to be for others' at least as much as 'to be

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<sup>34</sup> James M. Gustafson, *The Contributions of Theology to Medical Ethics* (Milwaukee: Marquette University Theology Dept., 1975), 90.

<sup>35</sup> James M. Gustafson, "A Protestant Ethical Approach," in *The Morality of Abortion: Legal and Historical Perspectives*, ed. by John T. Noonan (Cambridge, MA: Harvard University Press, 1970), 106.

<sup>36</sup> Albert R. Jonsen and Stephen Toulmin, *The Abuse of Casuistry: A History of Moral Reasoning* (Berkeley and Los Angeles: University of California Press, 1988).

<sup>37</sup> Jonsen, "Ethicist as Improvisationist," in *Problems and Prospects*, 226-32.

for ourselves.”<sup>38</sup> Gustafson reflects Niebuhr, Jonathan Edwards, and American pragmatism when he depicts the Christian agent as constituted by interaction with “a more expansive natural and social environment,” and with God, whose self-disclosure commands human trust and loyalty.<sup>39</sup>

Gustafson does not separate Christian theology from other sources of wisdom, nor does he expect that practical reasoning can move from certain first principles to equally certain conclusions. Over descriptions like “moral reasoning” and “moral argument,” he sees agents and ethicists as engaged in “moral discernment,” echoing H. Richard Niebuhr’s “ethics of the fitting,” or “ethics of responsibility.”<sup>40</sup> Moral discernment “is impossible to program, and difficult to describe. It involves perceptivity, discrimination, subtlety, sensitivity, clarity, rationality, and accuracy....it is both rational and affective.”<sup>41</sup> It refers to “base points” such as social analysis, fundamental theological affirmations, moral principles, and the concrete Christian life as entailing moral expression.<sup>42</sup>

Gustafson’s views of discernment and of the complementarity of rules and situations were instructive for those engaged in the seemingly endless Catholic debates of the 1970s and 80s over moral norms. The necessary contextuality of moral relations and obligations does not exclude identification of forms of behavior that are usually appropriate, or principles to guide behavior.<sup>43</sup> Context-sensitivity does not equate to relativism.

### GUSTAFSON’S STUDENTS AS MORAL THEOLOGIAN

In time, most of Gustafson’s Catholic students became contributors to the disciplines of moral theology and Christian ethics. Following their mentor, many do interdisciplinary work, work in several areas of applied ethics, and study the intersections of systematic or dogmatic theology and ethics. Gustafson’s influence appears in sev-

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<sup>38</sup> James M. Gustafson, “Down Syndrome, Parental Desires, and the Right to Life,” in *Moral Discernment* 73 (originally published 1973 in *Perspectives in Biology and Medicine*).

<sup>39</sup> See Gustafson students William C. Spohn and Thomas A. Byrnes, “Knowledge of Self and Knowledge of God: A Reconstructed Empiricist Interpretation,” in *Problems and Prospects*, 119-133.

<sup>40</sup> H. Richard Niebuhr, *The Responsible Self* (New York: Harper and Row, 1963).

<sup>41</sup> James M. Gustafson, “Moral Discernment in the Christian Life,” in *Moral Discernment*, 32 (originally published 1968, in Gene H. Outka and Paul Ramsey, eds., *Norm and Context in Christian Ethics* [New York: Charles Scribner’s Sons]).

<sup>42</sup> James M. Gustafson, “Context versus Principles: A Misplaced Debate in Christian Ethics,” *The Harvard Theological Review* 58/2 (1965), (also collected in *Moral Discernment*), 192.

<sup>43</sup> Gustafson, “Context versus Principles,” 186

eral overlapping areas: the contextual and interdisciplinary nature of theological ethics; the relevance of theological themes and doctrines to ethics; ethics as practical discernment, and the relevance of this to natural law; applied ethics as including sexual, medical and social ethics.

### *Contextual and Interdisciplinary Ethics*

Gustafson believes that Christian ethics is grounded in the Church, but the Church itself is a historical community, interacting with many social realities and ways to knowledge. The use of many sources pervades Gustafson's work and that of his students. Interdisciplinarity characterizes virtually all of the categories listed above. One of the more salient examples, however, is environmental or ecological ethics, a subject of enduring importance to Gustafson himself. The challenge of appropriately relating the natural sciences to theology is particularly acute here.

Cristina Traina is concerned about how to move to global discourse about common ecological threats and responsibilities. Like Gustafson, she says that scientific knowledge is essential to understand the functioning of ecosystems, their potentials and their limits, which moral agency must respect. Science, however, does not furnish moral goals such as preservation of the ecological status quo, or its radical transformation. These require particular philosophies and theologies. However, science can at least furnish a common language and point of departure from which cultures can advocate and debate arguments for ecological welfare.<sup>44</sup>

William French dislodges ecological anthropocentrism and the idea that there is a separation between the human and the nonhuman natural world, arguing for a close connection between ecological stability and global security. He therefore calls for interreligious efforts to promote practical initiatives toward "planetary care."<sup>45</sup> In this process will be needed both a retelling of the creation story,<sup>46</sup> and a renewed natural law, in which human and nonhuman nature are interdependent.<sup>47</sup> Stephen Pope finds the theology of Aquinas instructive

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<sup>44</sup> Cristina L. H. Traina, "Creating a Global Discourse in a Pluralistic World: Strategies from Environmental Ethics," in *Problems and Prospects*, 250-264.

<sup>45</sup> William C. French, "Natural Law and Ecological Responsibility: Drawing on the Natural Law Tradition," *University of St. Thomas Law Journal* 5/1 (2008) 12-36.

<sup>46</sup> William C. French, "With Radical Amazement: Ecology and the Recovery of Creation," in *Without Nature? A New Condition for Theology*, ed. by David Albertson and Cabell King (New York: Fordham University Press, 2010), 54-79.

<sup>47</sup> William C. French, "Common Ground and Common Skies: Natural Law and Ecological Responsibility," in *Journal of Ecumenical Studies* 44/3 (2007), 373-388.

in spelling out what this means.<sup>48</sup> Richard Miller argues that, from a theocentric perspective, ecological interdependence must become part of considerations of just or unjust use of force, both because war destroys nature, and because force might sometimes be necessary to protect it.<sup>49</sup> Bernard Brady cultivates the religious sensibility or “religious affections” necessary to respect for the rest of nature in a “spiritual field guide” to prayer and meditation outdoors.<sup>50</sup>

Predictably, the work of these thinkers already leads into theological themes, and into the practical nature of moral discernment.

### *Theology and Ethics*

Gustafson taught students to connect ethics to underlying conceptions of nature and grace, and to test theological claims in terms of their capacity to account for the realities of human life. The nature of Christian love, its differentiation from other types of love, and its relevance to the practical moral life was a continuing subject of debate in Gustafson seminars. The theological and practical meaning of love has continued to occupy writers like Bernard Brady, Stephen Pope and Margaret Farley.<sup>51</sup>

Brady reviews love in the Christian tradition, and maintains on both historical and experiential grounds that mutuality is the primary characteristic of love because love is unitive, in both its affective and practical dimensions. Using Aquinas and evolutionary psychology, Pope defends the validity of special relations in ordering love, and also shows that Christian love shapes and orients our natural capacities, rather than denying or overriding what is natural and fulfilling to human nature. At the same time, Pope confronts the fact that humans’ evolved traits and capacities may not fit easily into a harmonious whole, denoted as “creation” rather than as “fall.” Resisting reductionism, he envisions moral responsibility as the cultivation of human capacities for goodness, and sees grace as enhancing those capacities.

The centrality of theological themes also informs work that reflects on public social issues that can be conceived in terms of justice

<sup>48</sup> Stephen J. Pope, “Neither Enemy Nor Friend: Nature as Creation in the Theology of St. Thomas Aquinas,” *Zygon* 32/2 (2003), 219-30.

<sup>49</sup> Richard B. Miller, “Just-War Criteria and Theocentric Ethics,” in *Problems and Prospects*, 334-356.

<sup>50</sup> Bernard V. Brady and Mark Neuzil, *A Spiritual Field Guide: Meditations for the Outdoors* (Grand Rapids MI: Brazos Press, 2005).

<sup>51</sup> Bernard V. Brady, *Christian Love* (Washington, D.C.: Georgetown University Press, 2003); Stephen J. Pope, *The Evolution of Altruism and the Ordering of Love*; (Washington, D.C.: Georgetown University Press, 1994) and *Human Evolution and Christian Ethics* (Cambridge and New York: Cambridge University Press, 2007); and Margaret A. Farley, *Just Love*.

and rights. Margaret Farley maintains that love must always be structured by justice, understood as the concrete well-being of equal and reciprocal human beings. This leads her to a social critique of gender injustice, taking as her cue the expectation that women are held to higher standards of love as self-sacrifice than men, and that this works to women's disadvantage.

The fact that theological presuppositions are relevant to claims about justice has had a major impact on the way Catholic students have appropriated Catholic social teaching. Bernard Brady offers an overview in which Catholic social teaching's spiritual, historical, and theological dimensions are strong.<sup>52</sup> He links conceptions of justice and work for justice to the biblical prophets, Jesus' kingdom of God, and moral community.<sup>53</sup> Michael Schuck reviews papal social encyclicals from 1740 onward, with an eye not only to their social recommendations, but to the contexts and problems that prompted them, and to their theological premises.<sup>54</sup> William George researches the connections between theological discourse and the traditions of international law.<sup>55</sup> Patrick J. Lynch, S.J., shows how for John Paul II, creation and redemption yield a public theology advocating dignity and rights.<sup>56</sup>

Love and justice are also themes in the development of Catholic social ethics into liberation theology and its move toward justice as including a gospel-based "preferential option for the poor." Dean Brackley, S.J., makes the case on experiential, social, theological and New Testament grounds that because God is good and compassionate, God takes the side of the poor.<sup>57</sup> Brackley is informed by experiences of church in North and Central America; by his work with the poor; by Maritain, Rahner, Gutierrez, and other liberationist thinkers, as well as feminist theology; and especially by the kingdom message of Jesus as rendered with the help of recent biblical scholarship. Brackley not only interprets Christian love to have a social content,

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<sup>52</sup> Bernard V. Brady, *Essential Catholic Social Thought* (Maryknoll, NY: Orbis Books, 2008).

<sup>53</sup> Bernard V. Brady, *The Moral Bond of Community: Justice and Discourse in Christian Morality* (Washington, D.C.: Georgetown University Press, 1998).

<sup>54</sup> Michael J. Schuck, *That They Be One: The Social Teaching of the Papal Encyclicals 1740-1989* (Washington, D.C.: Georgetown University Press, 1991).

<sup>55</sup> William P. George, "Grotius, Theology, and International Law: Overcoming Textbook Bias," *Journal of Law and Religion* 14/2 (1999), 605-631.

<sup>56</sup> Patrick J. Lynch, S.J., "Creation, Redemption, Solidarity: Pope John II's Public Theology," in *Prophecy and Diplomacy: The Moral Doctrine of John Paul II*, ed. by John J. Conley, S.J. and Joseph W. Koterski, S.J. (New York: Fordham University Press, 1999), 25-39.

<sup>57</sup> Dean Brackley, S.J., *Divine Revolution: Salvation and Liberation in Catholic Thought* (Maryknoll, NY: Orbis Books, 1996).

but also makes a stronger case than would Gustafson for the political effectiveness of a Christian social vision. In fact, Gustafson maintains that the proposition that God favors the poor and oppressed is “difficult” to maintain, given the historical certainty of their continued suffering.<sup>58</sup> From another perspective, Richard Roach, S.J. also represents Gustafson’s concern to ground ethics in theology when he protests that liberation theology does not capture a “sense of faith” adequate to its social purposes.<sup>59</sup>

### *Practical Reason and Natural Law*

For Gustafson, moral discernment involves not only a reasoning process, but also the religious affections, the worldview provided by one’s culture, and an acute sensitivity to the particular ways in which human agents are responsible before God in the face of specific bonds, opportunities, and limits. Stephen J. Pope writes that “moral claims tend to be supported as part and parcel of a complex and interdependent ‘web of beliefs’ rather than as moral conclusions produced by a self-contained, logical system or by simple and straightforward procedures of deduction or induction.”<sup>60</sup> Needless to say, this approach posed major questions for the Catholic debates about action-guiding norms, intrinsically evil acts, and conscience that became so heated in the wake of Vatican II; and about the meaning and viability of the underlying “natural law” ethics inherited from Aquinas.

The majority of the works of Margaret Farley display a renegotiation of the natural law sensibility, but an early example alluding explicitly to Aquinas is “Fragments for an Ethics of Commitment in Thomas Aquinas.”<sup>61</sup> Stephen J. Pope edited a major scholarly collection on *The Ethics of Aquinas*.<sup>62</sup> Cristina Traina proposes that natural law can be revised in response to feminist critiques, and in fact, offers feminist ethics an improved basis for claims about gender justice.<sup>63</sup>

Gustafson’s picture of moral discernment and of human interdependence with the natural world was not incompatible with a re-

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<sup>58</sup> Gustafson, *Examined Faith*, 109.

<sup>59</sup> Richard R. Roach, “A Sense of Faith,” *Journal of Religious Ethics* 5/1 (1977), 135-54.

<sup>60</sup> Stephen J. Pope, “Descriptive and Normative Uses of Evolutionary Theory,” in *Problems and Prospects*, 167.

<sup>61</sup> Margaret A. Farley, “Fragments for an Ethic of Commitment in Thomas Aquinas,” *Journal of Religion*, focus issue, “Celebrating the Medieval Heritage,” ed. David Tracy (1978).

<sup>62</sup> Stephen J. Pope, *The Ethics of Aquinas* (Washington, D.C.: Georgetown University Press, 2002).

<sup>63</sup> Cristina L. H. Traina, *Feminist Ethics and Natural Law: The End of the Anathemas* (Washington, D.C.: Georgetown University Press, 1999).

trieval of natural law, yet it reinforced the movement of many Catholic theologians away from the methodology of the neo-Scholastic “moral manuals.” John A. Gallagher published an assessment of moral theology through the two decades following the Council, in which he concludes that the very term “moral theology” may have outlived its usefulness. “Catholic theological ethics” is now based in the university (not seminary), has intellectual as well as pastoral aims, and connects the tradition with culture and public life.<sup>64</sup>

Gustafson students often went on to engage in “moral-theological” debates involving “Catholic” categories and touchstones, such as the meaning of intrinsic evil; the principles of double effect, totality and cooperation; the difference between ordinary and extraordinary means of life support; and the defensibility of “proportionalism.” But they usually did so in a much more open-ended way than had been typical of moral theology in the past, and they did so by stretching the discipline to include and give more authority to experience, philosophy, the sciences, Protestant thinkers, and Scripture.

An inductive understanding of the way practical reason operates concretely is reflected in Anne Patrick’s *Liberating Conscience*.<sup>65</sup> Patrick contests certain magisterial exercises of authority, like the removal of Charles Curran from his teaching post at the Catholic University of America because of his stand on contraception. She commends spirituality and moral virtue as nourishing our ability to discern what God is enabling and requiring of us, hence directing moral decision-making toward the good life and the common good. Margaret Farley shows why lived experience, with its complex sensations, emotions, images, insights, and understandings, is always the lens through which moral realities are seen, and part of the data that goes into their evaluation.<sup>66</sup>

Richard B. Miller’s *Casualty and Modern Ethics* proposes a “poetics of practical reasoning” in which the particular, the inductive, and the contextual are emphasized, along with the possibility of bringing consensus out of pluralism, both nationally and internationally. Miller applies his method to matters as diverse as contraception, uses of fetal tissue, violent pornography, and the war in Iraq.<sup>67</sup> These authors would agree with David Hollenbach that Gustafson, while not giving

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<sup>64</sup> John A. Gallagher, *Time Past, Time Future*, 272.

<sup>65</sup> See Anne Patrick, *Liberating Conscience: Feminist Explorations in Catholic Moral Theology* (New York: Continuum, 1996).

<sup>66</sup> Margaret A. Farley, “The Role of Experience in Moral Discernment,” in *Problems and Prospects*, 134-151.

<sup>67</sup> Richard B. Miller, *Casualty and Modern Ethics: A Poetics of Practical Reasoning* (Chicago and London: University of Chicago Press, 1996)

up on the possibility of at least some universal judgments, supported the endeavor of post-Vatican II moral theology to take a more historical approach to moral norms,<sup>68</sup> so necessary to the increasingly urgent global advocacy of human rights, women's rights, poverty reduction, ending violent conflicts, and protecting the environment.

Illustrating the confluence of Gustafson's theological grounding, contextual sensitivity, and complex moral epistemology, William C. Spohn envisions discernment within a community formed by Scripture, Jesus, discipleship, and Eucharist. Spohn's ethics of spirituality, virtue and character draws on the Catholic analogical imagination to move from narratives like the parable of the Good Samaritan to appropriate dispositions, practices, and actions, all in the context of personal and communal relation to God in Christ. He reflects Gustafson's interest in the particularity of community, and the essential connection of Christian ethics to religious experience and to theology. Spohn redirects the attention of the moral theologian from specific acts and norms to "attitudes, habits, and relationships that are conformed to the Gospel story of Jesus."<sup>69</sup> Finally, Dean Brackley displays an Ignatian spirituality to sustain human solidarity with oppressed peoples, and "discernment" of appropriate responses to their reality.<sup>70</sup>

### *Sexual and Medical Ethics*

As already indicated, Catholic Gustafson students link "personal" moral decisions with social context and social justice, as well as with theological convictions and contributions from nontheological disciplines. In sexual and medical ethics, this yields an approach that is more flexible than received Roman Catholic teaching.

Margaret Farley is a Catholic feminist, who, as a Yale faculty member, has consistently participated in ecumenical theology and in interdisciplinary exchanges. Farley has published articles and chapters addressing sexual and bioethical issues from a feminist standpoint, in debate with teachings of the Roman Catholic magisterium, and gradually incorporating an ever-larger place for considerations of global justice and ethical discourse across religions and cultures. Her early book, *Personal Commitments*, sensitively probed the quality of different sorts of committed interpersonal relationships, to

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<sup>68</sup> David Hollenbach, S.J., "Tradition, Historicity, Truth in Theological Ethics," in *Problems and Prospects*, 60-75.

<sup>69</sup> William C. Spohn, *'Go and Do Likewise': Jesus and Ethics* (New York: Continuum, 1999), 186.

<sup>70</sup> Dean Brackley, S.J., *The Call to Discernment: New Perspectives on the Transformative Wisdom of Ignatius of Loyola* (New York: Crossroad, 2004).

build an inductive ethic of freedom and responsibility.<sup>71</sup> Her later work, *Just Love*, advances an ethics of sex, relationships, marriage, and family that includes advocacy for women's integrity, equality and rights worldwide.<sup>72</sup> Similar emphases characterize my own work,<sup>73</sup> as well as that of Cristiana Traina. Traina, in addition to *Feminist Ethics and Natural Law*, has published several experientially-grounded reflections on sex, marriage, gender, and parenthood.<sup>74</sup>

An exception to this trend is Richard Roach, S.J., who defends *Humanae vitae*.<sup>75</sup> More representatively, John Gallagher shows that medical ethics can no longer be reduced to decisions involving doctors and individual patients; health care has an institutional dimension that must also be the subject of Christian virtues and of justice.<sup>76</sup> In a variety of writings on care of the dying, James F. Bresnahan, S.J., focuses not so much on the morality or immorality of specific interventions, as on spirituality and compassion in the arts of dying and care for the dying, and on the legal and institutional policies that support such virtues.<sup>77</sup> This broader perspective also takes Catholics into ecumenical theological ethics, in conversation with both Catholic and non-Catholic theologians, past and present.

### *Social Ethics*

Many Gustafson students have been active social and political ethicists, as already evident in discussions of interdisciplinarity, theology, practical reason, and sexual and medical ethics. As social ethi-

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<sup>71</sup> Margaret A. Farley, *Personal Commitments: Beginning, Keeping, Changing* (San Francisco: Harper & Row, 1986).

<sup>72</sup> Margaret A. Farley, *Just Love: A Framework for Christian Sexual Ethics* (New York and London: Continuum, 2006). On the importance of attention to the "concrete reality of persons," see also *Compassionate Respect: A Feminist Approach to Medical Ethics and Other Questions* (New York and Mahwah, NJ: Paulist Press, 2002).

<sup>73</sup> See *Between the Sexes: Foundations for a Christian Ethics of Sexuality* (Minneapolis and New York: Fortress and Paulist Presses, 1985); *Sex, Gender, and Christian Ethics* (Cambridge and New York: Cambridge University Press, 1996); and *Theological Bioethics: Participation, Justice and Change* (Washington, D.C.: Georgetown University Press, 2005).

<sup>74</sup> See for instance Cristina L. H. Traina, *Erotic Attunement: Parenthood and the Ethics of Sensuality between Unequals* (Chicago: University of Chicago Press, 2011).

<sup>75</sup> Richard R. Roach, S.J., "From What are They Dissenting?," *International Journal of Natural Family Planning* 4:4 (1982), 338.

<sup>76</sup> John A. Gallagher, "Like Shining from Shook Foil: A 'Virtuous Organization' is Prepared to Treat both the Body and the Soul," *Health Progress* (November-December 2006), 18-23.

<sup>77</sup> James F. Bresnahan, S.J., "Compassionate Response to Human Suffering: A Neglected Issue in Health Care Reform," *Kansas Journal of Law and Public Policy* 3/1 (1993), 23-30; "The Catholic Art of Dying," *America* 173/14-16 (1995); "Palliative Care or Assisted Suicide?," *America* 178/8 (1998), 16-21.

cists specifically, Gustafson students are likely to highlight the biblical and theological bases of their proposals, to regard the social sciences as important interlocutors, and to give personal and structural sin their due.

David Hollenbach's *The Common Good and Christian Ethics* stands out as a major restatement of Catholic social tradition for a pluralistic global age.<sup>78</sup> In *Comprehending Power in Christian Social Ethics*, Christine Firer Hinze works with Catholic and Protestant theologians (Reinhold Niebuhr, Maritain, Tillich and King) and social theorists (Weber, Marx, Arendt, Foucault, and Giddens) to assess how and why power can be enabling and collaborative, yet also ordering and hierarchical.<sup>79</sup> She frequently brings a gender lens to Catholic social teaching, economics, class, and poverty.<sup>80</sup>

Richard Miller examines Protestant and Catholic versions of just war theory and pacifism, giving extensive attention to social setting and theological grounding.<sup>81</sup> My book on just war and pacifism links positions on war and peace held by figures from the early Church through the twentieth century to their biblical and theological convictions—using many figures from those seminars to do so.<sup>82</sup> William J. Buckley explores the causes of and possible remedies for civil conflict, taking into account cultural and ideological factors.<sup>83</sup> In his recent *Terror, Religion and Liberal Thought*, Miller joins Augustine, Catholic social teaching, contemporary liberal philosophy, interna-

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<sup>78</sup> David Hollenbach, S.J., *The Common Good and Christian Ethics* (Cambridge, New York, Melbourne: Cambridge University Press, 2002).

<sup>79</sup> Christine Firer Hinze, *Comprehending Power in Christian Social Ethics* (New York and Cambridge: Oxford University Press, 1995).

<sup>80</sup> Christine Firer Hinze, "Women, Families, and the Legacy of *Laborem Exercens*: An Unfinished Agenda," *Journal of Catholic Social Thought* 6/1 (2009) 63-92; "U.S. Catholic Social Thought, Gender, and Economic Livelihood," *Theological Studies*, 66/3: (September 2005) 568-91; "What is 'Enough?' Catholic Social Teaching, Consumption, and an Ethic of Sufficiency," in *Having: Property and Possession in Religious and Social Life*, ed. by William Schweiker & Charles Mathewes (Grand Rapids, MI: Eerdmans, 2004), 162-188.

<sup>81</sup> Richard B. Miller, *Interpretations of Conflict: Ethics, Pacifism, and the Just-War Tradition* (Chicago and London: University of Chicago Press, 1991).

<sup>82</sup> Lisa Sowle Cahill, *'Love Your Enemies': Discipleship, Pacifism, and Just War Theory* (Minneapolis: Fortress Press, 1994). For expansion into peacemaking or peacebuilding theory and practices, see Lisa Sowle Cahill, "A Theology for Peacebuilding," in *Peacebuilding: Catholic Theology, Ethics, and Praxis*, ed. by Robert J. Schreiter, R. Scott Appleby, and Gerard F. Powers (Maryknoll, NY: Orbis Books, 2010), 300-31.

<sup>83</sup> William J. Buckley, ed., *Kosovo: Contending Voices on Balkan Interventions* (Grand Rapids: William B. Eerdmans Publishing Co, 2000).

tional law and Islamic scholarship to discuss human rights, war, terrorism, democracy and toleration.<sup>84</sup>

## CONCLUSION

The debt of his students to Gustafson shows in a range of sources; theological interests; complexity of reflective judgments; and determination to give reasons for condemning certain decisions or practices, while respecting the particularity of traditions, along with Christian participation in public, multicultural politics. Gustafson's Catholic students respect his rendition of what it means to worship God above all else. They embrace his intellectual and spiritual integrity, and his theocentric faith. They know that "moral theology" cannot be and should not pretend to be divorced from prior theological commitments and choices; theological foundations must be owned and explicated. They find salutary Gustafson's skepticism regarding the permanent validity of theological construals, church structures, and authoritative teachings; as well as his conviction of the usefulness of empirical evidence (whether scientific or more broadly experiential) in holding Christian truth claims to account.

Yet many diverge from both their mentor's vision of the Almighty and his estimate of the prospects for social change. Nevertheless, Catholics true to Gustafson's insistence that theological-ethical claims be backed by good reasons, not just by theologies detached from the real conditions of life, take seriously the problems posed when "the facts" are juxtaposed to Christian expectations of human sanctification and political transformation.

In sum, the responsibility of the Christian ethicist to engage seriously with the Bible and theological tradition, with the experience of God in historical Christian communities, with sources of piety and knowledge beyond Christianity, with the entire natural world, and with the challenge to shape more just social and political life, are hallmarks of the legacy bestowed by James Gustafson on his Catholic students. **M**

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<sup>84</sup> Richard B. Miller, *Terror, Religion and Liberal Thought* (New York and Chichester, West Sussex: Columbia University Press, 2010). See also *Interpretations of Conflict: Ethics, Pacifism and the Just War Tradition* (Chicago: University of Chicago Press, 1991).

## **The Luminous Excess of the Acting Person: Assessing the Impact of Pope John Paul II on American Catholic Moral Theology**

JOHN S. GRABOWSKI

**T**HERE IS NOTHING DEADER than a dead pope” or so say the cynics of Rome who have watched the parade of pontiffs who have passed through the walls of the Vatican over the course of years. Only time will tell just how lasting will be the imprint left by Pope John Paul II on the Church, but early indications some six years after his death are that the influence from his exceptionally long and prodigious pontificate continues to be felt by the Church’s members and in its institutional life. His global travels in 104 apostolic journeys (which took him to 129 different countries), his charismatic personality, and his multilingual eloquence impacted millions and redefined the image of the papacy for the modern world. The international interest in his recent beatification testifies not only to the witness provided by his own personal holiness but also to the ongoing global impact of the Polish pontiff.<sup>1</sup> Biographers tout the geopolitical impact of his papacy through his defense of human freedom and rights and his personal interventions around the globe which helped encourage democracy in much of

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<sup>1</sup> Pope Benedict XVI beatified his predecessor on May 1, 2011. See Jesús Colina, “1M Pilgrims Make for Most Crowded Beatification Ever,” <http://www.zenit.org/article-32449?l=english>.

Latin America as well as playing an important role in the peaceful fall of communism in Europe and the former Soviet Union.<sup>2</sup> His pontificate did much to heal the wounds of Christian anti-Semitism and to foster closer relationships with Jews, members of other non-Christian religions, and with members of other Christian churches.<sup>3</sup> His teaching on the struggle between a “culture of life” and a “culture of death” has not only shaped ethical teaching and discussion, but has become part of political discourse on life issues.<sup>4</sup> His call for a “new evangelization” remains programmatic for the Church as it moves into the new millennium.<sup>5</sup> His teaching in the area of mar-

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<sup>2</sup> This is a frequent theme in the laudatory works on the late pope by George Weigel. See his *Witness to Hope: The Biography of Pope John Paul II* (New York: Cliff Street Books, 1999) and *The End and the Beginning: Pope John Paul II—the Victory of Freedom, the Last Years, the Legacy* (New York: Doubleday, 2010). But this idea is supported by others as well. See Jo Renee Formicola, “The Political Legacy of Pope John Paul II,” *Journal of Church and State* 47 (Spring 2005): 235-42; and Chester Gillis, ed., *The Political Papacy: John Paul II, Benedict XVI and Their Influence* (Boulder: Paradigm, 2006). Others highlight the late pope’s efforts to build a “culture of peace” through his diplomatic activism and interventions. See Bernard J. O’Connor, *Papal Diplomacy: John Paul II and the Culture of Peace* (South Bend, IN: St. Augustine’s, 2005).

<sup>3</sup> On the late Pope’s effort to promote Jewish Christian dialogue see the collection of essays in David Dalin and Matthew Levering, eds., *John Paul II and the Jewish People: A Jewish Christian Dialogue*, (Lanham, MD: Sheed and Ward, 2008). On his efforts to create dialogue with Judaism and other non-Christian religions see Byron Sherwin and Harold Kasimow, eds., *John Paul II and Interreligious Dialogue*, (Eugene, OR: Wipf & Stock, 2005). On the pope’s impact on relations between the Catholic Church and Evangelicals see Tim Perry, ed., *The Legacy of John Paul II: An Evangelical Assessment* (Downers Grove, IL: Intervarsity Press, 2007). For assessment of John Paul II’s ecumenical teaching from both Catholic and Protestant perspectives see Carl Braaten and Robert Jensen, eds., *Church Unity and the Papal Office: An Ecumenical Dialogue on John Paul II’s Encyclical Ut Unum Sint*, (Grand Rapids: Eerdmans, 2001).

<sup>4</sup> The term was an important theme in Pope John Paul II’s 1995 encyclical *Evangelium vitae*. It subsequently was adopted as a name by a Washington DC pro-life think tank (the Culture of Life Foundation). It entered more directly into American political discourse when used by George W. Bush in the 2000 presidential election (in a debate with Vice President Al Gore on October 3<sup>rd</sup>) and then subsequently in his presidency to articulate his pro-life views. For differing assessments of the language of these opposing cultures of life and death see, Marc Oullet, “The Mystery of Easter and the Culture of Death,” in *John Paul II and Moral Theology*, ed. Charles Curran and Richard McCormick, Readings in Moral Theology, no. 10 (New York: Paulist, 1998), 109-19; and Charles E. Curran, “*Evangelium Vitae* and Its Broader Context” in *John Paul II and Moral Theology*, 120-33.

<sup>5</sup> The idea has not only been frequently addressed by his successor but in June of 2010 Benedict XVI announced the creation of a Pontifical Council on the New Evangelization. On John Paul’s own understanding and implementation of the term in his outreach to youth see Mario D’Souza, “Action and the New Evangelization:

riage and family is the subject of ongoing study by a worldwide institute which bears his name.<sup>6</sup> His catecheses known as the Theology of the Body continue to generate wide popular interest as well as increasing scholarly scrutiny.<sup>7</sup>

Yet not unlike the retreat which Karol Wojtyła preached for the household of Paul VI, John Paul II's pontificate could be described in the biblical language of a "sign of contradiction."<sup>8</sup> The relationship of his papal teaching to the renewal called for by the Second Vatican Council has been the subject of intense debate. Some commentators see the late pope's work as a retreat from the reforms of the Council and retrenchment of older preconiliar ideas.<sup>9</sup> Advocates of the late pope's teaching counter that his pontificate represents instead a critical discernment and purification of the Council's vision which had been clouded in the years immediately following it.<sup>10</sup> In some ways these competing readings map onto larger fault lines of theological disagreement which existed both during the Council and in its aftermath. These lines were set ablaze by the explosive debate which ensued after Pope Paul VI's encyclical *Humanae vitae* over the issue of contraception.<sup>11</sup> This fierce disagreement quickly spread simulta-

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The Youthful Humanism of Pope John II," *Toronto Journal of Theology* 21, no. 2 (2005): 199-215.

<sup>6</sup> The John Paul II Institute for Studies on Marriage and Family has sessions (or locations) in Rome (at the Lateran University), Washington, D.C.: Benin, Brazil, India, Mexico, Spain, and Australia.

<sup>7</sup> This will be considered at greater length below.

<sup>8</sup> In this work Wojtyła asks the very suggestive question whether the term "sign of contradiction" might be "a distinctive definition of Christ and the Church?" See Karol Wojtyła, *Sign of Contradiction*, trans. St. Paul Publications (New York: The Seabury Press, 1979), 7-8.

<sup>9</sup> For a case in point in regard to John Paul II's teaching in *Veritatis splendor* see Mary Elsbernd, "The Reinterpretation of *Gaudium et spes* in *Veritatis Splendor*," *Horizons* 29/2 (2002): 225-39. On the perception of the late pope by progressives as a "restorationist" see Charles Curran, *Catholic Moral Theology in the United States: A History* (Washington: Georgetown, 2008), 98.

<sup>10</sup> See, for example, Tracey Rowland, "Pope John Paul II: Authentic Interpreter of Vatican II," in *John Paul the Great: Maker of the Post Conciliar Church* (San Francisco: Ignatius, 2005), 27-48.

<sup>11</sup> On the historical genesis of this debate see and its immediate aftermath see, William H. Shannon, *The Lively Debate: Response to Humanae Vitae* (New York: Sheed and Ward, 1970); and John T. Noonan, *Contraception: A History of Its Treatment by the Catholic Theologians and Canonists* (Cambridge, MA: Harvard University Press, 1986), esp. 409-500. On the impact of this debate on the Church in the face of the sexual revolution see John S. Grabowski, *Sex and Virtue: An Introduction to Sexual Ethics* (Washington: Catholic University of America Press, 2003), 10-21.

neously to other questions of sexual ethics and to questions of fundamental moral theology.<sup>12</sup>

Moral theology in the United States emerged from the preconconciliar stasis of a field still largely dominated by Neo-Thomism and the manuals of moral theology to the center of the post-*Humanae vitae* storm.<sup>13</sup> This shift into the limelight of public controversy paralleled the movement of Catholics in the United States from a somewhat enclosed subculture to positions of prominence in American culture and political life.<sup>14</sup> Organized public protests to its teaching,<sup>15</sup> an aggressive rethinking of received positions in the area of sexuality,<sup>16</sup> and the emergence of new revisionist approaches to the discipline characterized American Catholic moral theology after the encyclical.<sup>17</sup> Countering these developments was the work of a small but

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<sup>12</sup> The trajectory of this debate is catalogued in the volumes of the Paulist Press Readings in Moral Theology series edited by Charles Curran and Richard McCormick, S.J. which capture many of the chief points of contention both regarding methodology and in regard to specific areas of teaching.

<sup>13</sup> For a concise overview of the history of Catholic moral theology in the United States see John A. Gallagher, *Time Past, Time Future: An Historical Study of Catholic Moral Theology* (New York: Paulist, 1990), 184-202. Charles Curran also notes the impact of papal condemnations of Americanism and Modernism in the late 19<sup>th</sup> century on American Catholic moral theology. See *Catholic Moral Theology*, pp. 35-38. For an insightful analysis of changes wrought in the U.S. Church by the Second Vatican Council and their impact on the field of moral theology see David Cloutier and William C. Mattison III "Introduction" in *New Wine, New Wineskins: A Next Generation Reflects on Key Issues in Catholic Moral Theology* (Lanham, MD: Sheed and Ward, 2005), 1-23.

<sup>14</sup> On the relation of this transition to debates in moral theology see David McCarthy, "Shifting Settings from Subculture to Pluralism: Catholic moral theology in Evangelical Key," *Communio* 31, no. 1 (Spring 2004), 86

<sup>15</sup> The most notable example was the "Washington Statement" released the day after the encyclical was promulgated. For the text see "Statement by Catholic Theologians Washington D.C., July 30, 1968" in *Readings in Moral Theology*, no. 8: *Dialogue about Catholic Sexual Teaching*, eds. Charles Curran and Richard McCormick (New York: Paulist, 1993), 135-37.

<sup>16</sup> A rather notorious example is provided by the study commissioned by the Catholic Theological Society in America published in 1977. See Anthony Kosnick et al., *Human Sexuality: New Directions in American Catholic Thought* (New York: Paulist, 1977). In their effort to broaden the traditional criteria for evaluating sexual activity the authors could find little in the way of moral critique to direct toward any form of sexual activity with the possible exception of bestiality. This was the basis for James Burtchaell's tongue-in-cheek description of the work's "liberating norms... whereby the only discouraged form of sex is doing it with a Doberman." See *The Giving and Taking of Life: Essays Ethical* (Notre Dame: University of Notre Dame Press, 1989), 288.

<sup>17</sup> Richard McCormick with his ground-breaking 1973 Pere Marquette Lecture and his years as the author of the "Notes on Moral Theology" section in the journal *Theological Studies* helped to articulate the approach to moral reasoning known as Proportionalism. See *Ambiguity in Moral Choice* (Milwaukee: Marquette University

influential group of philosopher theologians who used a revised natural law theory to defend received positions in the area of sexuality and ethical theory.<sup>18</sup> This highly polarized climate was the place where John Paul II's teaching was heard and, in varying degrees, "received."<sup>19</sup>

Yet the effort to force John Paul II's teaching into the confines of the existing disagreements or into newer debates sparked by them in American Catholic moral theology has been in many ways unsuccessful. In part this was because neither the revisionist nor traditionalist "camps" could account for the anthropological depth or coherence of this teaching. Efforts by proponents or critics to invoke the late pope's thought often failed to do justice to the many facets of his presentation of the human person: Scripture, action theory, Christology, gift theory, and experience. His multifaceted presentation generates a kind of excess which overflows shallow categorizations or reductions of his thought to preexisting positions. It is precisely in this anthropological excess—which has the form of the human person addressed by Christ in the drama of salvation and offered fulfillment through the grace-enabled gift of self—that much of the continuing appeal of the late pope's thought to students and scholars lies. This study will argue that it is precisely this anthropological depth evidenced in differing areas of John Paul II's moral teaching that ac-

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Press, 1973). Charles Curran's approach has been more eclectic, moving over the years from a self-described "relational responsibility" approach to moral judgment in his earlier works to an acceptance of the Wesleyan quadrilateral of authority which holds in tension Scripture, tradition, reason, and experience. For the meaning and evolution of Curran's "relational responsibility" model of personalism see the overview provided by Timothy O'Connell, "The Moral Person: Moral Anthropology and the Virtues," in *A Call to Fidelity: On the Moral Theology of Charles E. Curran*, (Washington: Georgetown, 2002), 19-35, esp. 26-29. On the Wesleyan four sources as characteristic of contemporary Catholic moral theology see Charles E. Curran, *The Catholic Moral Tradition Today: A Synthesis* (Washington, DC: Georgetown University Press, 1999), 48; *Catholic Moral Theology in the United States*, 208-209. For Curran's take on the impact of *Humanae vitae* on the development of revisionist thought and dissent see *Catholic Moral Theology in the United States*, 102-27.

<sup>18</sup> In the United States the central figure in this group was Germain Grisez. His massive multi-volume work *The Way of the Lord Jesus* offered both a critique of revisionist thought and extended defenses of traditional positions. See especially the first volume of the work *Christian Moral Principles* (Chicago: Franciscan Herald Press, 1983).

<sup>19</sup> For an overview of the ongoing clash between "revisionism" and the new natural law theory as formative for fundamental Catholic moral theology see Todd Salzman, *What Are They Saying about Catholic Ethical Method?* (Mahwah, NJ: Paulist, 2003). The book is a bit simplistic in that it tends to view all revisionist approaches through the lens of proportionalism and really does not treat other approaches which are sympathetic to traditional positions outside of the "basic human goods" approach of Grisez.

counts for both the propensity of critics and proponents alike to mischaracterize it and for its ongoing appeal to those less invested in reading it within the confines of other controversies.

This study will proceed by first acknowledging some of the methodological difficulties that attend any analysis of the late pope's work and its reception and also by considering some of the limitations of scope and subject matter particular to this essay. It will then examine two concrete examples in his moral teaching where John Paul II's thought has been mischaracterized to varying degrees in the effort to utilize it to address existing debates with the result that something of its anthropological depth has been missed. These two areas are the Theology of the Body catecheses and the encyclical *Veritatis splendor*. The essay will conclude by noting some of the further challenges and promise of this anthropological excess for the ongoing reception of the late pope's teaching.

## APPLES AND ORANGES?

### SOME LIMITATIONS OF METHOD AND SCOPE

To consider John Paul II in the context of other significant figures who have influenced the field of U.S. Catholic moral theology is to run headlong into dissimilarities and dissonance. One could even ask if his inclusion in such a group is justified given the qualitatively different nature of his influence. While others have shaped the field by virtue of the substance of their thought and the questions they have pursued, the late pope did so, at least in part, simply on the basis of his authority and office. And this is true in a number of distinct ways.

First, in a general sense, one can ask whether the late pontiff's work would have commanded all that much attention—at least outside of Polish-speaking circles—had he not been elevated to the Chair of Peter. Certainly, his philosophical work in *Love and Responsibility* captured the attention of Paul VI and won him a spot on the Papal Study Commission for the Study of Family, Population, and Birth Rate.<sup>20</sup> He played an important part in the drafting of *Gaudium et spes*, which impacted subsequent Catholic moral theology, but was by no means its sole architect.<sup>21</sup> His visit to the United States as a

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<sup>20</sup> Though as Weigel notes, he was prevented from attending the decisive June 1966 meeting of the Commission at which a majority of those present embraced the position which formed the basis of the "Majority Report" advocating change in the traditional teaching on contraception. See Weigel, *Witness*, 207.

<sup>21</sup> On Wojtyła's impact on drafting the text and its reception by the Council see Rocco Buttiglione, *Karol Wojtyła: The Thought of the Man Who Became Pope John Paul II*, trans. Paolo Guetti and Francesca Murphy (Grand Rapids: Eerdmans, 1997), 193-99. Cf. Weigel, *Witness*, 166-69.

Cardinal in 1976 would probably have left little imprint in the US without his election to the papacy two years later. It was only with the surprise move of the 1978 conclave that the bulk of his work as a philosopher was rushed into translation in English and other languages and scholars turned their attention to this (in the West) relatively unknown Polish intellectual.<sup>22</sup> So one might ask, have scholars paid attention to his thought because of its own intrinsic merit or because of its promulgation by the Church's universal pastor?

A second and related complicating feature of including John Paul II in such a list of influential figures is that, more than many of his predecessors, he used the authority of his office to directly impact and direct the field of moral theology in ways individual theologians could not. He wrote documents intended to both shape and critically evaluate the field in both its foundations and in regard to specific topics.<sup>23</sup> He also authored documents which reshaped received Catholic positions on moral issues.<sup>24</sup> He disciplined individual revisionist theologians.<sup>25</sup> And he sought to clarify the ecclesial relationship between individual theologians, the Universities where they taught, and the Church of which he was the spiritual head.<sup>26</sup> In other words, it is not just that others noticed his work because of the authority and position of its author, but he also used and traded on this very authority to impact the methodology used and positions taken within moral theology. In these ways the Chair of Peter which John Paul II

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<sup>22</sup> It is true that *Love and Responsibility* had been translated into French and Italian in the early 1960s which enabled it to be read by Paul VI. The English version did not appear until 1981 (trans. H. T. Willets [New York: Farrar Strauss and Giroux, 1981]). The English translation of his philosophical *magnum opus* *The Acting Person* (trans. Andrej Potocki, ed. Anna-Teresa Tymieniecka, *Analecta Husserliana* Series [Boston: D. Reidel Publishing 1979]) is notoriously poor for a variety of reasons. For an overview of these problems see Kenneth Schmitz, *At the Center of the Human Drama: The Philosophical Anthropology of Karol Wojtyla/Pope John Paul II* (Washington, DC: Catholic University of America Press, 1993), 58-60.

<sup>23</sup> This is obviously the case with *Veritatis splendor* which will be considered below.

<sup>24</sup> One significant example is *Evangelium vitae*'s prudential opposition to the use of the death penalty which led to the revision of the *Catechism of the Catholic Church*. On the anthropological basis of this teaching and its significance see Thomas R. Rourke, "The Death Penalty in Light of the Ontology of the Person: The Significance of *Evangelium vitae*," *Communio* 25 (1998): 397-413.

<sup>25</sup> On the case of Charles Curran see *Vatican Authority and American Catholic Dissent*, ed. William W. May (New York: Crossroad, 1987).

<sup>26</sup> These efforts would include the 1979 Apostolic Constitution *Sapientia christiana* on pontifical universities, the 1990 Apostolic Letter *Ex corde ecclesiae* on Catholic universities in general, the 1990 C.D.F. Instruction on the Ecclesial Vocation of the Theologian *Donum veritatis*, and the 1998 Apostolic Letter Moto Proprio *Ad tuendam fidem* updating the 1983 Code of Canon Law regarding the Profession of Faith and juridical penalties for certain kinds of dissent.

occupied served him as a bully pulpit from which to attempt to mold and re-shape the field.

A third problematic feature of the inclusion of John Paul II in this consideration has to do with the genre and nature of papal teaching itself. While the work of individual theologians is just that, popes seldom write their own work in quite the same way. Many papal texts and addresses are written by other persons, vetted by still others, and finally approved by the pontiff. Even in the case of popes who write much of their own material as was the case with John Paul II, there is still a level of involvement on the part of others that exceeds the normal feedback sought by scholars before publishing their work. So it is in some respects comparing the work of an individual to that produced by a committee—a committee comprised of Vatican theologians and officials. It is not always clear where the work of the individual pope ends and that of others begins.<sup>27</sup>

A fourth problem in analyzing the thought of John Paul II in particular stems from the prolific nature and wide-ranging scope of his teaching. Unlike other figures whose thought usually contains particular kinds of conceptual unity and lines of organic development, the very nature of the late pope's ministry to the universal Church required an equally universal scope in his teaching.<sup>28</sup> As a result, there is no question of offering anything like a thorough or systematic analysis of this teaching in a study of this length. What follows is necessarily partial but intentionally suggestive. The effort in this study is to locate diverse areas of the late pope's thought in terms of content and method which nevertheless highlight areas where this teaching has not been adequately understood because it often exceeds the categories in which it was received. It is precisely here—in the

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<sup>27</sup> In some respects, the challenge for the commentator on papal texts is not unlike that facing the biblical scholar wrestling with issues of authorship—and at times it seems that sources consulted by exegetes are actually more forthcoming about these matters than are Vatican insiders.

<sup>28</sup> The problem becomes more complex in the case of popes such as John Paul II or Benedict XVI who had careers as private scholars prior to their elevation to the papacy. Commentators naturally tend to look for lines of continuity between the work of the individual thinker and universal teaching issues during his pontificate—in spite of the differences in genre and authorship. In the case of Karol Wojtyła/John Paul II such a unifying theme or idea is supplied by his recurring focus on the person. Even at the beginning of his pontificate, commentators from around the globe pointed to the concept of person as the overarching focus of Wojtyła's philosophical project. See, for example, Abelardo Lobato, "La Persona en el Pensamiento de Karol Wojtyła," *Angelicum* 56 (1979): 207. Cf. John Hellman, "John Paul II and the Personalist Movement," *Cross Currents* 30 (1980-81): 409-19; Elzbieta Wolicka, "Participation in Community: Wojtyła's Social Anthropology" *Communio* 8 (1981): 108-18; and P. Gilbert, "Personne et Acte: À Propos d'un Ouvrage Récant," *Nouvelle Revue Théologique* 196 (1984): 731-37.

“excess” of ideas that elude efforts to categorize or pigeon-hole his thought—that some of the reasons for the late pontiff’s continuing appeal to scholars and students become apparent. While it may be the case that it was his office which initially drew many to consider his work, its authority alone does explain the fruitfulness of his ideas.

Regardless of how one views John Paul II’s relationship to the Council, it is apparent that he tried to respond to and exemplify in his own moral teaching many of the marks of renewal of which it spoke. Moral theology, the Council had taught, needed “livelier contact with the mystery of Christ” and to be “more thoroughly nourished by Scriptural teaching.”<sup>29</sup> Engagement of various kinds with Scripture (through meditation, exegesis, analysis, and even phenomenological reading) and preoccupation with the person and mystery of Christ permeate the late pope’s writings. This biblical and Christological focus converged in his understanding of the human person. The ideas of *Gaudium et spes* 22 and 24—that Christ reveals us to our selves and that human fulfillment is found in the sincere gift of self—form hermeneutical keys to the corpus of his thought. It is largely because of this Christological anthropology—the differences noted above in genre, authorship, and authority when compared to other influential figures notwithstanding—that John Paul II’s teaching continues to generate interest and to reward careful study.<sup>30</sup> As will be demonstrated below, the “excess” of John Paul II’s thought which so often eludes both proponents and critics has the form of the human person as a dynamic embodied subject invited by Christ to give him or herself in love.

### THE THEOLOGY OF THE BODY: MORE THAN SEX APPEAL

Certainly one area where interest in the late pope’s teaching has continued unabated after his death has been the catecheses given over the first years of his pontificate which have come to be known as the Theology of the Body (TOB). Popular presentations on this teaching have mushroomed and become a staple of many religious education programs and “theology on tap” style lectures. At the same time, both the catecheses themselves and their popularizations have garnered a growing amount of scholarly attention as scholars have

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<sup>29</sup> Second Vatican Council, Decree on Priestly Formation, *Optatum totius*, no 16. The citation is from Walter M. Abbott, S.J., ed., *The Documents of Vatican II*, (Piscataway, NJ: New Century Publishers, 1966), 452.

<sup>30</sup> Even if John Paul II’s office was a significant part of the reason why others originally studied his thought, this teaching had a depth which encouraged further consideration.

sought to understand and critically evaluate their appeal.<sup>31</sup> What sometimes goes unrecognized is the common ground that popular promoters and critics of the TOB find in reducing the subject matter of the catecheses largely to a discussion and defense of traditional Catholic teaching on sex.

The “brand name” of popularizations of the TOB in the United States belongs to Christopher West. He has become a kind of one man cottage industry of seminars, audio, video, and print products on the catecheses.<sup>32</sup> In addition to these, West has produced numerous books on the subject.<sup>33</sup> In these works West sees the catecheses as offering a kind of “gospel of sex” to a contemporary culture sorely in need of such a message. He believes that the heart of this good news is John Paul II’s view of the centrality of marriage and sex within the Christian message. He claims: “Of all the ways that God chooses to reveal his life and love in the created world, John Paul II is saying

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<sup>31</sup> For a thoughtful examination of this popularity which locates the appeal of the catecheses in the cultural hunger for “authenticity,” see David Cloutier, “Heaven is a Place on Earth? Analyzing the Popularity of Pope John Paul II’s Theology of the Body,” in *Sexuality and the Catholic Church: Crisis and Renewal*, eds. Lisa Sowle Cahill, John Garvey, and T. Frank Kennedy, S.J., (New York: Herder and Herder, 2006), 18-31.

Fortunately, this deeper scholarly interest has also led to the production of a better and more critical English translation of the catecheses. The original English translations were produced by the staff of the English edition of the Vatican newspaper *L’Osservatore Romano*. These were collected and published in four volumes in the United States by the Daughters of Saint Paul: *The Original Unity of Man and Woman* (1981), *Blessed Are the Pure of Heart* (1983), *The Theology of Marriage and Celibacy* (1986), and *Reflections on Humanae Vitae* (1984). In 1997 these volumes were gathered into a single work by the same publisher (*The Theology of the Body: Human Love in the Divine Plan*) along with teaching that had served as its historical catalyst (*Humanae vitae*) or was its later fruit such as John Paul II’s Apostolic Letter on the Dignity and vocation of women *Mulieris dignitatem* (1988) and the encyclical *Evangelium vitae* (1995). But the catecheses in these texts still suffered from the inconsistent translation of having been produced by different members of a newspaper staff. In 2006 Michael Waldstein published a new critical translation of the text which not only consistently translated the official Italian text but also checked it against the original Polish and included new and previously unpublished material. See *Man and Woman He Created Them: A Theology of the Body*, trans. Michael Waldstein (Boston: Pauline, 2006).

<sup>32</sup> For some sense of West’s array of presentations and products see his website, <http://www.christopherwest.com/>.

<sup>33</sup> These include: *Good News about Sex and Marriage* (Cincinnati: Servant, 2000); *The Theology of the Body Explained: A Commentary on John Paul II’s ‘Gospel of the Body’*, (Boston: Pauline, 2003); *The Theology of the Body for Beginners* (West Chester, PA: Ascension Press, 2004); *The Love that Satisfies* (West Chester, PA: Ascension Press, 2007); *The Theology of the Body Explained: Revised Edition: A Commentary on John Paul II’s Man and Woman He Created Them* (Boston: Pauline, 2007); *Heaven’s Song: Sexual Love As It was Meant to Be* (West Chester, PA: Ascension Press, 2008).

marriage—enacted and consummated by sexual union—is most fundamental.”<sup>34</sup> Indeed, marriage and sex disclose the very structure of Christian revelation, they are the grammar through which God’s plan is made known to us.<sup>35</sup> Within this gospel of the body, the sexual drive, for West, takes on roles traditionally ascribed to grace: “God gave us sexual desire to be the power to love as He loves, so that we can participate in divine life and fulfill the very meaning and being of our existence.”<sup>36</sup>

Reviews of West’s account of the TOB have been mixed—and for good reason. It is undoubtedly true that he has been successful in increasing the level of interest in the late pope’s catecheses and creating a more positive view of the Church’s teaching on sexuality among many Catholics both young and old. Much of his message has positioned John Paul II’s teaching as a positive and appealing presentation of the goodness and beauty of sex in a culture which has shown itself prone to fascination with the topic.<sup>37</sup> In particular, this work has helped many parish and diocesan religious education programs regain a voice in relating the faith to questions of sexuality after these programs had been debilitated first by internal Church disagreement in the polemics which followed *Humanae vitae* and then by the wave of sexual abuse scandals which subsequently rocked the Church.<sup>38</sup> However, scholars who have examined West’s account of the TOB have raised significant questions about it. They argue that it gives marriage and sex an undue preeminence in the Christian life;<sup>39</sup> that it romanticizes marital sex, making it bear a weight of meaning and experiential fulfillment that it cannot carry;<sup>40</sup> and that in varying

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<sup>34</sup> West, *Good News*, 21.

<sup>35</sup> This is an idea that runs throughout his works—a kind of nuptial hermeneutic. West writes: “We cannot understand the inner ‘logic’ of the Christian mystery without understanding its primordial revelation in the nuptial meaning of our bodies and that biblical vocation to become ‘one flesh.’” *Theology of the Body Explained* (2003), 14. Cf. *Good News*, 19; *The Love that Satisfies*, 13; and *Heaven’s Song*, 28.

<sup>36</sup> West, *Good News*, p. 21. In a later work which builds on Benedict XVI’s teaching on love in his first encyclical, West compares *eros* to “the fuel of a rocket meant to launch us into the stars and beyond.” See *The Love that Satisfies*, 34.

<sup>37</sup> Cloutier points out that West’s own relationship to the culture is a complex one. He sees the culture as misguided in its sexual fixation but at the same time blindly groping toward a deeper reality. See, “Heaven is a Place,” 24–25.

<sup>38</sup> See Grabowski, *Sex and Virtue*, 20.

<sup>39</sup> See William Mattison, III, “‘When they rise from the dead, they neither marry nor are given to marriage’: Marriage and Sexuality, Eschatology, and the Nuptial Meaning of the Body, in Pope John Paul II’s Theology of the Body,” in *Sexuality and the U.S. Catholic Church*, 41–43. On this point, Mattison is generally careful to distinguish between West and John Paul II.

<sup>40</sup> In some cases this charge appears to be leveled against both West and John Paul II. Thus Mattison refers to a “myopic fixation on the extraordinary” in this regard. See

ways it seems to fail to come to grips with the reality of sin in present human existence.<sup>41</sup> There is disagreement as to what degree these problems are unique to West or whether they have their roots in John Paul II and are simply amplified or exacerbated by him.<sup>42</sup>

A full evaluation of West's works or their treatment by critics is beyond the scope of this study. In particular, the charge that both he and the late pope grant sexual intercourse a romanticized preeminence in the marriage relationship deserves serious examination beyond that which can be given here. However, the argument that John Paul II and West share a common starting point and purpose in regard to contemporary culture in regard to their examinations of the body deserves to be challenged. To argue that both are simply trying to harness contemporary culture's sexual fascination in their presentations is to read John Paul II through the lenses of West's popular-

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"When they rise from the dead," 43-46. Cloutier, complains about the TOB's "extraordinarily romanticized view of self-giving." "Heaven is a Place," 19. In other cases the primary target is John Paul II himself as representative of a particular kind of personalism. Thus David Matzko McCarthy criticizes the view of sex as total self-giving because he believes that it "says too much to be right... sex has no room to be ordinary." Individual sexual acts thus carry the weight of "representing a lifetime of friendship between husband and wife." See *Sex and Love in the Home: A Theology of the Household* (London: SCM, 2001), pp. 43 and 47. Lisa Sowle Cahill too finds the language of "total self-giving" used by the pope as dependent upon "a very romanticized view of sex, and even marital love." See *Sex, Gender, and Christian Ethics*, New Studies in Christian Ethics (Cambridge: Cambridge University, 1996), 203.

<sup>41</sup> The point is deftly argued against West by Cathleen Kaveny, "What Women Want: Buffy, the Pope, and the New Feminists," *Commonweal* 130, no. 19 (2003): 21-22. Her criticisms are echoed and elaborated by Mattison, "When they rise from the dead," 46-49.

<sup>42</sup> Among the most careful not to conflate the two is Mattison, "When they rise from the dead." However, in a more recent piece coauthored with David Cloutier, he apparently throws in the towel on this effort. Noting recent critiques of West engendered by some of his statements, they write: "While we generally agree with such critiques, we cannot but help recognize the dominance and even major ecclesial support West's work, in person and in books, has achieved... Thus, our treatment of West and TOB here is not meant to claim that West necessarily 'gets John Paul II right,' but rather that West's reading of the Pope is (a) not an unreasonable interpretation of the Pope's work (including possible weaknesses) and (b) especially likely to be a common means of 'receiving' TOB in the church, since few laypeople are likely to slug through 600 pages of talks." "Bodies Poured Out in Christ: Marriage Beyond the Theology of the Body," *Leaving and Coming Home: New Wineskins for Catholic Sexual Ethics*, David Cloutier, ed. (Eugene, OR: Cascade Books, 2010), 207. This appears to cede to West the role of the official interpreter of the TOB at least for the Church in the U.S. David Matzko McCarthy's essay in the same volume ("Cohabitation and Marriage," 119-41) also focuses primarily on the work of West (and Michael Lawler) rather than John Paul II.

ized portrayal.<sup>43</sup> This conflation of West and the late pontiff has a number of significant problems. First, it assumes that both share a common stance in regard to the sexually saturated culture of the western world, particularly the United States. This overlooks the fact that John Paul II had a far more nuanced and critical stance toward that culture than does West. It is true that there is an element of simple critique in West's engagement of popular culture.<sup>44</sup> However, it does not approach the nuanced analysis of the struggle between "the civilization of love" versus its antithetical "anti-civilization" in the *Letter to Families* or that between "the culture of life" versus the "culture of death" in *Evangelium vitae*. This dialectical opposition between clashing cultures is integral to the late pope's understanding of marriage, sexuality, and family and hence frames the TOB catecheses.<sup>45</sup> Second and related to the preceding point, this conflation ignores the degree to which West's own reading of the pope is at times conditioned by the Freudian pan-sexualism of his own American culture.<sup>46</sup> Third and more basically, the claim of a common starting point between West and John Paul II tends to reduce the whole point and content of the catecheses to being "all about sex."

It is here, in this very reduction, that one finds common ground between West's popularizations and some of the TOB's sharpest revisionist critics. Others too have tended to equate key concepts from the TOB with shifts for traditional positions on sex. "The nuptial meaning of the body," for Margaret Farley, is simply new language for excluding divorced and remarried Catholics from a sexual relationship in a second marriage.<sup>47</sup> Similarly, Lisa Sowle Cahill contends that the inter-subjectivity of sex captured in the notion of "language of the body" is ultimately stripped of its real meaning and implications by a prior commitment to the norm of *Humanae vitae*.<sup>48</sup> In-

<sup>43</sup> Mattison suggests that both are engaged in a common project of attempting to "despoil the Egyptians" in this regard. See "When they rise from the dead," 50-51.

<sup>44</sup> Cloutier, "Heaven is a Place," 24-25.

<sup>45</sup> See, for example, Martin Tripole, S.J., "John Paul II the Countercultural Pope," in *Creed and Culture: Jesuit Studies of Pope John Paul II* (Philadelphia: Saint Joseph's University Press, 2004), 35-55; and in the same volume John C. Haughey, S.J., "A Critical Reading of Pope John Paul II's Understanding of Culture," 75-92.

<sup>46</sup> This manifests itself in the propensity toward sexual reductionism in West's portrayal of the Christian message and particularly in his frequent identification of the power of *eros* and that of grace noted above. On the genesis of this Freudian pansexualism in American attitudes toward sex see the fascinating historical treatment provided by Peter Gardella, *Innocent Ecstasy: How Christianity Gave America an Ethic of Sexual Pleasure* (New York: Oxford, 1986).

<sup>47</sup> See her work *Just Love: A Framework for Christian Sexual Ethics* (New York: Continuum, 2008), 309.

<sup>48</sup> See *Sex, Gender and Christian Ethics*, 202. Cahill contrasts the late pope's conclusions with the challenge to traditional norms posed by the work of André Guindon,

deed, for Luke Timothy Johnson the whole point of the TOB, in spite of the effort to use biblical texts and the language and phenomenological analysis of experience, is to offer a vain *apologia* for Pope Paul VI's failed 1968 encyclical:

John Paul II's conferences finally come down to a concentration on 'the transmission of life.' By the time he reaches his explicit discussion of *Humanae vitae*, it is difficult to avoid the conclusion that every earlier textual choice and phenomenological reflection has been geared to a defense of Paul VI's encyclical. However, there is virtually nothing in this defense that is strengthened by the conferences preceding it.<sup>49</sup>

Michael Lawler and Todd Salzmänn similarly read the TOB as a defense of natural (i.e., procreative) complementarity with a view to the exclusion of contraception, reproductive technologies, and sex between partners of the same sex.<sup>50</sup> As such, the TOB is limited in that it is merely "a heterosexual theology of the body for reproduction" which does not take into account the experience of persons who do not fit this pattern.<sup>51</sup> What is needed are multiple theologies of the body which can account for the situation of others—"single people, widows and widowers, celibates, and homosexuals."<sup>52</sup>

Both West in his popularizing exposition of the TOB and scholars who are critical of it seem to agree on a number of things. First, they concur that the catecheses—both in their key concepts and their overall sweep—have sex as their primary point. Second, they also agree that in spite of their novel language and tone, that the catecheses of the TOB are largely a defense of traditional sexual norms. For West, this is a good thing. The catecheses represent the Church's per-

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*The Sexual Language: An Essay in Moral Theology* (Ottawa: University of Ottawa, 1976).

<sup>49</sup> See "A Disembodied 'Theology of the Body': John Paul II on Love, Sex, and Pleasure," *Commonweal* 128, no. 2 (January 26, 2001): 11-17. The citation is from p. 14. In addition to this unsuccessful attempt to defend *Humanae vitae* Johnson believes that the TOB suffers from an uneven handling of Scripture, a focus on male agency, inattention to the actual experience of married people, particularly women, and a failure to treat sexual pleasure or pain.

<sup>50</sup> See *The Sexual Person: Toward a Renewed Catholic Anthropology* (Washington: Georgetown University Press, 2008), 84-91. Against this view they argue that these traditionally prohibited forms of sexual expression can be justified in some cases. In the case of homosexual expression this requires "sexual orientation complementarity" between the two partners.

<sup>51</sup> Salzman and Lawler, *The Sexual Person*, 91. Cf. Ronald Modras, "Pope John Paul II's Theology of the Body," in *John Paul II and Moral Theology*, 149-56.

<sup>52</sup> Salzman and Lawler, *The Sexual Person*, 86. Cf. Curran, *The Moral Theology of Pope John Paul II* (Washington, DC: Georgetown University, 2005), 168.

ennial wisdom offered in a positive and compelling form for contemporary culture. For revisionist critics this reveals their problematic and potentially deceptive nature. It is “the old wine of biologism, physicalism, and classicism of the manuals of moral theology in the new wineskin of Thomistic personalism and a theology of the body.”<sup>53</sup> What can be made of this rather surprising common ground on the part of those who are otherwise so at odds in their assessment of the TOB and its value?

It must be conceded that this unexpected agreement has support from some obvious features of the catecheses. Clearly issues of sexuality were a major concern of Karol Wojtyła’s in writing the reflections that he later gave as general audiences during the first years of his reign as Pope John Paul II. His philosophical work and pastoral work had convinced him of the need for a new exposition of the bases of Catholic teaching in sexuality.<sup>54</sup> This conviction was reinforced by his experience on the “Birth Control Commission” of Paul VI, the firestorm of disagreement which followed the encyclical, and the impact of the Sexual Revolution that he could see in his contact with the western world and to some degree in his own communist Poland.<sup>55</sup> The fact that the TOB closes with a series of audiences that reflect on the moral norm proposed by *Humanae vitae* adds credibility to the charge that this issue was the catalyst and *telos* of the TOB from its inception.<sup>56</sup>

But a closer examination suggests that there is more to this issue than meets the eye. Certainly sex and ethical norms concerning it are concerns of the TOB—but they are not the only such concerns. Both in its particular components and as a whole, the TOB’s focus is the whole person of which sex is but one integral component.

In regard to particular features of the catecheses, it is worth noting that its key concepts mentioned above are by no means univocal in describing features of sexual activity or expression. Scholars have argued, for example, that the “spousal meaning of the body” has to

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<sup>53</sup> Salzman and Lawler, 91.

<sup>54</sup> For a good overview of this philosophical effort as reflected in *Love and Responsibility*, see Buttiglione, *Karol Wojtyła*, 83-116.

<sup>55</sup> On Wojtyła’s pastoral work with married couples and families in Poland see Weigel, *Witness*, 194-97.

<sup>56</sup> Though it should be noted that Waldstein’s consultation of the official Italian text and the original Polish manuscript make clear the *L’Osservatore Romano* translation used headings for individual catecheses and groups or cycles of them that did not reflect those in Wojtyła’s original text. Hence the material originally published in English under the title of *Reflections on Humanae Vitae* was actually the third part of a treatment of the sacrament of marriage dealing with conjugal ethics and spirituality (“He Gave them the Law of Life as Their Inheritance”). This suggests a different “goal” for the TOB than does Johnson’s reading.

do with far more than its capacity for sexual self-gift.<sup>57</sup> It has to do rather with the human capacity for self-donation and communion regardless of one's state in life—whether single, married, or celibate.<sup>58</sup> In this regard it can be understood as an integral component of the human capacity for friendship and love central to the moral teaching of Saint Thomas.<sup>59</sup> Likewise “the language of the body” has to do with the whole range of the body's capacity to communicate its sacramentality and gift character in non-verbal ways, particularly in the state of original innocence.<sup>60</sup> One can also use it to understand the body's inherent communicability in and through the experience of suffering.<sup>61</sup> Sexual union which communicates a promise of fidelity and unconditional self-gift is simply a unique and privileged instance of this communicability.

Furthermore, the treatment of sex in the TOB is not merely focused on questions of sexual activity, it is also very much concerned with issues of sexual difference—the status of “masculinity and femininity.”<sup>62</sup> Even some critics of the TOB pick up on this concern,

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<sup>57</sup> Earlier English translations of the TOB usually rendered the Italian *significatio sponsale del corpo* as the “nuptial meaning of the body” though Waldstein points to 7 other variations in the *L'Osservatore romano* translation. Waldstein consistently translates the phrase as “the spousal meaning of the body” which he regards as a superior rendering of the Italian. See his “Introduction” in *Male and Female*, 11-12.

<sup>58</sup> Waldstein notes that the term is the key concept in the catecheses, being used some 117 times, and that it has a wide range of meaning including the gift character of human existence, the call to communion, and the virginal gift of self in the eschatological state. See *Male and female*, 682-83. For a good synthetic overview of the concept and its range of meaning especially in the early cycle of the catechesis see Earl Muller, S.J., “The Nuptial Meaning of the Body” in *John Paul II on the Body: Human, Eucharistic, Ecclesial*. Festschrift for Avery Cardinal Dulles, S.J., ed. John McDermott, S.J. and John Gavin, S.J. (Philadelphia: Saint Joseph's University Press, 2008), 87-120 and in the same volume the equally substantive response by John McDermott, S.J., “Response to ‘The Nuptial Meaning of the Body,’” 121-53.

<sup>59</sup> For a good study of the anticipation of this concept of Pope John Paul II see Thomas Petri, O.P., “Locating a Spousal Meaning of the Body in the *Summa theologiae*: A Comparison of a Central Idea Articulated in the Theology of the Body by Pope John Paul II with the Mature Work of Saint Thomas Aquinas,” S.T.D. Dissertation (The Catholic University of America, 2010).

<sup>60</sup> Cf. Mary Healy in *Men and Women are from Eden: A Study Guide to John Paul II's Theology of the Body* (Cincinnati: Servant Books, 2005), 24-28.

<sup>61</sup> See the insightful treatment of the body's capacity to communicate in and through suffering by Peter Harman, “Towards a Theology of Suffering: The Contribution of Karol Wojtyla/Pope John Paul II,” S.T.D. dissertation (The Catholic University of America, 2009), 303-415.

<sup>62</sup> It is for this reason that an overview of the TOB is included by Christopher C. Roberts in a recent study of the phenomenon of sexual difference in the Christian tradition (undertaken in part because of debates over same-sex marriage). See *Creation and Covenant: The Significance of Sexual Difference in the Moral Theology of Marriage* (New York: T & T Clark, 2007), 171-83. His concern is primarily a defense

though they tend to read John Paul II as advocating a narrow understanding of sex complementarity in which men and women are incomplete without the other<sup>63</sup> and in which women are simultaneously romantically exalted but seen as subordinate to men.<sup>64</sup> While the late pope does use the language of “complementarity,” he does so as a way to describe the way in which the “originality” of men and women as persons correspond to one another.<sup>65</sup> If the body reveals the person, then the bodily differences of men and women reveal unique and original ways of existing as a person within their shared humanity.<sup>66</sup> The categories in which sexual difference is described here and in John Paul II’s more weighty Apostolic Letter *Mulieris dignitatem* are Trinitarian—personal difference disclosed thorough mutual relation within an underlying unity of nature.<sup>67</sup>

Both this broader reading of the spousal meaning of the body and the concern with sexual difference helps to bring into focus the basic anthropological thrust of the TOB. While John Paul II used the language of “a theology of the body” he also characterized these audiences on numerous occasions as an effort to elaborate “an adequate

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of the Augustinian account of sexual difference as articulated by Karl Barth. Roberts sees John Paul II as an ally of Barth’s account for the most part but criticizes him for his neglect of Christology and turn to Mariology for his derivation of distinct roles and qualities of women.

<sup>63</sup> This is the reading of Farley, *Just Love*, 141–42. Prudence Allen, R.S.M. describes this as “fractional sex complementarity” and does not see it as an accurate reading of John Paul II’s thought. See her study “Integral Sex Complementarity and the Theology of Communion,” *Communio* 17 (1990): 523–44.

<sup>64</sup> See Susan Ross, “‘Then Honor God in Your Body’ (1 Cor. 6:20): Feminist and Sacramental Theology on the Body,” *Horizons* 16, no. 1 (1989): 7–27. Cf. Cahill, *Sex, Gender and Christian Ethics*, 204–205. An examination of this charge of romanticization (and simultaneous denigration) of women in the TOB is beyond the scope of this paper. However, the fact of this controversy does support that the basic claim that the catecheses are focused on more than questions of sexual activity.

<sup>65</sup> John Paul II states that: “the knowledge of man passes through masculinity and femininity, which are, as it were, two ‘incarnations’ of the same metaphysical solitude before God and the world—two reciprocally completing ways of ‘being a body’ and at the same time of being human—as two complementary dimensions of self-knowledge and self-determination and, at the same time, two complementary ways of being conscious of the meaning of the body.” *Male and Female*, 10:1, p. 166 (emphasis in original).

<sup>66</sup> The late pope says of man and woman: “Their unity denotes above all the identity of human nature; duality, on the other hand, shows what, on the basis of this identity, constitutes the masculinity and femininity of created man.” *Male and Female*, 9:1, p. 161 (emphasis in original).

<sup>67</sup> On the original reciprocity of male and female as existing persons see *Male and Female* 15:3–5, pp. 187–90 and *Mulieris dignitatem*, no. 10. For an analysis of the Trinitarian basis of this difference this see John S. Grabowski, “Mutual Submission and Trinitarian Self-Giving,” *Angelicum* 74 (1997), 501–8.

anthropology.”<sup>68</sup> In some ways one sees in these audiences many of the concerns of his work as a professional philosopher carried forward—the self-awareness and self-determination of the acting person experienced through the bodily dimension of personal existence of which sexual difference is typically a key component.<sup>69</sup> It is for this reason that the pope’s analysis of “original solitude” at the heart of human life and existence is a key to the whole of the TOB.<sup>70</sup> Already in the command given by God not to eat of the tree in the middle of the Garden, the transcendence of the human person is evident in the freedom to eat or not eat.<sup>71</sup> This theological notion of transcendence has its roots in Wojtyła’s early study of the thought of John of the Cross.<sup>72</sup> From the Doctor of Fontiveros, Wojtyła imbibed the idea that faith is not merely something that one has—it must be consciously lived through praxis by which one grows and bears fruit.<sup>73</sup> Such praxis at the root of the transcendence of the human person is expressed vertically in his or her relationship with God and horizontally in the relationship between the sexes.

In the TOB this focus on the self transcendence of the person is joined to phenomenological analysis of action and experience and used as a method to mine dimensions of biblical texts often un-

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<sup>68</sup> See *Male and Female* 13:2; 14:3; 15:1; 23:3; 25:2; 26:2. Waldstein notes that the Italian *adeguato* does not carry the connotation of “barely good enough” that “adequate” can denote in English. Instead it should be understood as indicating something “commensurate with its object” (cf. *ibid* 55:2, p. 678).

<sup>69</sup> Though at times John Paul II seems to be so focused on the bodily nature of human existence that he himself loses sight of sexual difference as essential to actual persons and thus makes overtly self-contradictory statements such as: “Although in its normal constitution, the human body carries within itself the signs of sex and is by its nature male or female, *the fact that man is a ‘body’ belongs more deeply to the structure of the personal subject than the fact that in his somatic constitution he is also male or female.*” See *Man and Woman*, 8:1; p. 157 (emphasis in original)

<sup>70</sup> Commentators have pointed out the centrality of original solitude in the pope’s anthropology: “Original solitude is an essential experience of the human being, both male and female; it remains at the root of every other human experience and so accompanies man throughout his whole life’s journey.” Carl Anderson and Jose Granados, *Called to Love: Approaching John Paul II’s Theology of the Body* (New York: Doubleday, 2009), 27. For a more extensive consideration see Mary Shivanandan, *Crossing the Threshold of Love: A New Vision of Marriage in Light of John Paul II’s Anthropology* (Washington: Catholic University of America Press, 1999), esp. 95–101.

<sup>71</sup> Cf. *Male and Female*, 5:4, 7:3–4.

<sup>72</sup> On Wojtyła’s “Carmelite Personalism” see Waldstein, “Introduction,” *Male and Female*, 23–34.

<sup>73</sup> On this see Alvaro Huerga, “Karol Wojtyła, comentador de San Juan de la Cruz,” *Angelicum* 56 (1979): 348–66. According to Huegera, John of the Cross took this distinction between “having faith” and “living faith” from his reading of a book by Luis de Granada.

touched by more standard exegesis—the solitude of the self-aware subject addressed by God, the longing for communion, the discovery of oneself in the encounter with an irreducible other, the freedom found in the gift of self in love.<sup>74</sup> This highly textured biblical analysis is then stretched across a theological tableaux—the triptych of human existence as created, fallen, and imbued with the grace of redemption.<sup>75</sup> The template of the drama of redemption adds to the existential urgency of the analysis. The catecheses reverberate with the existential weight of human freedom confronted with the call of God, the struggle of the human heart torn between the poles of love and inordinate desire, and the longing for the freedom of love given and received. The reader is invited to “identify in” and find his or her own experience illuminated by the biblical texts considered. The experience that they capture well is that of the Christian who seeks to turn his or her faith into the daily praxis of “life in the Spirit” lived within the limits of fallen, historical existence.<sup>76</sup> The TOB thus offers an experientially focused method of reading Scripture which envisions the human person as an icon illuminated by the mysteries of creation, the fall, redemption, and the eschaton.

That this iconic anthropology has application to issues beyond sexual activity and morality was noticed both by John Paul II himself and by scholars interested in his thought. In the concluding audience of the TOB he noted: “One must immediately observe, in fact, that the term ‘theology of the body’ goes far beyond the content of the

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<sup>74</sup> While Johnson is critical of the pope’s disengaged and overly academic analysis, he admits that John Paul II is generally careful in his handling of biblical texts. See “A Disembodied Theology,” 13. For more thorough and generally positive assessment of the use of Scripture in TOB see Michel Ségin, “The biblical foundations of the thought of John Paul II on human sexuality,” *Communio*, 20 (1993): 266-89; and William Kurz, S.J., “The Scriptural Foundations of *Theology of the Body*,” in *John Paul II on the Body*, 27-46. Kurz points to the pope’s awareness of historical critical exegesis as well as patristic and medieval readings, but highlights his pastoral engagement with Scripture as God’s inspired word for Christians looking for its guidance. In his response to Kurz, Christopher Cullen, S.J. concurs in regard to the late pope’s sophistication as a biblical interpreter but argues that his method of “exemplary actualization” of some biblical texts (such as Ephesians 5) exceed what they actually say on current questions. See “A Response to William Kurz, S.J.” in *John Paul II on the Body*, pp. 47-64.

<sup>75</sup> Mary Healy suggest that this triptych can perhaps be understood as a “quadriptych” which splits redeemed existence between the experience of grace in the confines of present fallen history (“redeemed humanity”) and the eschatological completion of this (“glorified humanity”). See *Men and Women*, 9-12, 43-65. This fourfold division has the advantage of making clear that the full restoration of the paradise of humanity’s original state is eschatological—a point sometimes lost in the rhetoric of West’s popular portrayal.

<sup>76</sup> This is part of what I take Cullen to mean by John Paul II’s approach the Scriptures as embodying “exemplary actualization.”

reflections presented here. These reflections do not include many problems belonging, with regard to their object, to the theology of the body (e.g., the problem of suffering and death, so important in the biblical message).<sup>77</sup> Though he himself did not develop this anthropology in that direction, scholars have found aspects of the TOB to be relevant to his teaching in his 1984 Apostolic Letter *Salvifici doloris* in articulating “a theology of the suffering body.”<sup>78</sup> Others have found these reflections to be relevant to articulating an account of the bodily presence and moral agency of the unborn, the comatose, the mentally handicapped, and other vulnerable persons.<sup>79</sup> Still others have explored the fruitfulness of the TOB for a range of issues—not just sex or suffering but vocation, revelation, technology, work, prayer, and eschatology.<sup>80</sup>

This diverse range of issues and applications to which the TOB lends itself as well as its theological depth in treating the human person in the panorama of salvation history, belies its reduction to a catchy new way to present old Catholic views of sex. This simplistic reading is shared by both enthusiastic popularizers like West and revisionist critics of the catecheses. The TOB certainly does treat sex and in so doing attempts to defend traditional norms, but it does so in the context of developing a larger vision of the person called to make a gift of him or herself through the body—a gift lived in differing ways in the single, married, and celibate states.<sup>81</sup> This gift character of the human vocation integral to creation is debilitated by sin but progressively recovered through the healing work of grace made possible by union with Christ. As such, it is better read as a presentation of the gospel in which sex plays a part, than “a gospel of sex.”

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<sup>77</sup> *Male and Female* 133:1, 660.

<sup>78</sup> In addition to the study of Harman, “Towards a Theology of Suffering” noted above, see José Granados, “Toward a Theology of the Suffering Body,” *Communio* 33 (2006): 540–563.

<sup>79</sup> See the fine analysis provided by Jeffrey Tranzillo, “The Silent Language of a Pro-found Sharing of Affection: The Agency of the Vulnerable in Selected Writings of Pope John Paul II,” Ph.D. dissertation (The Catholic University of America, 2003).

<sup>80</sup> These issues among others are treated by Mary Timothy Prokes, F.S.E., *Toward a Theology of the Body* (Grand Rapids: Eerdmans, 1996). While not written as a commentary on John Paul II’s catecheses, Prokes’ work is clearly influenced and inspired by them.

<sup>81</sup> *Humanae vitae* itself speaks of the need to develop a total vision of the person and his or her vocation (cf. no. 7). In this sense one can see the catecheses as a response to the encyclical and the controversy it generated.

**VERITATIS SPLENDOR:****THE DRAMA OF THE ENCOUNTER WITH CHRIST**

If reception of the TOB was skewed by its being commandeered by differing sides of the debate over the teaching of *Humanae vitae* and other traditional sexual norms as well as by the dearth of effective catechesis in its aftermath, then the encyclical *Veritatis splendor* was widely seen as the late pope taking sides in the methodological controversies which that very same debate had spawned. In this case it was John Paul II weighing in on and authoritatively taking sides in debates over absolute moral norms, conscience, fundamental option theory, proportionalism, and action theory. This reading was shared by revisionists who believed themselves targeted by the teaching and their traditionalist opponents who saw it as vindication for their own positions. The problem with this reading is that it fixates on the second chapter of the document and largely dismisses its first and third chapters to the status of mere window-dressing or parenthesis. A casualty of this narrow reading is the meditation on the encounter with Jesus and the rich young man of Matthew 19. In the first chapter of *Veritatis splendor*, John Paul II makes the biblical motif of the call to discipleship the foundation of the rest of the document.

Revisionist treatments of the document, while applauding John Paul II's stand against the relativism and individualism of the wider culture, found both its center of gravity and its Achilles heel in its treatment of technical questions of moral theology. Thus Richard McCormick, S.J. focused on the analysis of the moral object as the key to the document. But the fact that the encyclical makes "repeated appeals to actions wrong *ex objecto* does not aid analysis, rather it hides it."<sup>82</sup> Charles Curran objected to what he saw as the overwhelming focus on law within the document, especially laws which take the form of exceptionless moral norms.<sup>83</sup> As was the case for McCormick, the key issue is how the act is described. John Paul II's moral absolutes are merely formal norms: "all would agree that murder is wrong because murder is by definition unjustified killing."<sup>84</sup>

A second common charge leveled against *Veritatis splendor* by revisionists was that it mischaracterized their positions. Curran makes this claim in regard to its presentations of autonomous ethics, its mention of accusations of physicalism in official Church teaching, its discussion of the relationship of conscience and truth, the evaluation

<sup>82</sup> See "Some Early Reactions to *Veritatis Splendor*," in *John Paul II and Moral Theology*, 5-34; the citation is from p. 28.

<sup>83</sup> See "*Veritatis Splendor*: A Revisionist Perspective," in *Veritatis Splendor: American Responses*, eds. Michael Allsopp and John O'Keefe (Kansas City: Sheed and Ward, 1995), 224-43.

<sup>84</sup> Curran, "*Veritatis Splendor*: A Revisionist Perspective," 232.

of the theology of the fundamental option, and its action theory.<sup>85</sup> McCormick gives a wide survey of literature critical of the document which echoes the contention that the document mischaracterizes proportionalism in the positions which it opposes.<sup>86</sup> Others press the claim further. The document, they argue, without naming any specific authors describes positions which no one would accept and then rejects these positions—a classic case of erecting and toppling straw men.<sup>87</sup> In the words of James Gaffney, “proportionalism,’ as presented here by the pope, is quite simply a bugaboo.”<sup>88</sup>

Still other revisionist critics of the encyclical see John Paul II’s primary point as the assertion of Church authority to quash dissent to traditional positions. In other words the real issue is ecclesiological—the nature of the Church and the function of authority within it. For McCormick, this ecclesiology is clearly restorationist, envisioning a view of the Church “as a pyramid where truth and authority flow uniquely from the pinnacle” as opposed to Vatican II’s “concentric model wherein the reflections of all must flow from the periphery to the center if the wisdom resident in the Church is to be reflected persuasively and prophetically to the world.”<sup>89</sup> Curran faults the document for its assumption that the “hierarchical magisterium just has the truth” rather than attending to the role of reason and human experience in arriving at truth.<sup>90</sup> Compounding this imbalanced ecclesiology are problems of the lack of consultation in its composition and questions about the authorship of its key second chapter.<sup>91</sup>

<sup>85</sup> Curran, “*Veritatis Splendor*: A Revisionist Perspective,” 233-37.

<sup>86</sup> McCormick, “Some Early Reactions,” 12-25. McCormick’s analysis also includes some studies favorable to the document though his own sympathy for revisionist positions is evident throughout. For his analysis of the encyclical as “the final solution” to the “problem of proportionalism” see his “Killing the Patient” in *Considering Veritatis Splendor*, ed. John Wilkins (Cleveland: Pilgrim, 1994), 14-20. For a somewhat less partisan overview of reactions to *Veritatis splendor* see James Keenan, S.J., *A History of Catholic Moral Theology in the Twentieth Century: From Confessing Sins to Liberating Consciences* (London: Continuum, 2010), 128-34.

<sup>87</sup> See, for example, Joseph Selling, “The Context and Arguments of *Veritatis Splendor*,” in *The Splendor of Accuracy: An Examination of the Assertions Made By Veritatis Splendor*, ed. Joseph Selling and Jan Jans (Grand Rapids: Eerdmans, 1994), 22-70.

<sup>88</sup> See “The Pope on Proportionalism,” in *Veritatis Splendor: American Responses*, 60-71; the citation is from p. 70. A similar argument is made by Louis Janssens in “Teleology and Proportionality: Thoughts about the Encyclical *Veritatis Splendor*,” in *Splendor of Accuracy*, 99-113.

<sup>89</sup> McCormick, “Some Early Reactions,” 29. Cf. Gabriel Daly, O.S.A., “Ecclesial Implications,” *Doctrine and Life* 43 (1993): 532-37.

<sup>90</sup> See “*Veritatis Splendor*: A Revisionist Perspective,” 239.

<sup>91</sup> McCormick complains that revisionist theologians were not consulted in the process of drafting the document and echoes the speculation of others (such as Ronald Modras and Joseph Selling) that the primary author of the document’s second chapter was not the late pope. He mentions Andrez Szostek (whose dissertation at the

These analyses of the primary point of the document map rather neatly onto the contentious debates over method in moral theology which emerged in the storm which followed *Humanae vitae*. This historical connection is cemented by the suggestion that John Paul II's real point in the document was in fact the debate over moral norms regarding sex in general and contraception in particular. Some scholars make this connection historically (i.e., that *Humanae vitae* was a catalyst for the growth of dissent at which *Veritatis splendor* was aimed).<sup>92</sup> Others see it as a recurring "obsession" of Pope John Paul II which manifests itself in this document,<sup>93</sup> still others simply saw it as a subtext for the document as a whole.<sup>94</sup>

Interestingly, some of the chief opponents of revisionist thought share a very similar reading of the primary concerns of the document. Thus Germain Grisez locates the heart of the document in its depiction of the idea of moral absolutes as a truth taught by revelation. This for Grisez is a stake aimed at the heart of dissenting positions that cannot be evaded. Attempts to reduce such moral norms to the status of generalities regarding love, guidelines for judgments of conscience, discreet acts incapable of reversing a fundamental option, or the idea that such norms indicate only "pre-moral" or "ontic" evil are weighed against revelation (in the form of particular biblical texts) and found wanting.<sup>95</sup> In the end such dissenting theologians have three choices: "to admit that they have been mistaken, to admit that they do not believe God's word, or to claim that the Pope is grossly misinterpreting the Bible."<sup>96</sup> While Grisez anchors his argument in appeals to specific biblical texts, the heart of the matter for him still centers on moral absolutes and Church teaching authority.

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University of Lublin included then Cardinal Wojtyla on his board) and John Finnis as possibilities. See "Some Early Reactions," 9-10, 29.

<sup>92</sup> See, for example, David Hollenbach, S.J., "Tradition, Historicity, and Truth in Theological Ethics," in *Christian Ethics: Problems and Prospects*, ed. Lisa Sowle Cahill and James Childress (Cleveland: Pilgrim, 1996), 62.

<sup>93</sup> This is the term used by Ronald Burke, "*Veritatis Splendor*: Papal Authority and the Sovereignty of Reason," in *Veritatis Splendor: American Responses*, 119-36; see esp. pp. 127-28.

<sup>94</sup> Thus the angry lament of Bernard Häring, "A Distrust that Wounds," in *Considering Veritatis Splendor*, John Wilkins, ed. (Cleveland: Pilgrim, 1994), 9-13. A more balanced analysis is provided by James Hannigan. Hannigan denies that sex is either the primary point or dominant subtext of the document, but notes that it does raise important questions for sexual ethics in its idea of moral perfection, engagement with revelation, treatment of intrinsically evil acts, and engagement with culture. See "*Veritatis Splendor* and Sexual Ethics," in *Veritatis Splendor: American Responses*, 208-23.

<sup>95</sup> See "Revelation versus Dissent" in *Considering Veritatis Splendor*, 1-8.

<sup>96</sup> Grisez, "Revelation versus Dissent," 7-8.

John Finnis claims to offer an alternative to the common but reductionist reading of the encyclical that it is really about sex. Instead, he argues, its real point is faith.<sup>97</sup> But much like Grisez, much of his argument is devoted to offering an indictment of proportionalist reasoning. The invocation of proportionate reason to create exceptions to moral absolutes allows the genie out of the bottle such that no reason for a moral action can ever be disqualified as disproportionate. The immediate result is that the basis of moral judgment is shifted to “whatever one *feels* appropriate, all things considered.”<sup>98</sup> The more long term result is the broader cultural impact. The introduction of exceptions in regard to the teaching on contraception has resulted in widespread acceptance of abortion by Catholics in countries like the United States.<sup>99</sup> But these problems are merely symptomatic of a deeper crisis of morality and belief in post-Christian culture which appear in the Church as “reconceptions” of revelation and faith. Such “reconceptions” need to be banished by solemn judgments of the magisterium which highlights their incompatibility with Christian faith as *Veritatis splendor* shows the incompatibility of the denial of moral absolutes with Catholic teaching.<sup>100</sup> Finnis does therefore regard the encyclical in a larger cultural and epistemological context, but those things on which he focuses in the document are familiar: absolute moral norms, the pitfalls of proportionalism, and the need for authoritative teaching by the Church.

Absent in these analyses of the key ideas of *Veritatis splendor* is attention to John Paul II's significant engagement with Scripture. This feature of the document did not go wholly unnoticed by scholars. However, even when discussed, the encyclical's use of Scripture was frequently attached to one of the contested methodological foci identified above. In the case of Grisez, individual biblical texts are culled from the encyclical to refute revisionist attempts to defuse or evade the notion of moral absolutes.<sup>101</sup> For Curran the invocation of Scripture, including the mediation on Jesus' encounter with the Rich Young Man of Matthew 19, serves to reinforce the legal model of morality which dominates the encyclical.<sup>102</sup> William Spohn largely

<sup>97</sup> See “Beyond the Encyclical,” in *Considering Veritatis Splendor*, 69-76.

<sup>98</sup> Finnis, “Beyond the Encyclical,” 71; emphasis in original.

<sup>99</sup> Finnis, “Beyond the Encyclical.” It would therefore seem that Finnis sees sex as an important subtext of the document after all.

<sup>100</sup> Finnis, “Beyond the Encyclical,” 75-76.

<sup>101</sup> Critics of Grisez complained that the piecemeal invocation of texts used in a “bitter and simplistic attack” on other theologians implied a simplistic notion of revelation akin to fundamentalism. See Seán Fagan, “The Encyclical in Focus,” *The Tablet* 247 (20 November, 1993): 1519.

<sup>102</sup> He writes that, “the pope's purpose has shaped and limited the use of Scripture. The moral life is understood primarily in terms of commandments (to the exclusion

concurr: "The encyclical promises a Christonomous ethics of discipleship but it cannot deliver because it reduces morality to a matter of rules and principles."<sup>103</sup> Gareth Moore sees the document's use of Scripture as largely unsuccessful—an attempt to support its condemnation of modern moral theories which the Scriptures do not address.<sup>104</sup>

These readings fail to do justice to the actual engagement with Scripture in the document, particularly in its presentation of discipleship in the first chapter. Many commentators found positive things to say about this section in spite of their views of the rest of the document or its overall purpose. Thus McCormick gushed, "All Catholic moral theologians should and will welcome this beautiful Christ-centered presentation unfolded in Chapter One...."<sup>105</sup> Grisez called it "an inspiring articulation of the Gospel's teaching about following Jesus."<sup>106</sup> Summarizing the general good feeling generated by chapter one, Oliver O'Donovan remarked that: "Everyone has had a nice word to say about this first section." However, as he noted: "Not everyone has appreciated its innovative strength as a programme for moral theology... in these pages which shape the moral discourse of the Church as an evangelical proclamation."<sup>107</sup> The typical readings of the document by both critics and proponents surveyed above support the truth of O'Donovan's observation. The first chapter was nice or even beautiful, but it had little to do with the rest of the letter. A more careful reading of the text reveals that it does make very strong claims about the nature of moral theology which are relevant to the rest of the document. It does this through the articulation of a dramatic biblical anthropology into which the reader is invited as a participant.

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of and underplaying of other elements such as the change of heart, virtues, vision, attitudes, moral imagination, goals, etc.), and the role of Jesus and consequently of the Church is reduced to teaching commandments." See "*Veritatis Splendor*: A Revisionist Perspective," 225; cf. 230-32. Interestingly, Grisez too focuses on the specific moral norms identified in Jesus' exchange with the Rich Young Man, finding a certain amount of common ground with Curran in his reading of the text. See "Revelation versus Dissent," 2.

<sup>103</sup> See "Morality on the Way to Discipleship: The Use of Scripture in *Veritatis Splendor*," in *Veritatis Splendor: American Responses*, 83-105. The citation is from p. 102.

<sup>104</sup> See "Some remarks on the Use of Scripture in *Veritatis Splendor*," in *Splendor of Accuracy*, 71-97.

<sup>105</sup> See "*Veritatis Splendor* and Moral Theology," *America* 169, no. 13 (October 30, 1993): 9.

<sup>106</sup> "Revelation versus Dissent," 3.

<sup>107</sup> "A Summons to Reality," in *Considering Veritatis Splendor*, 41-45. The citation is from p. 42.

John Paul II identifies the unnamed rich young man of Matthew 19:16 as a type of “every person, who consciously or not, *approaches Christ the Redeemer of man and questions him about morality.*”<sup>108</sup> He is thus identified with Adam—an association that recalls not just his point of departure in the catecheses on the body, but Wojtyła’s work as a playwright in works such as *The Jeweler’s Shop* and *The Radiation of Fatherhood*. He is “John Q. Everyman” who wrestles with the moral good and questions concerning the meaning of life. Readers are thus encouraged to identify with the young man and to hear Jesus’ words addressed to them in this dramatic encounter.<sup>109</sup> This reading of Scripture is not just one addressed to spectators at a theatrical performance but participants in an existential drama. The young man’s questions to Christ are those which well up from the depths of the readers own hearts, pulled from their lips because of “the attractiveness of the person of Jesus.”<sup>110</sup> His answers ring true because he is the answer to the existential dilemmas which bedevil the human heart, as the “Alpha and the Omega of human history” particularly in his Incarnation and in the mystery of the Cross.<sup>111</sup>

In John Paul II’s narration of this dramatic encounter on the stage of the Gospel, the reference to the commandments serve not to buttress a law-dominated morality, but to highlight the call to discipleship as a gift of grace. The commandments themselves are reflective of God’s gracious initiative, but “not even the most rigorous observance of the commandments, succeeds in ‘fulfilling’ the Law.”<sup>112</sup> Instead, human beings still find themselves in slavery to sin which makes God’s law appear alien and as a burden.<sup>113</sup> The young man, like fallen Adam, is unable to take the next step—the perfection to which he is called requires “maturity in self-giving” which itself is a gift of grace.<sup>114</sup> Discipleship requires an interior transformation realized through participation in the sacraments which provide the “source and power” of the gift of self in love in union with Christ’s own Eucharistic self-gift.<sup>115</sup> Following Jesus is therefore not exterior

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<sup>108</sup> Pope John Paul II, Encyclical Letter, *Veritatis splendor*, no. 7. The citation is from the Daughters of Saint Paul edition, Vatican translation (Boston: St. Paul Books and Media, 1993), p. 17; emphasis in original. All subsequent references to this document are from this edition.

<sup>109</sup> This chapter of Matthew’s Gospel serves “as a useful guide for listening once more in a lively and direct way to [Jesus’]... moral teaching.” *Veritatis splendor*, no. 6, p. 16. Emphasis in original.

<sup>110</sup> *Veritatis splendor*, no. 8, p. 18.

<sup>111</sup> *Veritatis splendor*, no. 8, p. 18.

<sup>112</sup> *Veritatis splendor*, no. 11, p. 21.

<sup>113</sup> Cf. *Veritatis splendor*, nos. 17–18.

<sup>114</sup> Cf. *Veritatis splendor*, no. 17.

<sup>115</sup> *Veritatis splendor*, no. 21, p. 35.

imitation based on norms, but interior transformation in conformity with Christ lived in the Holy Spirit who is himself the “new law” of Christian life.<sup>116</sup> This transformation contains the happiness which the young man seeks.<sup>117</sup>

This call to transformation in discipleship is not addressed to an elite few, but to all. The universal call to holiness reaffirmed at Vatican II is articulated through the dramatic call to the perfection of discipleship given to the young man: “*The invitation*, ‘go sell your possessions and give money to the poor,’ and the promise ‘you will have treasure in heaven,’ are meant for everyone, because they bring out the full meaning of the commandment of love of neighbor, just as the invitation which follows, ‘Come follow me,’ is the new, specific form of the commandment of love of God.”<sup>118</sup> To make this identification is already a significant departure from the standard Catholic reading of the text which saw in this interlocutor of Jesus a pious layman who kept the commandments now called to the perfection of the evangelical counsels.<sup>119</sup> The Young Man challenged with this general invitation shows once again the transcendence of the human person called to the gift of self in love—vertically in love of God and horizontally in love of neighbor. Sadly, the young man turns away from this call even offered as a gift, demonstrating human freedom in its negative form.

This dramatic anthropology gleaned from the encounter between Jesus and the rich young man as everyman is not limited to the first chapter of *Veritatis splendor*. It echoes through the rest of the document. The inviolability of the commandments safeguarded in the defense of absolute moral norms reinforces the need for grace to embrace the call of discipleship offered as a gift.<sup>120</sup> Moral norms thus

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<sup>116</sup> See *Veritatis splendor*, no. 24, echoing the teaching of Saint Thomas in the *Summa theologiae* I-II, q. 106, a. 1. On this theme of transformation in the document (issued on the Feast of the Transfiguration) see J.A. DiNoia, O.P., “The Moral Life as Transfigured Life,” in *Veritatis splendor and the Renewal of Moral Theology* (Princeton, NJ: Scepter Publishers, 1999), 1-10.

<sup>117</sup> On the eudaimonism of the document see Livio Melina, “The Desire for Happiness and the Commandments in the First Chapter of *Veritatis splendor*,” in *Veritatis Splendor and the Renewal of Moral Theology*, 143-60.

<sup>118</sup> *Veritatis splendor*, no. 18, p. 31. Emphasis in original.

<sup>119</sup> This reading is at least as old as Athanasius’ famous *Life of Anthony*. In this my reading differs from that of John O’Keefe who sees asceticism at the root of the encyclical’s notion of perfection. See “No Place for Failure? Augustinian Reflections on *Veritatis splendor*,” in *Veritatis splendor: American Responses*, 16-37.

<sup>120</sup> “*The gift does not lessen but reinforces the moral demands of love.*” *Veritatis splendor*, no. 24, p. 37. Emphasis in original. In no. 83 a similar point is made about the gift of the Holy Spirit enabling us to interiorize the law and to live it in true freedom. On the social import of moral absolutes in the document see Romanus Cessario,

protect but do not exhaust the corresponding gift of oneself in love in response to this gracious call, a truth eloquently proclaimed by the sacrificial self-gift of the martyrs.<sup>121</sup> This response is undertaken in less dramatic form by the choice of particular goods pursued in concrete moral choices. The choice of such goods which specify the moral object of particular acts is therefore necessarily a “first person” endeavor on the part of the disciple.<sup>122</sup> The transcendence of the person to freely respond to God’s invitation requires this. The authority of the Church to defend genuine moral goods and the norms which protect them is necessary to make it a place where this dramatic encounter between Christ and the human person can occur.<sup>123</sup> Thus understood, morality is not primarily obedience to rules but about a transformative encounter with Christ who reveals us to ourselves.

The connections identified here between the dramatic biblical anthropology of chapter one and the rest of the document do not represent an exhaustive list. However, they do help to challenge a reading of the document which minimizes the import of chapter one as mere biblical parenesis, while focusing on the “real issues” contained in chapter two. O’Donovan is correct in underscoring the potentially revolutionary character of chapter one for the Church’s moral teaching. For John Paul II moral theology both proceeds from and is ordered to an encounter between the human person and Christ. The Church and its teaching and sacramental life is the place where this transformative encounter takes place. These notes sounded most forcefully in the document’s first chapter are reprised in different ways and in different style and subject matter in those which follow.<sup>124</sup>

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O.P., “Moral Absolutes in the Civilization of Love,” in *Veritatis Splendor and the Renewal of Moral Theology*, 195-208.

<sup>121</sup> On the witness of the martyrs and moral norms see *Veritatis splendor*, nos. 90-93. For a thoughtful, critical evaluation of the document’s invocation of martyrdom and particularly the story of Susanna, see Katherine TePas, “‘If You Wish to Be Perfect...’: Images of Perfection in *Veritatis splendor*,” in *Veritatis Splendor: American Responses*, 48-59.

<sup>122</sup> “In order to grasp the object of an act which specifies the act morally, it is therefore necessary to place oneself in the perspective of the acting person.” *Veritatis splendor*, no. 78, p. 99. Emphasis in original. For an incisive study of the importance of this contention see Martin Rhonheimer, “Intrinsically Evil Acts and the Moral Viewpoint: Clarifying a Central Teaching of *Veritatis Splendor*,” in *Veritatis Splendor and the Renewal of Moral Theology*, 161-93.

<sup>123</sup> “In order to make this ‘encounter’ with Christ possible, God willed his Church.” *Veritatis splendor*, no. 8, p. 17. Emphasis in original.

<sup>124</sup> In addition to theories about different authors accounting for the differences in style and sources within the various chapters, it is worth considering whether some of these differences are the result of John Paul II’s distinctive phenomenological style of analysis. The phenomenological method employed in the encyclical circles the

As in the case of the TOB catecheses, the effort to fit John Paul II's teaching in *Veritatis splendor* into the lines of post-*Humanae vitae* debate leads to a reduction and loss of its anthropological depth. Lost is precisely that which makes it engaging for the reader willing and able to put in the effort to engage the document. The appeal to experience in the context of the biblical drama of salvation enables the reader to "identify in" and find him or herself as the one addressed and invited by Christ to transformation through the gift-call of discipleship. Deeper engagement with Scripture and "livelier contact with the mystery of Christ and the history of salvation" are keys to the renewal of moral theology called for by the second Vatican Council.<sup>125</sup> These marks are prominently displayed in the dramatic biblical anthropology of the opening chapter of *Veritatis splendor*. An examination of the implications of taking the encounter with Christ as the starting point and goal of moral theology offers a rich vein for reconceptualizing the methodology of the discipline in conjunction with the field's deeper engagement with Scripture and virtue ethics.<sup>126</sup>

## CONCLUSION

This study has argued that the "reception" of Pope John Paul II's teaching within Catholic moral theology in the United States to this point has been incomplete at best and in some ways inaccurate. A significant reason for this limited reception is that both proponents and critics of his teaching have sought to plug some of his ideas into the contours of already existing debates within the field or the wider culture. This has clearly been the case with the popular promotion of and critical reaction to the TOB catecheses as well as with the typical readings of *Veritatis splendor* by major revisionist and traditionalist scholars. In both of these cases there has been a corresponding reduction or loss of the anthropological depth within the discussion of these teachings. It is as if proponents and critics have plucked the fruit of individual insights or ideas which support their own positions while ignoring the tree which supports and unifies them. That

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reality of the moral life itself allowing it to disclose itself through the media of Scripture, philosophical themes of fundamental moral theology, and social engagement.

<sup>125</sup> See Vatican Council II, Decree on Priestly Formation, *Optatum totius*, no. 16.

<sup>126</sup> Some critics of the encyclical did indeed perceive this potentially transformative impact of the document on the field but warned of its dangers. Lisa Sowle Cahill, for example, described its "confessional and even fideist mode which pulls the rug out from under the church's and moral theologians' credibility as advocates of the human and the common goods." See "*Veritatis Splendor*," *Commonweal* 120, no. 14 (22 October, 1993): 15-16. While disagreeing with the negative consequences of her assessment, Lorenzo Albacete notes that in some respects she grasped the implications of the document better than some of its proponents. See "The relevance of Christ or the *sequela Christi*," *Communio* 21 (Summer 1994): 255.

“tree” is the human person, a dynamic acting subject, addressed by Christ in the existential drama of salvation, and called to fulfillment through the grace-powered action expressive of the gift of self. The individual insights or ideas gleaned from the late pope’s thought are intelligible and fruitful because of the anthropology which nourishes them.

It is this anthropological foundation too which accounts for much of the continuing appeal of John Paul II’s teaching years after his death. The appeal to experience in both the TOB and *Veritatis splendor* encourages the reader to “identify in” and to discover him or herself in the biblical text examined. Scripture becomes the place to encounter Christ and to allow him to engage the reader in a dialogue which leads to self-discovery. The process is simultaneously intellectually stimulating and ethically and spiritually challenging. Wojtyła’s “Carmelite personalism” learned from John of the Cross pulls the reader to search for ways to go beyond merely “having faith” to the praxis of “living faith” and bearing fruit in the Christian life. His anthropology is thus both dynamic and holistic, engaging the reader as a whole person. It is also relevant to a consideration of much more than individual norms concerning sexual behavior.

The analysis of the particular examples afforded by the reception of the TOB and *Veritatis splendor* does not constitute an exhaustive list of areas where the anthropological depth and consistency of John Paul II’s moral teaching has been missed. Another example which could be considered is the widely echoed claim of methodological inconsistency between the late pope’s teaching in regard to sexuality and that within his social teaching.<sup>127</sup> According to a common narrative, Vatican II represented a shift in Catholic teaching from a “classicist worldview” composed of absolute norms deduced from unchanging biological structures to an inductive, dynamic, and historically conscious method of moral-reasoning in which norms are understood more flexibly and contextually. Revisionist thought has embraced this historically conscious worldview and applied it across the board. Pope John Paul II embraced a historically conscious approach in his social and political teaching, but has maintained a classicist approach in his sexual teaching and life ethics.<sup>128</sup> This claim has al-

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<sup>127</sup> This has been a consistent theme in the work of Charles Curran. For his reading of this methodological shift in the history of 20<sup>th</sup> century Catholic moral theology, see *Catholic Moral Theology*, 103-107. “Historical consciousness” understood in this way is also a methodological point of departure for Salzman & Lawler in *The Sexual Person*.

<sup>128</sup> On this charge of inconsistency in John Paul II see Curran, *The Moral Theology of Pope John Paul II*. Some more recent studies question whether John Paul II’s later social teaching shows something of a retreat from a “historically conscious” ap-

ready been indirectly challenged by studies which have shown a consistent view of the human person underlying John Paul II's teaching in these various areas, but more work needs to be done on this subject.<sup>129</sup> One can also more directly challenge the premise of the argument by questioning the coherence of appeals to "historical consciousness" which do not acknowledge their own historical conditioning or refuse to ground an appeal to experience within a particular tradition.<sup>130</sup>

Another area of ongoing scholarly work which holds promise for fostering a deeper reception of the anthropological depth of John Paul II's teaching is a growing interest in the sources of this teaching. Certainly his elevation to the papacy created a flurry of interest in phenomenology on the part of scholars who had never studied the method or who dismissed it as a strange species of "continental philosophy." Much of this interest centered around the classification of Wojtyła's "Lublin Thomism" or "Thomistic personalism" and whether it was more phenomenological or Thomistic. More recent scholarship has begun to attend to existential understanding of faith the Wojtyła gleaned from his study of John of the Cross and to the deeper dimensions of his appropriation of the thought of Saint Thomas.<sup>131</sup> Such work serves to uncover the ontological depth in the late pope's

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proach to more of a natural law methodology. See Ethna Regan, *Theology and the Boundary Discourse of Human Rights* (Washington: Georgetown, 2010), 42.

<sup>129</sup> For an outstanding study which demonstrates the continuity of Wojtyła/John Paul II's anthropology from his philosophical work in *The Acting Person* to the biblical anthropology of the TOB to his social encyclicals see Gerard Beigel, *Faith and Social Justice in the Teaching of Pope John Paul II* (New York: Peter Lang, 1997). Thomas Williams, L.C. in a recent study similarly demonstrates the continuity in Wojtyła's personalist analysis of human dignity in the sexual ethics of *Love and Responsibility* and John Paul II's papal defense of human rights. See *Who is My Neighbor? Personalism and the Foundations of Human Rights* (Washington: Catholic University Press, 2005), 105-216.

<sup>130</sup> Brian Johnstone, C.Ss.R. points out that the concepts such as "historical consciousness" developed by Vico and "historicity" developed by Hegel were imported into discussions of shifts in theological worldviews by Bernard Lonergan. But these appeals rest on an attribution of a kind of ontological subjectivity to the world which it does not possess. Furthermore, proponents of "historical consciousness" seldom apply the limitations imposed by this approach to their own theories. Johnstone makes these observations in an unpublished paper on Salzman and Lawler's *The Sexual Person* presented at a faculty colloquium at the Catholic University of America on November 8, 2010.

<sup>131</sup> In addition to Waldstein's consideration of Wojtyła's "Carmelite personalism" and Petri's study of the Thomistic foundations of the spousal meaning of the of the body noted above, see the collection of essays in Michael Dauphanis and Matthew Levering, eds., *John Paul II and St. Thomas Aquinas* (Ann Arbor, MI: Sapientia Press, 2006). On the history of personalism in general and Wojtyła's Thomistic appropriation of it, see Williams, *Who is My Neighbor?*, 105-24.

account of the transcendence of the human person in moral choice and action in the face of more superficial appeals to human “experience.”

Ultimately, only time will indicate the full measure of Pope John Paul II’s impact on the field of Catholic moral theology in the United States and throughout the world. This study has indicated some of the reasons as to why the reception of that teaching to this point has been incomplete. There is an anthropological depth and coherence in John Paul II’s thought that resists its reduction to either a simple answer to or a problem indicated by a preexisting debate. And it is this underlying vision of the person which continues to draw students and scholars to consider his thought as a method for engaging Scripture and experience in fashioning a compelling account of the moral life. This holistic anthropological vision points the way to the heart of the renewal of moral theology for which the Council called. It may well be this that proves to be Pope John Paul II’s most lasting contribution to the field.<sup>132</sup> **M**

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<sup>132</sup> I am indebted to Joseph Capizzi, Lawrence Welch, Rae Grabowski, William Mattison, and David Cloutier for helpful comments and criticisms on earlier drafts of this paper.

## Stanley Hauerwas's Influence on Catholic Moral Theologians

JANA MARGUERITE BENNETT

ONE MIGHT BEGIN considering the reception of Stanley Hauerwas's work in Catholic moral theology by asking: why did both *Commonweal* and *First Things* opt to publish reviews of Hauerwas's memoir *Hannah's Child*? What is it about Hauerwas's theological discussion of his own work that engages an educated Catholic audience of magazines putatively representing both ends of the spectrum? It is not only that both journals actively seek engagement with Protestant voices; nor is it only that Hauerwas has a degree of renown, thanks to *Time* magazine.<sup>1</sup> It is also exactly what Peter Steinfels alludes to in his review, that Hauerwas is at once disturbing and rewarding for Catholics.<sup>2</sup> Hauerwas is so strongly in support of certain "liberal" Catholic ideals (e.g., that ethics should not be about laws in the way it was perceived pre-Vatican II), so intensely in support of certain "conservative" Catholic ideals (e.g., that tradition and authority should be important aspects of Christian life), and so seemingly dismissive of natural law and state politics<sup>3</sup> that Catholics cannot help but have a kind of unsettled fascination with him and his work.

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<sup>1</sup> *Time Magazine* named Hauerwas "America's Best Theologian" in September 2001. Ironically, the issue appeared on newsstands the day before September 11, 2001, so was quickly eclipsed by events. See Jean Bethke Elshatain, "Christian Contrarian," *Time Magazine* (September 17, 2001). <http://www.time.com/time/magazine/article/0,9171,1000859,00.html>.

<sup>2</sup> Peter Steinfels, "A Bricklayer's Son: Stanley Hauerwas and the Christian Difference," *Commonweal* 137, no. 9 (May 7, 2010): 12-17.

<sup>3</sup> Gilbert Meilaender, "A Dedicated Life," *First Things* (May 2010), <http://www.firstthings.com/article/2010/04/a-dedicated-life>.

As a Catholic student of Hauerwas, part of my attraction to his work has been his ability to bridge intra-Catholic divides, such as that between “liberals” and “conservatives” or Magisterium and theologians. Even more, I think that Hauerwas helps us be more thoroughly “Catholic,” in the sense of being unified in the Body of Christ, because of the *way* he seeks to do theology. In this essay, I focus on Catholic reception of Hauerwas’s work in three distinct areas: ecclesiology, embodied Christian practices, and political theology. Each of these has been the source of both long-standing intra-Catholic debate and debate in the Catholic reception of Hauerwas’s work. So, each of these also becomes a way of seeing that Hauerwas bridges some intellectual divides. Catholics across the spectrum might be disturbed by Hauerwas’s work, but also find some reward in it as well, as the possibility for seeing Catholicism in a new light.

#### HAUERWASIAN ECCLESIOLOGY: FRIENDSHIP AND FORGIVENESS

It may sound odd to claim that Hauerwas’s ecclesiology is characterized by friendship and forgiveness given the perception that Hauerwas meets every argument with a fight and spreads discord wherever he wanders. Yet that is exactly the claim of this section, despite the vaunted charge against Hauerwas that he is sectarian. I begin by attending to the Catholic context of this sectarian charge, and then explain why Hauerwas is not susceptible to that charge, due to his emphasis on friendship and forgiveness. These ecclesiological emphases will be shown to be exactly why Catholics, particularly theologians in training, have turned to Hauerwas.

Though one of Hauerwas’s doctoral advisors, James Gustafson, is most often cited in making the accusation of sectarianism,<sup>4</sup> numerous Catholic theologians have lobbed the charge as well. Richard McBrien describes how a sectarian approach produces both an overly narrow ecclesiology and a distorted stance toward the world outside the Church. For McBrien, sectarianism names an idea that the Church is “closed in on itself as a righteous minority, bearing the promise of salvation for those willing to subject themselves to it....”<sup>5</sup> Sectarianism thereby divides the Church. McBrien worries that sectarians perceive themselves as “churches within and even over against, the Church,” like, for example, the Donatists.<sup>6</sup>

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<sup>4</sup> James Gustafson, “The Sectarian Temptation: Reflections on Theology, the Church, and the University,” *Proceedings of the Catholic Theological Society of America* 40 (1985): 83–94.

<sup>5</sup> Richard P. McBrien, *The Church: The Evolution of Catholicism* (New York: Harper Collins, 2008), 363.

<sup>6</sup> McBrien, *The Church*, 366.

The question about sectarianism (Hauerwas's or otherwise) connects to an internal Catholic debate about magisterial teaching and the hierarchy. Having some sense of the internal debate shows more clearly why Hauerwas comes across as troublesome, but also points toward why Hauerwas might bridge some of the divides in this debate. For example, McBrien sees a link between sectarianism and a centralized hierarchy; sectarianism operates against unity and collegiality, two of McBrien's concerns. Collaboration and direct input from local churches and bishops needs to be encouraged on pronouncements; otherwise, unity and ecumenism are at risk. A centralized hierarchy, like sectarianism, allows for a too-narrow account of the Church, for it lends easily to a view that some people are "real Catholics" while others are not. As McBrien notes: "Agreement with and obedience to all of [the pope's] teachings and practical decrees are readily taken as the measure of one's fidelity to the Church, if not also the integrity of one's faith."<sup>7</sup> Such a view seems in line with the "people versus Magisterium" or "theologians versus Magisterium" motif, which figures frequently in recent Catholic discourse, and was most recently evident when the U.S. Conference of Catholic Bishops wrote public letters against the works of Todd Salzman and Michael Lawler in the fall of 2010, and Elizabeth Johnson in the spring of 2011. Salzman, Lawler, and Johnson all saw themselves as reaching toward, and doing theology for, the people of God in an open and inclusive way. By contrast, the bishops' pronouncements against these theologians' works make the hierarchy seem quite ecclesio-logically sectarian in McBrien's eyes.

Given this Catholic context, Hauerwas's "sectarian" influence would seem to have come at a particularly bad time—just when Catholics are having a long discussion about the reception of Vatican II, the identity of the Church, and Christians' relationship to the world. On McBrien's view, for example, Hauerwas's students strive to create an enclave of perfect Christians, and to do so, they hearken back nostalgically to the worlds they perceive as necessarily better, especially the patristic and medieval periods. Their view of the Church, like that of the centralized hierarchy, is a faulty view on McBrien's account. They do not see the whole People of God, nor the Holy Spirit at work in the broad and diverse group of people called Christians. McBrien sums up this distaste of some Catholic thinkers<sup>8</sup> toward Hauerwas and his students by saying:

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<sup>7</sup> McBrien, *The Church*, 306.

<sup>8</sup> Lisa Sowle Cahill has written from a different, more positive view about Hauerwas and his "communitarian ethic," though she worries about the disconnection between "Christian community" and political life. However, Hauerwas would argue against a "communitarian view" as well, as he does in *In Good Company*, which at the least

[Stanley Hauerwas] has many Catholic disciples—former students at Duke—now teaching in various Catholic colleges and universities in the United States, none of whom has attained individual prominence but who have collectively had a marked influence on Catholic theological education, particularly in the field of moral theology. Like Hauerwas's, their views on Christian ethics are an expression of an underlying sectarian ecclesiological perspective, especially as it relates to the role of the Church in the world.<sup>9</sup>

McBrien is not the only one who sees Hauerwas's students as disciples.<sup>10</sup> Jeffrey Stout uses the term "followers" in his book *Democracy and Tradition*.<sup>11</sup> Both terms conjure the image of a secret sect, much like the sectarianism that scholars from Gustafson to Gerard Mannion have sought to critique.<sup>12</sup>

The difficulty with parsing out Hauerwas's place in this conversation is, of course, that he is not Roman Catholic and he has a very different view of the Magisterium than either "liberal" or "conservative" Catholics would have, and his views on related questions do not fall neatly into one camp. In what follows, I discuss Hauerwas's approaches to theology, with the basic contention that Hauerwas's ecclesiology is best understood as rooted in friendship and forgiveness rather than as sectarian. These themes are readily evident in Hau-

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suggests that all parties concerned are using language in different ways and lack some understanding of the differing Catholic and Protestant contexts from which they come. See Cahill's article at "L'éthique communautaire et le catholicisme américain," *Recherches de Science Religieuse* 95:1 (2007): 21-40. Hauerwas's discussion is found in *In Good Company: The Church as Polis* (South Bend, IN: University of Notre Dame Press, 1995).

<sup>9</sup> McBrien, *The Church*, 388.

<sup>10</sup> McBrien's thoughts about Hauerwas students are surely affected by his role in the tenure decisions for Michael Baxter in the late 1990s. On this controversy, see Pamela Schaeffer, "Notre Dame Disputes May Signal a Shift," <http://www.nd.edu/~afreddos/papers/baxncr.htm>. However, apart from this, McBrien's thought is representative of many scholars in North America and Europe.

<sup>11</sup> He alludes to adherents of other authors, like Emerson or John Finnis, as followers as well, but Hauerwas's "followers" take on a different tone in Stout's work: "A cynic might say that the secret of Hauerwas's vast influence in the church in the 1980s and 1990s lay in the imprecision of the sacrifice he appeared to be demanding of his followers.... [I]n the absence of a clear statement of the price Christians must be willing to pay, his audience was able to indulge itself in fantasies of martyrdom without experiencing actual poverty or persecution at all." Jeffrey Stout, *Democracy and Tradition* (Princeton, NJ: Princeton University Press, 2004), 157-8.

<sup>12</sup> Gustafson, "The Sectarian Temptation"; also, see Gerard Mannion, *Ecclesiology and Postmodernity: Questions for the Church in Our Time* (Collegeville, MN: Michael Glazier Books, 2007).

erwas's work and in his training of doctoral students and their own commitments to seeking friendship and forgiveness.

Hauerwas is as positioned as any other thinker, being, as he is, American, Texan, and at least trying to be Christian.<sup>13</sup> There are those who poke fun at what they perceive to be a Hauerwas pantheon: Barth, Yoder, and Aquinas, while Alasdair MacIntyre and Aristotle take on the role of demi-gods. Many other scholars then seemingly become demons: Rahner, Tillich, the Niebuhr brothers, liberal feminism, to name a few.

Yet Hauerwas's emphasis as a teacher is to encourage students to read people for their arguments rather than reading particular people who share certain sensibilities or who "have it right." Just before I left Duke University, having obtained my degree, I stopped by his office one last time to ask for some advice now that I faced the different challenges of teaching students while doing research. I knew that the graduate student days of being able to organize my time more or less freely were at an end; how was one to balance what would surely become a busier schedule in the days ahead? So I asked, "How do you sort out what to read and what to leave out?" "I can't tell you that," he answered. "You've got to read everything."

I should have known that would be his answer. We never read his own work in seminars,<sup>14</sup> but we read the people who influenced him, and those people were wide-ranging and numerous. In a year-long seminar on Ludwig Wittgenstein,<sup>15</sup> Hauerwas brought in Peter Hill's book *Stone and Stonemasons: The Making of a Cathedral*<sup>16</sup> because

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<sup>13</sup> To say Hauerwas is "positioned" is not the same as saying he "has a position," which I discuss in the third section of this essay.

<sup>14</sup> Indeed, when in the summer of 2010, I had a chance to meet with the other authors of Hauerwas's students' festschrift *Unsettling Arguments: A Festschrift on the Occasion of Stanley Hauerwas's 70<sup>th</sup> Birthday*, eds. Charles Pinches, Kelly Johnson, and Charles Collier (Eugene, OR: Cascade Books, 2010), one thing many of us mentioned was that writing these essays had meant we had opportunity to go back and read his work.

<sup>15</sup> In the seminar we read, among other things: the *Tractatus Logico-Philosophicus* (London: Routledge and Kegan Paul, 1965), *Philosophical Investigations* (New York: Macmillan, 1953), *The Blue and Brown Books* (New York: Harper and Row, 1958), *On Certainty* (New York: Harper and Row, 1969), Ray Monk's biography *Ludwig Wittgenstein: The Duty of Genius* (New York: Penguin, 1990), Fergus Kerr's *Theology After Wittgenstein* (London: SPCK, 1997), Carl Elliot's *Slow Cures and Bad Philosopher: Essays on Wittgenstein, Medicine and Bioethics* (Durham: Duke University Press, 2001), James Edward's *Ethics without Philosophy: Wittgenstein and the Moral Life* (Gainesville: University Press of Florida, 1985), Brad Kallenberg's *Ethics as Grammar: Changing the Postmodern Subject* (Notre Dame: The University of Notre Dame Press, 2001), G. E. M. Anscombe's *Intention* (Cambridge: Harvard University Press, 2000), and a number of essays and articles.

<sup>16</sup> Published by Cascade for the Dean and Chapter of Lincoln Cathedral, 1989.

some of the commentary seemed exactly to illuminate something Wittgenstein had said. Some of his students from the early 1990s tell a story of wanting to catch him out on reading: they would try to come up with the most obscure title they could and mention it in class; Hauerwas had often read it, but if he had not, he delighted in having another interesting book to study, returning next week with comments from his reading! Similarly, he often encouraged his students to take courses with faculty in other departments at Duke University, such as David Aers or Romand Coles, not as add-ons for students interested in English or Political Science as a kind of side dish, but as fully integral to the study of theological ethics. Through his own academic practice, Hauerwas encouraged his students to be interested in what they did not yet know or understand.

Because of this broad swath of reading, the experience of many of us in Hauerwas's seminars was that of a person who is seriously engaged with theology, teaching his students how to be seriously engaged with theology. He is humble enough to know that there are others who say it better, and he is fair enough to know that people with whom he has great disagreements are still often people with interesting things to say. As he liked to gently remind his students, "You may disagree with them, but remember that they are *friends*." Hauerwas tried to get his graduate students to think about and respect others' work *because* they can tell us something important about our presumptions.

Former students of Hauerwas do not agree with him or with each other on many things, and they do not aim to live in some kind of pure, New Testament community, or one that hearkens to a "traditionalist" view of church authority. Indeed, as Hauerwas and Charles Pinches write,

[I]nsofar as they believe that the God of the universe, who has extended Himself to us in the Jewish people and in Jesus, invites us to become His friends by sharing in His suffering, Christians cannot accept a vision of friendship which excludes (or overcomes) otherness in the friend, or which shelters her from sharing our sufferings or defeats.<sup>17</sup>

Friendship is one of the keys for understanding Hauerwas's discussion of church as much as understanding how his graduate students interact with each other and their colleagues in the field. As

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<sup>17</sup> Stanley Hauerwas and Charles Pinches, *Christians Among the Virtues: Theological Conversations with Ancient and Modern Ethics* (Notre Dame, IN: University of Notre Dame Press, 1997), 44.

Therese Lysaught and David Matzko McCarthy describe in their introduction to the multi-author *Gathered for the Journey*, “we hope that the multiplicity of ways of expressing things (among the thirteen authors) points to the unfathomable mystery that is the God with whom we journey and to the ever-creative richness of the Christian life.”<sup>18</sup> Friendships with many people truly demonstrate catholicity: a unity in God but with a multiplicity of voices. Christians need each other in part because we cannot be a church of one;<sup>19</sup> such a position is ahistorical as well as opposed to Jesus’ great commandments.

Hauerwas’s focus on friendship also helped lead some of his doctoral students to form an “intentional Christian community” in 1990, known un-illustriously as “Iredell House” for the street on which the house exists. Catholic doctoral students John Berkman and David Matzko McCarthy were original members of the house; others, like William Cavanaugh, were connected to the house via a prayer group comprised of several of Hauerwas’s other students who could not live in the house because of marital status or other commitments. The activities at Iredell House centered on the community’s covenant which, among other things, asked community members to pledge to be a “community of Christian friends” who live together simply, who pray together and who practice hospitality toward each other and toward all who might visit the house. This house was no house-church; it was not an alternative to being a member of a church (also an expectation of Iredell House occupants), and the people of Iredell House have, to this day,<sup>20</sup> represented a wide range of Christian denominations: Presbyterian, Anglican, Methodist, Friends, United Church of Christ, Lutheran, evangelical non-denominational, Baptist, and more. With such an array of divergence in practicing Christianity, there were often disagreements, and so another part of the covenant is: “Trusting in God’s grace, we are bound to each other in...confession and forgiveness, and hospitality to Christ in whatever guise he comes to us. May the Spirit lead us.”

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<sup>18</sup> “Introduction: The Course of Moral Thinking,” in *Gathered for the Journey: Moral Theology in Catholic Perspective*, eds. David Matzko McCarthy and M. Therese Lysaught (Grand Rapids, MI: Eerdmans Publishing Company, 2007), 19. It is not only that this is a multi-author work; the essays in the volume also explicitly seek to overcome divides. For example, David Cloutier’s essay, “Human Fulfillment” (pp. 134–152), seeks to bridge a divide between understanding action in relation to individual conscience, on the one hand, and the necessity of community on the other.

<sup>19</sup> That Christians need each other does not, by the way, negate that Christians also welcome and receive friends who are not Christian.

<sup>20</sup> Other Catholic doctoral students who lived in Iredell were Kelly Johnson, Dana Dillon, and David Cloutier. Michael Baxter lived in the front apartment of the house while at Duke, and was therefore associated with the house’s members.

It is not surprising that forgiveness is a crucial part of the covenant, for forgiveness is also central to what doctoral students have learned from Hauerwas. For Hauerwas, friendship goes hand in hand with forgiveness. One line that Hauerwas's students often heard was, "Sin is all the way down." That is to say, sin is deeply embedded in society, a point Hauerwas seems to retain from his reading of Reinhold Niebuhr.<sup>21</sup> Yet this does not occasion despair or hellfire-and-damnation speeches so much as a recognition that we need to be constantly seeking forgiveness. In *The Peaceable Kingdom*, Hauerwas writes:

because we have learned to live as a forgiven people, as a people no longer in control, we also find we can become a whole people.... When we exist as a forgiven people we are able to be at peace with our histories, so that now God's life determines our whole way of being—our character. We no longer need to deny our past, or tell ourselves false stories, as now we can accept what we have been without the knowledge of our sin destroying us.<sup>22</sup>

Hauerwas's account of church involves Christians recognizing that their journey toward friendship with God is about, among other things, seeking forgiveness, while "the world" continues as though sins are not sins. Hence the oft-misinterpreted Hauerwasian mantra, "The first task of the church is to be the church," which is unfortunately sometimes seen as sectarian withdrawal of a "perfect society" from the sin-ridden world. To the contrary, in a culture that is focused on individualism rather than friendship, on self-sufficiency and autonomy rather than the recognition of sin and need for forgiveness, Hauerwas' ecclesiology of friendship and forgiveness is an hospitable gift to, rather than a withdrawal from, the world.

If Hauerwas comes across as "disturbing" for Catholics in his discussion of the Church, I suspect that this is, in part, because there is a difference in what scholars mean by "church." McBrien clearly wants to name "church" as "more self-consciously catholic"<sup>23</sup> (with a lower-

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<sup>21</sup> Reinhold Niebuhr's account of Original Sin shows it as deeply intertwined through the whole of society. While Hauerwas critiques Reinhold Niebuhr in his Gifford Lectures, *With the Grain of the Universe: The Church's Witness and Natural Theology* (Grand Rapids, MI: Brazos Press, 2001), for using sin as a way to develop a natural theology for non-Christians, he does not actually repudiate Niebuhr's view of sin, that it is inescapable and yet unnecessary.

<sup>22</sup> Stanley Hauerwas, "The Peaceable Kingdom," in *The Hauerwas Reader*, ed. John Berkman and Michael Cartwright (Durham, NC: Duke University Press, 2001), 135-6. Notably, in a footnote here, Hauerwas refers to H. Richard Niebuhr's *The Meaning of Revelation* (Louisville; Westminster John Knox, 2006).

<sup>23</sup> McBrien, *The Church*, 368.

case c) and willing to participate in dialogue with other religious traditions; it is not closed in on itself, not authoritarian, but is open, especially to lay leadership, leadership by women. Those people and movements who do not participate in McBrien's kind of vision, or who are perceived as speaking against that vision, disturb the (often important) notions he has about what church is.

Insofar as students of Hauerwas come from various churches and denominations, there is no common ecclesiology among them. Even if we narrow these students to Catholics, there are clear differences and disagreements. In a review of works by eight of these former students, four of them Catholic, Charles Pinches outlines clear disagreements in how ecclesiology functions in their moral arguments. He notes that there is a tendency in some toward a "narrative of decline."<sup>24</sup> Nonetheless, there is nothing within this spectrum that excludes thinking of "church" in such a way that takes some of McBrien's comments into account. In general, students of Hauerwas to carry forward a tendency to see that American Christianity too often appropriates non-Christian ideals to its detriment, as I allude to above. Neither Hauerwas nor most of his students would maintain that one can separate from other Christians or the "world" in a sectarian way but would rather attempt to get people to see that embracing complicity with "the world" often leads to trouble. Thus it is that friendship and forgiveness provide means of moving toward God, even as Christians remain in the world and in a church that cannot separate itself from the world.

### EMBODIED CHRISTIAN DISCIPLESHIP

Another major theme of Hauerwas' work is his insistence that theology be accountable to the concrete embodied practices of the Church. The emphasis on embodiment and practices is not simply a matter of "following through" on what Christians preach; rather it recognizes that Christianity is not a set of abstract ideas or theories, but a particular way of life. An emphasis for many Protestant theologians, like Reinhold Niebuhr,<sup>25</sup> was to ensure that Christians began with the right ideas. If one only began with (and could find) the right principle, such as love or justice, everything else would follow. The difficulty with this, on Hauerwas's view, is that if the point is the principle, one really ought to follow the principle rather than Jesus; thus the concern is with not placing abstract ideas ahead of the in-

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<sup>24</sup> Charles Pinches, "Hauerwas and Political Theology: The Next Generation," *Journal of Religious Ethics* 36:3 (Sept 2008): 513-42.

<sup>25</sup> See, for example, Reinhold Niebuhr, *Christian Realism and Political Problems* (New York: Scribner, 1953).

carnate God made known to us in embodied practices. Christian life needs to witness to Jesus Christ.

A Catholic subculture that was, in itself, a whole way of life, did not have to confront this Protestant concern in the same way or at the same time. So, surely some of the fascination with Hauerwas's work among Catholics is related to the sociological changes U.S. Catholics have experienced in the past four decades. Intellectually, Leo XIII's encyclical *Aeterni Patris* ensured that the theological emphasis for the twentieth century would be neo-Thomism and a focus on a universal account of truth in relation to the Church.<sup>26</sup> Sociologically, anti-Catholicism and immigration were just two of the factors in the United States that generated Catholic sub-cultures, for both theologians and lay people. My colleague William Portier has helpfully discussed Catholics living in a sub-culture between World War I and the post-Vatican II era:

[W]hether they lived in New Jersey or Oklahoma, they participated in varying degrees in a shared religious culture. They learned similar practices of praying and thinking that added to their demographic distinctiveness. This Catholic world was surely not airtight. But it helped to protect generations of immigrants from Nativism and anti-Catholicism even as it schooled them in how to be Americans. As a result, most American Catholics never felt the full effects of their country's voluntary religious culture.<sup>27</sup>

The Church and its prayers, sacraments, and processions—mostly in Latin, which served to reinforce a subculture—formed and shaped a view of one's world. Prior to Vatican II, Catholicism was embodied in the sense that it was a way of life, that no part of one's life could escape Catholic formation, which often existed in contradistinction to the surrounding liberal, often Protestant, culture.<sup>28</sup>

However, this recognizably distinct set of lived practices has, in recent decades, been far less evident. Though there is debate about the extent to which Vatican II's reformulation of doctrine *caused* changes in Catholics' lived practices, the changes after Vatican II,

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<sup>26</sup> See Fergus Kerr, *Twentieth-Century Catholic Theologians: From Neoscholasticism to Nuptial Mystery* (Malden, MA: Blackwell Publishing, 2007) for an excellent survey. His first chapter discusses some of the theologians who were not working in neo-Thomist strains, such as Romano Guardini.

<sup>27</sup> William Portier, "Here Come the Evangelical Catholics," *Communio* 31 (2004): 35-66.

<sup>28</sup> Evidence for this is in the way Catholic joke books can make jokes about nuns, rulers and knuckles. But what is sometimes forgotten is that most Catholic students these days are not taught by nuns, nor are there likely to be rulers involved; the joke no longer makes sense.

along with sociological changes in the United States at the same time, resulted in important modifications in Catholic doctrine and practice. The changes are well-known: Latin was no longer the liturgical language; religious life was no longer to be highlighted as *the* major means of Christian witness and discipleship; meatless Fridays were no longer mandated except during Lent. These changes subsequently presented a challenge to American Catholics to ensure that, whatever the form, Christian discipleship was inextricably bound to concrete embodied practices. Yet this challenge had already been facing Protestants and therefore was one to which Hauerwas was responding.

When Hauerwas congratulates Catholics for thinking “of themselves as Catholics [because] they had no concept of what it meant to be individuals [and] in fact, they believed one couldn’t be free if one wasn’t ultimately loyal to the church,”<sup>29</sup> he responds to this kind of subculture that has slowly unraveled during the time Hauerwas has been a scholar. For theologians responding to the immediate aftermath of Vatican II, Hauerwas seems overly authoritarian. In another example, when Hauerwas’s Catholic interviewer says “I was under the impression that we should be more ecumenical and see the good in all faiths,” Hauerwas responds, “[Y]ou were being corrupted. I’m absolutely serious about that. You were corrupted because what that [move toward seeing the good in all faiths] did was put compassion in the place of the crucified Savior.”<sup>30</sup> Here Hauerwas exemplifies the importance of concrete embodiment, rather than generalizable concepts. Yet, in Catholicism, this seems retrograde. Why get too close to someone who seems to want to return to the “bad old days” of a pre-Vatican II church?<sup>31</sup>

Yet Hauerwas is actually decrying the effects of a certain kind of Christianity experienced in his own Protestant upbringing. His seeming collapse of the individual into the (hierarchical, no less) Church is prompted by experiences where Christians were no longer recognizably ecclesial in any way. Alongside this is what other Protestant theologians had seen in twentieth century theological trajectories: making theology (especially the Church’s metaphysical claims) appear relevant to a world focused on empiricism and demanding proof for beliefs.<sup>32</sup> Yet conceiving theology as chiefly about

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<sup>29</sup> Stanley Hauerwas, “Christianity: It’s Not a Religion: It’s an Adventure” in *The Hauerwas Reader*, 522-535, at 523.

<sup>30</sup> Hauerwas, “Christianity: It’s Not a Religion: It’s an Adventure,” 526.

<sup>31</sup> Hauerwas, “Christianity: It’s Not a Religion: It’s an Adventure,” 523.

<sup>32</sup> See Stanley Hauerwas, “On Keeping Theological Ethics Theological” in *The Hauerwas Reader*, 51-74. H.R. Niebuhr’s *The Meaning of Revelation* discusses this problem as well, though Hauerwas finds particular problems with Niebuhr’s approach.

justifying the faith grants too much to a world already suspicious of Christ; it already makes Christians irrelevant and even non-existent, because their claims get dissolved by other modes of thinking. Hauerwas therefore ignores the question of relevance for a world that doesn't care, in favor of worrying about Christians who are called to follow the way of Jesus, especially in the ways that they live their theology. Thus Hauerwas sees that the particular kind of embodiment Catholics had prior to Vatican II as something important that was lost, whereas some Catholics have seen it as something to escape.

The culture in which many of Hauerwas's Catholic students have grown up, or at least been profoundly influenced by, has been likewise voluntaristic, private, and disembodied. So, for example, a major liberal tenet is that people are free to worship whom and where they choose. Once that is a possibility, however, people then feel the need to account for their religious affiliations and since many lack the resources to discuss "reasons" for their faith (since faith in God is apparently irrational), they fall back on their own preferences as "reasons" and thereby have to push faith into privately-held corners. Faith then has no traction in the "public" arena because there is no way to adjudicate between peoples' "preferences." At the same time, Christians find themselves open to criticism from non-Christians because being a member of a church makes little or no difference to their lives.<sup>33</sup> When asked about the "Real Presence" of Christ, a Catholic these days is just as likely to say "Well, we don't really believe that" as she is to say, "Well, of course that's the Real Presence." With either answer, Catholicism gets dismissed, first because if adherents do not believe in their convictions, what point is there to "belonging," and second because such an answer does not adequately address modern concerns for epistemological certainty.

In a way, developing Catholic identity in this privatized cultural context exhibits a set of problems that Hauerwas sees as common to Christians in America.<sup>34</sup> I suspect that most of Hauerwas's Catholic students came to study with him because they already were asking themselves the questions he deals with as a Protestant theologian and they had already wondered about (or at least suspected) that embod-

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See further Stanley Hauerwas, *Hannah's Child: A Theologian's Memoir* (Grand Rapids, MI: Eerdmans, 2010), 58.

<sup>33</sup> See, for example, William Portier's discussion of belief and participation in voluntaristic "religion" in *Tradition and Incarnation: Foundations of Christian Theology* (New York: Paulist Press, 1994), 50-1.

<sup>34</sup> Though, of course, the Pew Forum Survey, which has often been cited as alarming by bishops and theologians both, already indicates that Catholics are experiencing the kind of disintegration that their mainline Protestant brothers and sisters have been seeing for decades longer. See <http://religions.pewforum.org>.

ied Christian practices might prove a way forward for Catholics and Protestants alike. They came from a secular, liberal culture in which it is hard to have faith; Hauerwas helps them learn to think about these questions in distinctive and often more helpful ways. Hauerwas's Protestantism and reaction to it, is precisely part of the influence he wields on Catholic moral theology and because of that, Catholic reception of Hauerwas's work is to some extent generational.<sup>35</sup>

I mention friendship and forgiveness as two practices in the above section, but I think Catholics (twenty-six Catholic doctoral students at both Notre Dame and Duke) are drawn to Hauerwas partly because of his strong use of the Church's liturgy and sacraments as Christian practices.<sup>36</sup> On Hauerwas's account an alternative story is learned in ecclesial practices like baptism and the Eucharist, which embody the narrative of Christ's life, death and resurrection. Unlike mainline Protestants, who tend to exhibit more of an abstract religious tradition based on principles and abstract reasoning, Catholics, evangelical Protestants, and Anabaptists figure as examples in Hauerwas's writing of Christians who *embody* a particular story. What they have in common is not that they all exhibit the same kinds of practices nor the same views about doctrines, but that Christians from those traditions attempt to live in such a way as to focus centrally on the story of Christ and witness to the world a different way to see.

It may, partially, be this contrast between liberal Protestantism and other, more embodied Christianities that has led a few of his students to "convert" or come into full communion with the Roman Catholic Church. While each of their stories about "becoming Catholic" are surely distinct, "being Catholic" is more about God's grace in and through embodied lives, and far less about the position of the Church in culture. In my own case, the weekly practice of the Eucharist, the embodied Christian practice of receiving Jesus' Body and Blood in order to be Christ for the world, was central to coming into full communion.

It might be seen as ironic, but it is true, that Hauerwas' approach to the liturgy looks a lot like David Tracy's "analogical" and Andrew Greeley's "Catholic" imagination, as the whole world filled with and "enchanted" by God's grace.<sup>37</sup> What Hauerwas does is help Christians reflect on practices that we might otherwise pass by or overlook

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<sup>35</sup> For example, William Cavanaugh, "Pilgrim People," in *Gathered for the Journey*, 88-105.

<sup>36</sup> I focus on Hauerwas's doctoral students in this essay; his influence on Catholic master's students is at least equally profound.

<sup>37</sup> See Greeley's use of Tracy in *The Catholic Imagination* (Berkeley: University of California Press, 2000), especially in the introduction.

out of hand. Baptism and Eucharist therefore become central to the work of many of Hauerwas's students, which is exactly why a charge of sectarianism or a related focus on a hierarchical church makes little sense.<sup>38</sup> If there is a definition of "church" toward which Catholic Hauerwas students tend, I think it is a *Lumen gentium* focus<sup>39</sup> on the sacrament of baptism that joins us to Christ's body, and the Eucharist that sustains us in that body, rather than a focus on a hierarchical church. So, for example, William Cavanaugh begins his essay "Pilgrim People" by discussing the common contemporary adage, that "I'm spiritual, but not religious," a phrase that suggests one's personal philosophy over against "organized" religion. Through reading Scripture and thinking about the sacraments of the Church, Cavanaugh showcases not a "personal philosophy" so much as a movement of pilgrim people; the Church *must* be organized in order to carry out its mission. Yet Cavanaugh does not then move to a discussion of authority and hierarchy, but to a discussion of practices, virtues and how Christians hand on the faith to other Christians.<sup>40</sup> Cavanaugh thereby sidesteps one common debate about the reception of Vatican II: that church authorities have tried to draw lines that support hierarchical authority, while theologians have focused on the church of the laity.<sup>41</sup> Focusing on embodied practices like the Eucharist enables Catholics to bridge that gap.

Hauerwas's students often see that embodied practices are not limited to the sacraments and liturgy.<sup>42</sup> If there is something that unifies nearly all Catholic students of Hauerwas, it is that we focus on

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<sup>38</sup> Therese Lysaught writes about Eucharist and baptism as part of what it means to be Church. "In baptism, we are grafted into the church, which is the body of Christ.... Thus in the liturgy we gather as the church, the body of Christ, to dwell with the one whose identity we have taken." Therese Lysaught, "Love and Liturgy," in *Gathered for the Journey*, 24-42, at 35. Kelly Johnson, too, writes that "[l]iturgy, where the whole church joins through the Spirit in Christ's priestly prayer to the Father, is the closest we get to our End, this side of the beatific vision. Therefore the entirety of Christian life is preparation for liturgy." Kelly Johnson, "Worshiping in Spirit and Truth," in *Unsettling Arguments*, 300-314, here 312.

<sup>39</sup> See, for example, *Lumen gentium*, nos. 10 and 11, [http://www.vatican.va/archive/hist\\_councils/ii\\_vatican\\_council/documents/vat-ii\\_const\\_19641121\\_lumen-gentium\\_en.html](http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_const_19641121_lumen-gentium_en.html).

<sup>40</sup> Cavanaugh, "Pilgrim People," 100-1.

<sup>41</sup> Note the differences between Giuseppe Alberigo's *The History of Vatican II* (New York: Orbis Books, 2006) and Matthew Lamb and Matthew Levering's volume *Vatican II: Renewal Within Tradition* (New York: Oxford University Press, 2008).

<sup>42</sup> So, John Berkman writes about the practices of penance and reconciliation. "Eucharistic Reconciliation: Penance, Punishment, and Worship," *The Journal for Peace and Justice Studies*, 14:2 (Fall 2004): 179-196. Also reprinted as "Being Reconciled to God and One Another," *The Blackwell Companion to Christian Ethics*, eds. Stanley Hauerwas and Samuel Wells (Oxford: Blackwell Publishers, 2004), 95-109.

embodied practices in some way, but we may discuss these practices in vastly different accounts. Hauerwas students write on topics as diverse as nonviolence,<sup>43</sup> child abuse,<sup>44</sup> begging,<sup>45</sup> and disability.<sup>46</sup> Though Hauerwas's Catholic students find themselves far from the days of a Catholic sub-culture that held some benefit against a voluntaristic culture, they are certainly trying not to retrieve that sub-culture but to respond to the needs of a culture that needs witnesses against child abuse and for hospitality. There are disagreements among his students about "embodiment," including pacifism, which is central in Hauerwas's own work.<sup>47</sup> But even in these disagreements, there are common commitments to the importance of embodiment, for, as Hauerwas argues, embodied practices are how Christians learn to say and show what it means to believe Christian convictions are true.

#### **POLITICAL THEOLOGY AFTER HAUERWAS: NATURAL LAW AND NONVIOLENCE**

But what is a Catholic supposed to make of Hauerwas's view of natural law and particularly his practice of non-violence vis-à-vis the state? Here is where Hauerwas seems especially sectarian, because he seems to reject both natural theology and statecraft, longstanding parts of Catholic tradition. This makes it seem all the more incredible that Catholic students should have chosen to study with him.

The misunderstanding that Hauerwas *utterly* rejects all natural law or all positive conceptions of the state relies on the misconception that Hauerwas has *a* position about things, including non-violence. Hauerwas is far less interested in holding positions than he

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<sup>43</sup> For example, Michael Duffey, *Sowing Justice, Reaping Peace: Case Studies of Racial, Religious and Ethnic Healing Around the World* (Franklin, WI: Sheed and Ward, 2001).

<sup>44</sup> G. Simon Harak, "Child Abuse and Embodiment from a Thomistic Perspective," *Aquinas and Empowerment: Classical Ethics for Ordinary Lives*, ed. G. Simon Harak (Washington, DC: Georgetown University Press, 1997), 89-130.

<sup>45</sup> Kelly S. Johnson, *The Fear of Beggars: Stewardship and Poverty in Christian Ethics* (Grand Rapids, MI: Eerdmans Publishing Company, 2006).

<sup>46</sup> Among others: Carol J. Descoteaux, *Chronic Suffering: A Theological and Ethical Reflection on Brazil's Basic Ecclesial Communities and Jean Vanier's L'Arche* (South Bend, IN: University of Notre Dame Press, 1985).

<sup>47</sup> For example, David Matzko McCarthy, "Selective Conscientious Objection and Just War Theory," *Bridges: An Interdisciplinary Journal in Philosophy* vol. 14, no. 1/2 (Spring/Summer 2007), 41-62. See also McCarthy's *The Good Life: Genuine Christianity for the Middle Class* (Eugene: Wipf and Stock, 2004), chapter 13. Non-Catholic students of his have also written arguing against Hauerwas's non-violence. See Dan Bell, *Just War in Christian Discipleship: Recentering the Tradition in the Church Rather than the State* (Grand Rapids: Brazos, 2009).

is in “understanding intellectual work as investigation.”<sup>48</sup> Thus, in many essays, he presents the task of Christian theology in terms of “learning how to go on” in the face of this or that turn in the world’s history.<sup>49</sup> Hauerwas’s own theology is decisively shaped by his placement within mainline American Protestant theology, and his own “story” is portrayed in his seminar on “Christian Ethics in America.”<sup>50</sup> Its digest is contained in the following aphorism: “How did a tradition that began with a book entitled *Christianizing the Social Order* end up producing a book entitled *Can Ethics Be Christian?*” Hauerwas’s concern is thus how Protestants learn to go on in the face of the fading idea that they are in charge of America. When he titles a chapter “Taking the Bible Away from North America Christians,” he doesn’t establish a “position” that private Bible reading is wrong.<sup>51</sup> Rather, he intends this saying—as well as much of what he says about natural theology and statecraft—in terms of a therapy for mainline Protestants recovering from the illusions of America as Christendom.

It is this way of practicing theology that Hauerwas aims to show his doctoral students: the point is “learning how to go on” as faithful witnesses, not “learning how to defend one particular position as the right one.” Instead, his students—from quite diverse ecclesial positions—also “learn to go on,” making different moves than Hauerwas himself.

In terms of Catholicism, this way of practicing theology is perhaps best seen in how Hauerwas encourages students to learn the works of Thomas Aquinas. Most students are likely to have encountered “that seminar,” the one that features Aristotle and Aquinas in large quantities. Hauerwas has taught this seminar in various iterations since his time at Notre Dame. In the iteration I attended, we read the *Nicomachean Ethics* as well as the *Secunda Pars* of the *Summa theologiae*; Thomas featured in others of Hauerwas’s seminars as well. As Hauerwas writes in his memoir: “I read Thomas Aquinas as if he was conducting the kind of intellectual investigation I identified with Wittgenstein, but most of his commentators clearly assumed he had a position.”<sup>52</sup> Thus, a way to read Hauerwas is that he has learned

<sup>48</sup> Stanley Hauerwas, *Hannah’s Child: A Theologian’s Memoir*, 60.

<sup>49</sup> See, for example, chapters one and nine in *Wilderness Wanderings* with this formulation in the title. *Wilderness Wanderings: Probing Twentieth-Century Theology and Philosophy* (Boulder, CO: Westview Press, 1997).

<sup>50</sup> Stanley Hauerwas, “Christian Ethics in America (and the JRE): A Report on a Book I Will Not Write,” *Journal of Religious Ethics* 25.3 (1997): 57-76.

<sup>51</sup> Stanley Hauerwas, *Unleashing the Scripture: Freeing the Bible from Captivity to America* (Nashville: Abingdon Press, 1993).

<sup>52</sup> Stanley Hauerwas, *Hannah’s Child: A Theologian’s Memoir*, 61.

to do theology by seeking to emulate the “intellectual investigation” of Thomas’s unending questions in the *Summa*, by asking good questions and testing peoples’ arguments (including those of hierarchical authorities). His students have, by and large, learned to carry on that work by testing assumptions, including Hauerwas’s own, most evident in the festschrift *Unsettling Arguments*, but also in the ways his students have themselves learned to use Thomas Aquinas, beyond what Hauerwas taught.<sup>53</sup>

Understanding that Hauerwas does not have “positions” in the terms commonly held in scholarship helps make his arguments about natural law and statecraft more clear. He notes that

for Aquinas, natural law serves neither as a principle that justifies a ‘universal ethic’ abstracted from a community’s practices nor as a substitute for agents’ character and virtues. Rather, natural law is an exegetical principle necessary for reading the Old Testament as well as for helping us understand that when confronted by God’s law we always discover that we are sinners.<sup>54</sup>

Holding natural law as a set of timeless universal moral norms sets out natural law as an objective “thing” to use in theories. It becomes an immovable position rather than part of an ongoing intellectual investigation. Jean Porter suggests the way natural law has become a “position” in Catholic thought: “natural law is usually regarded as a universal morality, accessible to all rational persons whatever their particular metaphysical or religious commitments (if any), and there-

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<sup>53</sup> A few of Hauerwas’s Catholic students have written directly on Thomas Aquinas in their dissertations. See, for example, Paul Wadell’s dissertation “An Interpretation of Aquinas’ Treatise on the Passions, the Virtues and the Gifts from the Perspective of Charity with God,” or Dana Dillon’s dissertation, “As Soul to Body: The Interior Act of the Will in Thomas Aquinas and in Accounts of Moral Action,” in which she discusses the interior act of the will in relation to proportionalist debate. Current Hauerwas student Miguel Romero is writing on Thomas and disability. Thomas’s influence is profoundly noticed in many more students’ other written work. For example, Paul Wadell’s *Friendship and the Moral Life* (Notre Dame: University of Notre Dame Press, 1990) discusses Aquinas (and Aristotle); Fritz Bauerschmidt has written *Holy Teaching: Introducing the Summa Theologiae of Thomas Aquinas* (Chicago: Brazos Press, 2005), which discusses Thomas’s work as specifically theological, as well as edited the volume *Aquinas in Dialogue: Thomas for the Twenty-First Century* (Malden, MA: Blackwell, 2004), with James Fodor. One of Hauerwas’s most recent students, Sheryl Overmyer, wrote her dissertation in part on Thomas Aquinas and has presented several essays on Thomas, including “Aquinas on the Virtues: The Difference Aristotle Makes,” presented at New Wine New Wineskins, a conference for young Catholic moral theologians, July 28-31, 2011.

<sup>54</sup> Hauerwas, *In Good Company*, 96.

fore most appropriately studied through philosophical analysis.”<sup>55</sup> (Porter goes on to argue, rightly I think, that natural law is theological and, as she argues, related to virtue and Christian practice.<sup>56</sup>)

It is this default description of natural law as an objective “thing” that Hauerwas rejects because it underwrites the development of a supposed universal ethic which turns out to be highly contested.<sup>57</sup> The difficulty with the default description of natural law is that it co-exists with continuing tensions in Catholic moral thought and forces people to take extreme “positions” perhaps in the ways Russell Hittinger claims: in some conversations, “[natural law] represented the conclusions of church authority” while in other conversations “it represented what every agent is supposed to know according to what is first in cognition.”<sup>58</sup> As Hauerwas notes, natural law as a supposed alternative to ecclesiastical authoritarianism

seems doubtful in light of the history of the use of ‘natural law’ by church authorities to support authoritarian positions. Indeed, I would suggest that part of the difficulty with the moral reasoning supporting some of the church’s sexual ethics is that by attempting to give them a ‘natural law’ basis devoid of their theological basis they appear arbitrary and irrational—thus requiring authoritarian imposition.<sup>59</sup>

As in other debates, Catholic natural law ethics, especially in sexuality, looks like a debate between the Magisterium and the theologians, a debate in which Hauerwas refuses to take the “position” that marks him as on the “correct” side of the debate.<sup>60</sup>

If Hauerwas concedes a kind of natural law (or so he argued in his doctoral seminar on Wittgenstein), it arises in relation to language and the way the Dominican Herbert McCabe has described law in

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<sup>55</sup> Jean Porter, *Nature as Reason: A Thomistic Theory of Natural Law* (Grand Rapids, MI: Eerdmans Publishing Company, 2005), 1.

<sup>56</sup> See especially chapters 3 and 4 in *Nature as Reason*.

<sup>57</sup> See Hauerwas, “In Praise of *Centesimus Annus*,” in *In Good Company*, 125–143. In this essay he writes: “By ‘methodological shortcomings’ I meant the abstract nature of encyclical pronouncements. The encyclicals by necessity must be written at a generalized level that makes their pronouncements seem platitudinous and/or irrelevant for policy decision. Moreover the encyclicals of the past have often been based on ‘natural law’ presuppositions that underwrite this abstract character” (125).

<sup>58</sup> Russell Hittinger, *The First Grace: Rediscovering Natural Law in a Post-Christian World* (Wilmington, DE: ISI Books, 2003), 21.

<sup>59</sup> Stanley Hauerwas, *The Peaceable Kingdom: A Primer in Christian Ethics* 2<sup>nd</sup> edition (London: SCM Press, 2003), 64.

<sup>60</sup> See Richard McCormick, *Corrective Vision: Explorations in Moral Theology* (Kansas City, MO: Sheed and Ward, 1994), especially 28–30.

*Law, Love and Language*.<sup>61</sup> McCabe sees that to be human is to be biological and linguistic. Because we are linguistic animals, our ways of living and our practical reasoning are shaped by the linguistic communities of which we are a part. Hauerwas's students Dana Dillon and David Matzko McCarthy develop this point: "Natural law reasoning is not a set of rules or formulas for determining moral norms, but a way of rationally engaging and evaluating a variety of sources (both sacred and secular) for understanding the common good of human life...."<sup>62</sup> Hauerwas's Catholic students share, I think, his worries about universalizable natural law as a fixed "position," but go on to develop an account of natural law as a tradition, an enterprise they share with many Catholics who have not studied with Hauerwas, as well (Jean Porter and Russell Hittinger among them).

Statecraft works similarly as an apparently unmovable universal ideal; it is too often linked to an objective future reality toward which one aims. Once again, the (in)famous Hauerwasian invectives against the civil religious project called "America" must be seen in the context of Protestant "learning how to go on" as Christians rather than imagining, as they used to, that being American and being Christian are the same. On that collapsed view, the social order is the means by which Christians can save the world, and the chief social order in play is democracy, but this is idolatrous because it presumes human activity *saves*.<sup>63</sup> But there are other accounts of the good of the social order that can be affirmed in a questioning, open-ended way. An interview Hauerwas did for the journal *U.S. Catholic* is telling in this regard. Hauerwas asks his interviewer: "Why do you think that your first task as a Christian is to make society work?" The interviewer answers, "Because I want to eat."<sup>64</sup> The interviewer's answer is astute, and quite a Catholic answer: the point of statecraft is to best enable people to live well and flourish and involves the complexity of ideas like the common good, subsidiarity, and solidarity. Hauerwas concedes that eating is a social good, but then goes on to a different question: "The problem with affluent Christians in the United States today is that they want to eliminate the otherness of poverty. They say everybody can be rich. That is the vision of justice for Christians in the United States. It's an elitist vision that makes the lives of anyone

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<sup>61</sup> Herbert McCabe, *Law, Love, and Language*, (London: Continuum Press, 2003), especially chapter 3.

<sup>62</sup> Dana Dillon and David Matzko McCarthy, "Natural Law, Law and Freedom," in *Gathered for the Journey: Moral Theology in Catholic Perspective*, 153-176, at 168.

<sup>63</sup> Stanley Hauerwas, "A Christian Critique of Christian America" in *The Hauerwas Reader*, 459-480. Hauerwas further treats this idea in more detail in a number of essays from *In Good Company: The Church as Polis*.

<sup>64</sup> Stanley Hauerwas, "Christianity: It's an Adventure," 527.

who isn't poor easier because they've already won."<sup>65</sup> While his Catholic interlocutor sees the good of a society struggling together to figure ways to eat, Hauerwas wants to keep raising questions, not allowing Catholics to rest easily on the supposed "success" of a social order without further interrogation.

Hauerwas's kind of theological interrogation is easily seen in Michael Baxter's critique and synthesis of both Hauerwas and Catholic intellectual thought. Baxter is concerned with the ways that Catholic theologians have tended to categorize Hauerwas as taking a "Protestant either/or approach to these matters whereas Catholics take a both/and approach,"<sup>66</sup> which marks out another dichotomizing tendency in Catholic theology. He suggests instead that it might be possible to include Hauerwas as part of the "both/and." For example, Catholics need not see church/state relations only as *either* "the politics of the world" *or* the Lordship of Christ but as "embracing *both* the Kingship of Christ *and* the politics of local community...."<sup>67</sup> At the same time, Baxter raises questions about Hauerwas's discussions of church/state and natural law that demonstrate the kind of traditioned conversation Hauerwas aims to develop. Baxter suggests that Hauerwas's view of the Church as "polis" neglects important, non-theological, reasons for why Catholics care about civil societies.

Instead of sustaining pretensions to a "Christian America," Baxter notes a different kind of church/state conversation, with a different strategy for "learning how to go on." He discusses a recent moment in the history of Catholic Worker in South Bend, Indiana, where the city of South Bend declared that the house was involved in code violations and the Catholic Worker house needed to defend itself, not theologically, but in terms of why it should exist in its particular neighborhood and house.<sup>68</sup> The advocates for Catholic Worker had to use non-theological language well in order to make their case. Seeing the Church as an alternate politic does not help Christians learn how to negotiate that there needs to be an energy company so that the light bulbs can be turned on. Thus Baxter argues for drawing more deeply from practical reasoning such that we learn to be both Christians witnessing to God in a world that does not always recognize God, as well as people who can have practical conversations with diverse others that are not antithetical to the gospel. Like Hauerwas, Baxter refuses a "position" in an entrenched conversation.

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<sup>65</sup> Stanley Hauerwas, "Christianity: It's an Adventure," 527.

<sup>66</sup> Michael Baxter, "The Church as Polis?" in *Unsettling Arguments*, 132-150, at 147.

<sup>67</sup> Baxter, "The Church as Polis?" 147.

<sup>68</sup> Baxter, "The Church as Polis?" 143.

### A BRIEF CONCLUSION

Hauerwas's students represent not a closed-off group of "disciples" but a cadre of people aware of, but questioning, the dichotomies and incoherences of contemporary ecclesial and civil life, glad to call each other "friends" as they practice their theology. They are willing to critique each other as well as their doctoral advisor, but only alongside participation in Christian life. As I write this conclusion, news of Father Thomas Weinandy's talk to the Academy of Catholic Theologians has made its way around the blogosphere. He mentions theologians as a "curse and affliction," if they are not grounded in the faith; his implied presumptions about who was faithful and who was not set off yet again a firestorm of comments about divisiveness in the Church.<sup>69</sup> Commenters suggested that Weinandy's comments highlight once again the divisiveness between the Magisterium and theologians, and between liberal and conservative. I wonder if Hauerwas's particular way of engaging traditions points a way forward.

Already some of Hauerwas's Catholic students have raised the question, wondering about how to have the kind of conversation that they learned from Hauerwas, that honestly interrogates people from across "sides"—in this case both Magisterium and theologians. Dana Dillon comments on the Weinandy speech by writing:

I do think that there are two...clusters that (loosely) line up somewhere like what is named by the labels conservative/liberal or right/left. I think that far too often, people in each of these clusters stay largely within their own cluster. They talk with other people in their cluster, they read and cite and engage with other people in their cluster.... I wonder if it is possible for theologians—in the midst of their different sets of assumptions—to have a genuine conversation about these differences. What would it be like if we began with the assumption that the other—as right or wrong as we might imagine his or her positions to be—was shaped by and wanted to be true to a genuine animating faith and a true desire to serve both the Gospel and the Church?<sup>70</sup>

The timbre of the conversation makes it seem that both "sides" are closed off from each other, and each sees the other "side" as neither

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<sup>69</sup> Fr. Thomas Weinandy, OFM Cap, "Faith and the Ecclesial Vocation of the Catholic Theologian," *Origins CNS Documentary News Service* 41.10 (July 21, 2011): 154-163. The speech was popularized via John Allen's article "Bishop's Staffer on Doctrine Rips Theologians as 'Curse,'" *National Catholic Reporter* (August 16, 2011), <http://ncronline.org/news/people/bishops-staffer-doctrine-rips-theologians-curse>.

<sup>70</sup> Dana Dillon, "Against Divisiveness in Theological Discourse," *Catholicmoraltheology.com*, [http://catholicmoraltheology.com/against\\_divisiveness/](http://catholicmoraltheology.com/against_divisiveness/).

listening nor inviting conversation. Into this mix, can Hauerwas's emphases on forgiveness, friendship, and open-ended theological reading and interrogation bring a better way forward for Catholic moral theology?<sup>71</sup> **M**

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<sup>71</sup> I am indebted to conversations with Stanley Hauerwas, Dana Dillon, Sheryl Overmyer, Andy Grubb, David Cloutier, David Matzko McCarthy, and Michael Baxter, as well as with my colleagues at UD: William Portier, Dennis Doyle, Kelly Johnson, and Brad Kallenberg, in the writing of this piece.

R E V I E W   E S S A Y

**Method in American  
Catholic Moral Theology  
*After Veritatis Splendor***

DAVID CLOUTIER and  
WILLIAM C. MATTISON III

OUR PURPOSE in this inaugural issue of the *Journal of Moral Theology* is to reflect on the state of “method” in Catholic moral theology today. But rather than present a set of essays, each representing a different method or “school,” we chose to invite authors at institutions training American Catholic moral theologians to write essays reflecting on the influence of a diverse set of thinkers, thinkers who both immediately preceded and particularly influenced American Catholic moral theology today. We hope that presenting a set of essays *by* these current shapers of American Catholic moral theologians, *about* recent influential figures, will provide a lens into what characterizes Catholic moral theology today.

So, does this decision about how to reflect on methodology reveal that American Catholic moral theology today in fact has no “method”? Certainly as compared with pre-Vatican II Catholic theology of all subdisciplines, which Gerard McCool describes as marked by a “search for a unitary method,”<sup>1</sup> moral theology today does not present a straightforward unified methodology. Yet to say “there is no method” says too little. Such a claim could wrongly suggest that there

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<sup>1</sup> Gerard McCool, *Nineteenth Century Scholasticism: The Search for a Unitary Method* (New York: Fordham University Press, 1989).

are no identifiable parameters in the discipline of Catholic moral theology today. It could also fan the flames of a reactionary trend seeking refuge in the perceived order of pre-Vatican II moral theology, a move that, moreover, has no real support in the work of Popes John Paul II and Benedict XVI. Thus, in this essay, we seek to outline the broad contours of Catholic moral theology after Vatican II, and in particular after Pope John Paul II's 1993 encyclical *Veritatis splendor*, to identify commonalities and differences of methodology in American Catholic moral theology today.

Such a task encounters two immediate challenges: first, how to contextualize the work of this era in light of continuing controversies over the proper "hermeneutic" for Vatican II; and second, how to sample the extremely diverse data set. As to the first challenge, it is uncontested that there has been a renewal or reform in Catholic moral theology underway since around the time of Vatican II.<sup>2</sup> The exact nature of this reform, however, is still highly contested.<sup>3</sup> But what is affirmed by nearly all and testified to in Magisterial documents is both the need for change in moral theology after Vatican II (e.g., *Optatam totius* 16) and the evident differences in how moral theology is done before and after Vatican II (e.g., *Veritatis splendor* in comparison with the moral manuals).<sup>4</sup> Our goal here is neither to present any comprehensive account of similarities and differences between pre- and post-conciliar Catholic moral theology nor to offer any account of the process of transformation. Rather, in the context of the aftermath of and ongoing process of reform, we offer an account of methodology in American Catholic moral theology today by surveying the commonalities and differences in how it is practiced.

The second challenge is the manageability of the task given the amount of work in the discipline in the period under examination.

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<sup>2</sup> By using the terms "reform" (and "renewal"), we are following Pope Benedict XVI's characterization of the two hermeneutics applied to the Council and its writings, in his *Christmas Address of His Holiness Benedict XVI to the Roma Curia* (December 22, 2005), [http://www.vatican.va/holy\\_father/benedict\\_xvi/speeches/2005/december/documents/hf\\_ben\\_xvi\\_spe\\_20051222\\_roman-curia\\_en.html](http://www.vatican.va/holy_father/benedict_xvi/speeches/2005/december/documents/hf_ben_xvi_spe_20051222_roman-curia_en.html). In this speech, he distinguishes between a "hermeneutic of discontinuity and rupture" and a "hermeneutic of reform." "Reform" is further described as a "renewal within continuity;" it is in a "combination of continuity and discontinuity at different levels that the very nature of true reform consists."

<sup>3</sup> For example, see John O'Malley's *What Happened at Vatican II* (Cambridge, MA: Harvard University Press, 2008) and the collection *Vatican II: Renewal within Tradition*, eds. Matthew L. Lamb and Matthew Levering (New York: Oxford University Press, 2008).

<sup>4</sup> In addition to the Magisterial documents cited in the text, see also various accounts of this reform in the context of moral theology treated in essays within this volume, including those by James F. Keenan, S.J. and Craig Steven Titus.

There are other well-known venues for a more exhaustive survey of contemporary Catholic moral theology which need not be repeated here.<sup>5</sup> Our approach to surveying methodology in American Catholic moral theology is to focus on substantive works by a representative sample of figures as data to substantiate the general claims we make about commonalities and differences. When we first conceived the task of the volume, we constructed a list of potential contributors to the volume, not only for their ability to treat the appointed figures, but also because they are actively at work in Catholic doctoral programs, training the future generation of American Catholic moral theologians. Since we asked these contributors to review the work of influential earlier figures, we thought a review of the potential contributors' own work would be fitting.<sup>6</sup> Obviously such an approach has limitations despite the evident importance of our contributors. Other works and moral theologians could surely be "placed" in the discussion that follows but are not. Therefore much further work will be required on this question, and this essay is intended to offer very broad claims to serve as a conversation starter rather than to present any parameters for that inquiry as settled or unreviseable.

#### **CATHOLIC MORAL THEOLOGY IN THE POST-*VERITATIS SPLENDOR* PARADIGM**

Much work has been done in identifying the ways in which moral theology has changed as a discipline from its pre-Vatican II form.<sup>7</sup> As

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<sup>5</sup> Perhaps the most obvious such venue is "Notes in Moral Theology" published regularly in *Theological Studies*.

<sup>6</sup> As with any project, not all the potential contributors were able to accept the invitation and/or contribute, for various reasons. Yet we still think they constitute a representative sample of current work in moral theology, given their work in major doctoral programs training students. Thus, we have retained the set of authors since each one treated here was invited to contribute, even though not every author actually has an essay in this volume. The only exception to the parameter of "currently training doctoral students" is Craig Steven Titus, who agreed graciously to contribute under an extraordinary tight deadline. Though Titus' graduate faculty position at the Institute for Psychological Sciences in Arlington, VA involves training future psychologists rather than moral theologians, he was asked to contribute given his role at the Servais Pinckaers, O.P. archives in Fribourg, his status as Pinckaers' last doctoral student, and his instrumental role in making the work of Pinckaers available to American moral theologians through *The Pinckaers Reader* (Washington, D.C.: Catholic University of America Press, 2003), which he edited with John Berkman.

<sup>7</sup> For just a sampling of the many overviews of changes in Catholic moral theology in the twentieth century, see: John Mahoney, *The Making of Moral Theology: a Study of the Roman Catholic Tradition* (Oxford: Clarendon Press, 1987); John A. Gallagher, *Time Present, Time Future: A Historical Study of Catholic Moral Theology* (New York: Paulist Press, 1990), Servais Pinckaers, O.P., *The Sources of Christian Ethics* (Washington, D.C.: Catholic University of America Press, 1995); Paulinus Odozor,

noted above, that comparison is not the task of this essay. But in this essay's survey of commonalities and differences in contemporary American Catholic moral theology, the commonalities do provide evidence of reform from pre-conciliar moral theology. Yet before turning to those commonalities, one explanation is in order. Despite the important role of Vatican II in the renewal of Catholic moral theology, note that the titles of this section and this essay name American Catholic moral theology post-*Veritatis splendor*. Changes in Catholic moral theology were not immediate with the Second Vatican Council, as evidenced by the fact that the drafted document on moral theology (*De ordine morali*) was never promulgated by the Council.<sup>8</sup> A thorough account remains to be written of the ways in which Catholic moral theology began to be reformed after 1965 but continued to be marked by pre-conciliar characteristics in certain methodologies and debates. For simplicity's sake, we take *Veritatis splendor* as a crucial marker and exemplification of *reformed* (though of course still being reformed) Catholic moral theology after Vatican II.

How so? The encyclical confirms and reinforces two key aspects of the post-Vatican II renewal of moral theology. First, it avoids a return to an act-centered or law-centered approach. While law retains a place—indeed, an essential place—its place is within a much larger narrative. Even before the encyclical but especially since, moral theologians heeded the oft-quoted call of *Optatam totius* 16, endeavoring to be more thoroughly nourished by Scripture, as well as other resources from the Christian tradition. This includes a return to hitherto neglected sources (e.g., patristics) as well as new readings of sources (e.g., Thomas Aquinas) prevalent in preconconciliar moral theology. This focus on recovering the full richness of both Scripture and tradition results in a renaissance of approaches—such as virtue ethics or narrative ethics—that transcend the act-centered, law-centered approach that dominated the age of the manuals. Traditional texts no longer simply provide sources for particular rules, but rather offer a fuller account of the acting person and of the scriptural worldview.

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*Moral Theology in an Age of Renewal: a Study of the Catholic Tradition Since Vatican II* (Notre Dame: University of Notre Dame Press, 2003); James F. Keenan, S.J., *A History of Catholic Moral Theology in the Twentieth Century: from Confessing Sins to Liberating Consciences* (New York: Continuum, 2010); and Charles E. Curran, *Catholic Moral Theology in the United States: A History* (Washington, D.C.: Georgetown University Press, 2008).

<sup>8</sup> On the initial document, see Giuseppe Alberigo and Joseph A. Komonchak, *History of Vatican II* (Maryknoll, NY: Orbis Books, 1995), 1: 246–251.

Second and just as importantly, the encyclical seems to represent an end of Catholic moral theology done without reference to any specifically theological claims.<sup>9</sup> Though discussion of the relationship between nature and grace was alive and well in the Catholic theologies of the decades preceding Vatican II, less attention was given at that time within moral theology to an account of the continuities and discontinuities between how moral issues can be faced by people of Christian faith and those without such faith. In the years after the Council there continued to be moral methodologies self-described as “autonomous” or not “distinctively Christian.” By the time of *Veritatis splendor* (as also in Pope John Paul II’s social encyclicals, which all include theological narrations of social realities<sup>10</sup>), the moral life of the Christian is addressed clearly within a theological narrative, as evident in the encyclical’s opening section on the encounter with Jesus Christ and in its concluding section on martyrdom.

Thus, while the renewal of moral theology was underway in the years after Vatican II, debates over acts and norms, as well as debates over “autonomy,” continued to reflect a pre-conciliar approach. By affirming the movement to a more thoroughly theological ethics, and by avoiding a return to legalism, *Veritatis splendor* serves as the most appropriate marker for examining Catholic moral theology characterized by the renewal initiated in no small part by Vatican II.

With this brief reference to the process of reform in mind, we can now turn to more detailed explication of the commonalities and differences in contemporary moral theology, using the lenses of two crucial documents of Vatican II, the constitutions on the Church (*Lumen gentium*) and on the Church’s relationship with the world (*Gaudium et spes*).<sup>11</sup> Though in Vatican II there was no promulgated document directly on moral theology, these two documents address questions that are at the heart of the renewal in moral theology: “who are we as Church?” and “how do Christians operate in the modern world?” The two topics are obviously closely related, as will be seen in

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<sup>9</sup> For a detailed engagement of this debate over “autonomous ethics,” versus a “faith-ethic position,” see Odozor, *Moral Theology in an Age of Renewal*, 108-134.

<sup>10</sup> For examples see the discussion of the spirituality of work in *Laborem exercens* (nos. 24-27), the explanation of “structures of sin” in *Sollicitudo rei socialis* (nos. 35-40), and the explanation of the role of religion in the fall of communism in *Centesimus annus* (nos. 24, 29).

<sup>11</sup> Of course there were four central constitutions of Vatican II, including one on revelation (*Dei verbum*) and one on liturgy (*Sacrosanctum consilium*). Without denying the importance of these for moral theology, the two chosen here serve as particularly helpful ways to map the continuity in and discontinuity among various research programs in American Catholic moral theology today. Of course *Nostra aetate* could serve a similar function for comparative ethics today, or *Dignitatis humanae* for certain issues in political life.

the overlap in the ensuing treatments. Nonetheless they serve as very helpful lenses for exploring the commonalities and differences in contemporary American Catholic moral theology.

### *The Church*

The first topic is rooted in the crucial Vatican II document, *Lumen gentium*. Vatican II, and especially this Constitution, certainly signaled a rethinking of the Church's identity, or at least the Church's way of identifying and talking about herself. This can be seen simply by comparing the original form of the schema on the Church, which focused on understandings of the Church as a "society" ruled by certain orderings, and its final form, which integrated these elements within larger images, chief among these being the Church as a sacrament, as people of God, and as a community universally called to holiness.<sup>12</sup> *Lumen gentium* essentially addresses the question of who we are as Church. This concern is readily evident in post-*Veritatis splendor* American Catholic moral theology. Three ways in which that concern is evident are articulated here.

First, in contemporary Catholic moral theology we see a consistent emphasis on a more inclusive understanding of who we are as Church. This is especially evident in attention given to persons who have been disenfranchised in the Church. For example, the work of James Keenan, S.J. at the international gatherings of Padua and Trent, as well as Bryan Massingale's concerns about conceiving the Catholic tradition as "white," stem from an awareness that the Church is a worldwide, multicultural organism, and (implicitly) that its mission to be a "sacrament of intimate union with God, and of the unity of all mankind... a sign and an instrument of such union and unity" is impeded by practices of exclusion.<sup>13</sup> Massingale devastatingly relates conversations with pastors who respond to his concerns by saying "our people will get mad" or "our people won't understand

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<sup>12</sup> On the development of the final set of chapters in comparison with the original set, see Gérard Philips, "History of the Constitution," in *Commentary on the Documents of Vatican II*, ed. Herbert Vorgrimler (New York: Herder & Herder, 1967), 1:105-137. On the importance of Church as sacrament, see Avery Dulles, S.J., *Models of the Church*, expanded edition (Garden City, NY: Image/Doubleday, 1987), ch. 4. The language of the "people of God" has sometimes been given a kind of anti-clerical or "democratic" interpretation, which is often contested, but as Joseph Ratzinger indicates, the problem is not the term itself, but rather the purely "politicized" use of the term, apart from seeing the Church ultimately as "the instrument of God for gathering men to him, so as to prepare for the moment when God shall be 'everything to everyone' (1 Cor 15:28)." See "The Ecclesiology of the Constitution *Lumen Gentium*," in *Pilgrim Fellowship of Faith* (San Francisco: Ignatius Press, 2005), 129.

<sup>13</sup> *Lumen gentium*, 1. In the eschatological section of the document, the Church is named "the universal sacrament of salvation" (48).

white privilege,” noting that “our Catholic people” is assumed here to mean “white people.”<sup>14</sup>

This concern for inclusion extends not only to who constitutes the Church in general, but also to who comprises the guild of Catholic moral theologians. The mission statement of Keenan’s first cross-cultural conference of moral theologians in Padua states the need for this “international exchange” in order “to appreciate the challenge of pluralism; to dialogue from and beyond local culture; and to inter-connect within a world church not dominated solely by a northern paradigm.”<sup>15</sup> He notes the conference attracted participants from 63 countries, and in particular, “in a field that only twenty-five years ago was practically completely clergy, women were strongly in evidence.”<sup>16</sup>

Other authors raise the concern for inclusion in different ways. Lisa Sowle Cahill’s *Theological Bioethics* is representative of efforts to include oft-neglected voices in moral analysis, as she continually points out the different ways that bioethical issues impact the poor in both developed and developing nations.<sup>17</sup> Similarly, Jana Bennett draws on the thought of Augustine to articulate a Christian vision of family that is inclusive of single persons, who are often excluded in a church assumed to be made up of “families.” By adopting the term “households,” she points out that “the broader considerations of what it means to be domestic and to be part of a household (be it a familial household or a monastic household, to say nothing of the Household of God) call us to consider singleness...alongside marriage.”<sup>18</sup> Subtly different rationales drive the concern for inclusion—authors like Massingale and Cahill combine broadly accessible justice claims with support from the Christian tradition (e.g., option for the poor), while Bennett articulates a vision of family life that is primarily dependent on distinctive elements of the Christian tradition. Nevertheless, there is a largely uncontested common concern for greater inclusivity in understanding who we are as Church.

Second, directly related to these “boundary” concerns about who constitutes the Church is a more teleological concern about the holi-

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<sup>14</sup>Bryan Massingale, *Racial Justice and the Catholic Church* (New York: Orbis Books, 2010), 80-81.

<sup>15</sup>James F. Keenan, S.J., “Introduction,” in James Keenan (ed.) *Catholic Theological Ethics in the World Church: the plenary papers from the first cross-cultural conference on Catholic theological ethics* (New York: Continuum, 2007), 3.

<sup>16</sup>Keenan, *Catholic Theological Ethics in the World Church*, 6.

<sup>17</sup> See Lisa Sowle Cahill, *Theological Bioethics: Participation, Justice, Change* (Washington, D.C.: Georgetown University Press, 2005), 9, 197, 207, 217.

<sup>18</sup> Jana Bennett, *Water is Thicker Than Blood: An Augustinian Theology of Marriage and Singleness* (Oxford: Oxford University Press, 2008), 26

ness toward which the Church is called. One of the most referenced phrases in *Lumen gentium* is the “universal call to holiness.” In articulating the universal call to holiness, it explicitly rejects the notion that only some Christians answer to a “higher call.” The Constitution maintains that Jesus “preached holiness of life to each and every one of His disciples, regardless of their situation” and that “all the faithful of Christ of whatever rank or status are called to the fullness of the Christian life and to the perfection of charity.”<sup>19</sup> This can be understood in two related ways. First the document affirms the commonality of vocation to holiness for the lay and religious. Second, there is greater emphasis on the continuity between more baseline and broadly accessible norms, and the goals toward which those norms lead. Both of these related concerns—the commonality of the call to holiness and the continuity between basic requirements and perfection—are evident in *Veritatis splendor*. It describes how the “commitment to respect all the moral demands of the commandments represents the absolutely essential ground in which the desire for perfection can take root and mature, the desire, that is, for the meaning of the commandments to be completely fulfilled in following Christ.”<sup>20</sup> It also states that the invitation to the rich young man to sell all and follow is “not restricted to a small group of individuals” but is “*meant for everyone*.”<sup>21</sup>

Thus, the key implication for contemporary moral theology is near total abandonment of any sort of two-level ethic within the Church. How is this developed? We might follow *Lumen gentium*’s lead and examine the universal call to holiness through the three evangelical counsels, and how their concerns are now expanded in the works under review.<sup>22</sup> The universal call is perhaps most obvious with regard to chastity (understood to include celibacy) where a two-tier ethic used to predominate. Although John Grabowski’s *Sex and Virtue* and Cahill’s *Sex, Gender and Christian Ethics* both address celibacy, they are predominantly focused on chaste sexuality beyond ordained and religious life. Importantly, sexuality for the laity is not simply a matter of keeping to minimal natural law norms. Instead, Grabowski suggests that it is “the biblical understanding of covenant” that frames the proper treatment of sexuality, such that “redeemed”

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<sup>19</sup>*Lumen gentium*, 40.

<sup>20</sup>*Veritatis splendor*, 17.

<sup>21</sup>*Veritatis splendor*, 18. Italics in original.

<sup>22</sup> See *Lumen gentium*, 44. Though the evangelical counsels appear in the chapter on religious life, the constitution states clearly that “The faithful of Christ bind themselves to the three aforesaid counsels either by vows, or by other sacred bonds, which are like vows in their purpose.”

sexuality is fundamentally “liturgical” or “anamnetic” in character.<sup>23</sup> Cahill also goes beyond minimal norms, placing sexuality within “Jesus’ preaching of the reign or kingdom of God...which transforms human relationships” in ways “which enlarge our social capacities for compassion toward others and solidarity in the common good.”<sup>24</sup> In Grabowski and Cahill we find a common tendency toward a maximal ethic of holiness, one that includes those who are not ordained/religious.

With regard to poverty, solidarity with the poor is not a Franciscan-style counsel for the few, but is a demand which must, in different ways, be realized in the life of all Catholics. The language of “option for the poor,” as Kelly Johnson notes, now calls all Catholics “to choose...to stand with the poor and to judge every decision by how it will impact those who are most vulnerable.”<sup>25</sup> Johnson especially points out the personal way in which this option must be lived out in American Catholic parishes on the issue of immigration.<sup>26</sup> Massingale’s use of the notion of solidarity to combat racism invites not only an uncovering of systems of white privilege but a movement to “a commitment to share life with the other,” intentionally placing oneself in settings where one can experience for oneself the “racial rejection and exclusions” that African-Americans feel on a regular basis.<sup>27</sup> Again, in both these cases, the laity are called beyond minimal norms, into a potentially costly sacrificial solidarity. Thus *Lumen gentium*’s articulation of the universal call to holiness is particularly evident with regard to chastity and poverty.

It is, admittedly, less obvious with regard to obedience. This is perhaps unsurprising if obedience is reduced to conformity to Magisterial teaching on moral matters, given the vitriolic debates over *Humanae vitae* in American Catholic moral theology. This is surely an area that demands further development.<sup>28</sup>

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<sup>23</sup> John Grabowski, *Sex and Virtue: An Introduction to Sexual Ethics* (Washington, D.C.: Catholic University of America Press, 2003), 24, 46.

<sup>24</sup> Lisa Sowle Cahill, *Sex Gender, and Christian Ethics* (Cambridge: Cambridge University Press, 1996), 121, 164.

<sup>25</sup> Kelly Johnson, “Catholic Social Teaching,” in *Gathered for the Journey: Moral Theology in Catholic Perspective*, eds. David Matzko McCarthy and Therese Lysaught (Grand Rapids, MI: Eerdmans, 2007), 225-240, at 230.

<sup>26</sup> Kelly Johnson, “Catholic Social Teaching,” 236-239.

<sup>27</sup> Massingale, *Racial Justice and the Catholic Church*, 118.

<sup>28</sup> This is not to say there is no work being done on the relationship between theology and Magisterial authority. The work of Richard Gaillardetz comes immediately to mind. See his *By What Authority? A Primer on Scripture, the Magisterium and the Sense of the Faithful* (Collegeville, MN: Liturgical Press, 2003) and *Teaching with Authority: A Theology of the Magisterium of the Church* (Collegeville, MN: Liturgical

But there is evidence of a more universal call to holiness with regard to obedience evident in the persistent contemporary emphasis on the *intelligibility* and persuasiveness of moral norms. Though far from a denial of the importance of Magisterial authority, this is a re-situating of attention to obedience. Often in the context of scholarship on particular moral issues, moral theologians present moral norms as not simply a series of (taboo-like, or even voluntaristically-imposed) prohibitions. Scholars such as Jean Porter situate practical reasoning with its concomitant moral norms within teleological discussions of human happiness.<sup>29</sup> Craig Steven Titus presents an empirically-corroborated account of moral development wherein law and rules function to aid formation in the virtues.<sup>30</sup> Keenan presents sin in general in the context of an impediment to love.<sup>31</sup> Rules about sexuality are presented as guides toward achieving the goods of human sexuality.<sup>32</sup> Rules about racism and life in society are presented as serving the further good of human justice and solidarity.<sup>33</sup> It could also be argued that official Church documents are more attuned to this approach to the universal call of holiness with regard to obedience. As John Paul II writes of the commandments in *Veritatis splendor*, they “are meant to safeguard the good of the person... by protecting his goods.”<sup>34</sup> They represent not simply acts of God’s authority, but more fundamentally of God’s love. The concern to situate moral norms and attendantly make them more persuasive is certainly an explicit objective in John Paul II’s Theology of the Body, and in theologians such as Grabowski who rely on that body of teaching.<sup>35</sup>

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Press, 1997). Yet Gaillardetz is not a moral theologian. And noticeably, this topic is not a focus of the sample of authors relied on in this essay.

<sup>29</sup> See Jean Porter, *Nature as Reason: A Thomistic Theory of the Natural Law* (Grand Rapids, MI: Eerdmans, 2005), esp. 268-308.

<sup>30</sup> Titus, “Moral Development and Making All Things New in Christ,” *The Thomist* 72.2 (2008): 233-258, especially 250-252. See also his *Resilience and the Virtue of Fortitude* (Washington, D.C.: Catholic University of America Press, 2006), 119-132 for more on moral development, in conversation with psychological and neuroscientific sources.

<sup>31</sup> See James F. Keenan, S.J., *Moral Wisdom: Lessons and Texts for the Catholic Tradition* (Lanham, MD: Sheed and Ward, 2004), 47-65.

<sup>32</sup> See Grabowski, *Sex and Virtue*, 159-161.

<sup>33</sup> See Massingale, *Racial Justice and the Catholic Church*, 130-142 for the “vision” toward which norms like inclusivity within the Church lead. For more on how rules and virtues lead to the common good, see David Hollenbach, *The Global Face of Public Faith: Politics, Human Rights, and Christian Ethics* (Washington, D.C.: Georgetown University Press, 2003), 50-52.

<sup>34</sup> *Veritatis splendor*, 13.

<sup>35</sup> The newer Michael Waldstein translation of John Paul II’s catecheses on the Theology of the Body has become the preferred edition; see *Man and Woman He Created Them: A Theology of the Body* (Boston: Pauline Books and Media, 2006). But for a

Further, we could include in this concern for greater persuasiveness a related concern for greater accessibility, not only in more “introductory” university texts but even in books directed beyond an academic setting to “ordinary” Christians.<sup>36</sup> Finally, we might point out that the distinction between two different types of freedom, implied in *Veritatis splendor*, and perhaps most extensively explained in the work of Servais Pinckaers, remains an area where “obedience” has an obvious analogue in lay life. Properly speaking, freedom is “a talent to be developed,” rather than simply a matter of unconstrained choice.<sup>37</sup> Freedom itself requires discipline and training. This is not a simply juridical form of obedience, and it is a kind of obedience that is rightly seen in the life of all Catholics, not just religious.

A third and final commonality among post-*Veritatis splendor* moral theologians in terms of “being Church” is broader attention to communal practices rather than a concentration on applying moral rules to individuals. One might say that today all issues are “social ethics.” One of the key themes of *Lumen gentium* is that God seeks to “save [humans] not merely as individuals without any mutual bonds, but by making them into a single people.”<sup>38</sup> This distinctive social eschatology, seen in the frequent use of the term “solidarity” in Pope John Paul II, is most prominently developed by Henri de Lubac, whose work is then forcefully reiterated in Pope Benedict’s *Spe Salvi*.<sup>39</sup> What this has meant for moral theology is that issues once treated primarily in the context of individual action are now understood as having social, or interpersonal, dimensions.<sup>40</sup> *Gathered for the Journey* approaches all the issues of the moral life through an ecclesiology of persons gathered for a pilgrimage together, maintaining that “the very nature of moral inquiry” is not to direct the decision-

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decade the only available English translation was John Paul II, *The Theology of the Body* (Boston: Pauline Books and Media, 1997), a volume for which John Grabowski wrote the “Foreword,” pp. 15-21.

<sup>36</sup> The obvious author to mention here is James Keenan, S.J. See especially his *Virtues for Ordinary Christians* (Kansas City: Sheed & Ward, 1996), *Commandments of Compassion* (Kansas City: Sheed & Ward, 1999) and *The Works of Mercy: The Heart of Catholicism* (Lanham, MD: Rowman & Littlefield, 2005).

<sup>37</sup> For an example of the influence of Pinckaers’ notion of freedom in the authors surveyed here, see Titus, *Resilience and the Virtue of Fortitude*, 96. See also Titus, “Moral Development and Making All Things New in Christ,” 247-249.

<sup>38</sup> *Lumen gentium*, 9.

<sup>39</sup> See *Spe salvi*, nos. 10-15, where de Lubac’s work receives explicit endorsement. Ratzinger also wrote the forward to de Lubac’s *Catholicism: Christ and the Common Destiny of Man* (San Francisco: Ignatius Press, 1988; orig. 1947), which is the fullest articulation of the social eschatology.

<sup>40</sup> Sacramentally these issues were treated mainly in the context of auricular confession, which accentuated the focus on individual action. See Mahoney, *Making of Moral Theology*, 1-36.

making of the detached, rational individual, but rather “to communicate a shared vision of life.”<sup>41</sup> Additionally, Cahill’s work, on both sexual ethics and bioethics, has consistently emphasized that these issues are *social* issues, not merely a matter of individual decisions.<sup>42</sup> Thus, to continue with these examples, both Cahill and *Gathered for the Journey* pay more extensive attention to institutions and groups (such as hospices or home-schooling associations) to flesh out the life of discipleship.<sup>43</sup> This need not function to suppress the importance of moral norms, but rather it situates them in an inherently communal context.

All three of these common characteristics of contemporary American Catholic moral theology continue *Lumen gentium*’s clarion call to understand more richly who we are as Church. Moral theologians are attentive to the boundaries of who is included as Church. They articulate how all those who are Church can understand and seek, with God’s grace, true holiness. And they articulate that as a communal endeavor. One effect of all these characteristics is to reinforce the “distinctiveness” of moral theology. As indicated above, the idea of an “autonomous ethic,” understood to mean there is nothing distinctively Christian about how to live morally with regard to questions shared by Christians and non-Christians alike, cannot be sustained when the identity and actions of moral agents are situated as flowing from their membership in the Body of Christ. Although less attention has been given to identifying that distinctiveness in this section, these features suggest that the whole People of God aimed toward holiness in a communal fashion is distinct from, even if in continuity with, “the world.” But how is this to be worked out in terms of action in and for “the world”? We explore this question in the following section, taking up the vision and tasks of *Gaudium et spes*, which also provides the opportunity to highlight important differences in research programs that share the commonalities articulated here.

### *Being in (but not of) the World*

Since any discussion of identity is naturally complemented by attention to the group’s relationship to those outside the body, it is not surprising that another of the four Constitutions of Vatican II ad-

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<sup>41</sup> David Matzko McCarthy and Therese Lysaught, “Introduction: The Course of Moral Thinking,” in their (eds.) *Gathered for the Journey*, 1-19, at 8.

<sup>42</sup> See especially Cahill’s account of “decline and dying” in *Theological Bioethics*, 70-101.

<sup>43</sup> See, respectively, Cahill’s *Theological Bioethics*, 120-127, and Julie Hanlon Rubio’s “A Christian Ethic of Child-Rearing: Home School as a Case Study,” in *Gathered for the Journey*, 260-280.

dresses precisely this topic. *Gaudium et spes*, the constitution on the Church in the modern world, serves as a helpful springboard for examining how contemporary American Catholic moral theology, in common and among its varying research programs, addresses how the Church is in but not of the world. This topic is particularly important for moral theology, since so many of the particular issues addressed by that sub-discipline concern activities engaged in by both those in the Church and those outside of it.

The novel "Schema 13" that became *Gaudium et spes* established the Church's relationship to the world as a key emphasis of the Council, an emphasis evident also in the important documents on other religions and religious freedom. These documents develop in the spirit of Pope Paul VI's favorite word, "dialogue."<sup>44</sup> While, as we will show, the contours of what is meant by "dialogue" are not universally agreed upon, moral theology has largely moved to the place where, as *Gaudium et spes* puts it, "we must therefore recognize and understand the world in which we live, its expectations, its longings, and its often dramatic characteristics."<sup>45</sup> The document itself sets a certain precedent, by beginning with several paragraphs that attempt a summary of the "changes" of the present age, and then returning to detailed engagements on a whole range of particular issues in its second half, reiterating traditional teachings in all areas, and yet framing them in ways contextualized in contemporary society. How has moral theology followed this lead?

We should first point out that all moral theologians today see it as necessary to do moral theology as situated in a broader context, "the world." The days of an insular moral theology that paid little attention to Christian moral issues as contextualized beyond the Church are past. As the editors of *Gathered for the Journey* forthrightly acknowledge in introducing the book's examination of moral reasoning, "[a]ll reasoning proceeds from a context."<sup>46</sup> Papal writings like *Familiaris consortio* and *Centesimus annus* also frame their teachings with attention to the distinctive cultural contexts—the "signs of the times" interpreted "in the light of the gospel."<sup>47</sup> A Catholic moral

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<sup>44</sup> On the use of the term by Paul VI and its influence on *Gaudium et spes*, see John O'Malley, *What Happened at Vatican II* (Cambridge: Harvard University Press, 2008), 204. The book of Paul VI's own writings, collected and released in 1964, is simply entitled *Dialogues: Reflections on God and Man* (New York: Simon & Schuster, 1964).

<sup>45</sup> *Gaudium et spes*, 4. For an examination of *Gaudium et spes* in the context of ethics by one of this volume's authors, see David Hollenbach's *The Global Face of Public Faith*, 9-10.

<sup>46</sup> See McCarthy and Lysaught, *Gathered for the Journey*, 21.

<sup>47</sup> *Gaudium et spes*, 4.

theology that is attentive to its context and its view of its worldly “surroundings” faces novel challenges in the complexity of such a task. No longer is it simply a matter of deducing conclusions from timeless principles. Instead, analysis of society must be intertwined with principles in order to discern what Christians are called to do. But how does Catholic social analysis proceed?

Given the previous section’s discussion of the growing integration of fundamental and social ethics, it should be unsurprising that a common lament in our authors’ surveys of “the world” is a regnant individualism. Grabowski begins with a chapter characterizing our situation in terms of alienation, consumerism, and especially technology, which leads to “the disconnection of people from one another” and “a new search for intimacy to fill the void created by technology.”<sup>48</sup> Cahill’s treatment of sexuality begins by acknowledging the importance of feminism and gender equality, but expresses concern over the cultural tendency to “neglect the social meanings of the body” and rely on “an autonomous and decontextualized freedom” as “the only sexual guide.”<sup>49</sup> In her *Theological Bioethics*, she claims that bioethics often ignores the problems of market forces in health care, and promotes individualism through its emphasis on patient autonomy and consent.<sup>50</sup> *Gathered for the Journey* contrasts Catholic moral theology with the “modern moral theories” of Kantianism and utilitarianism, noting critically that both of these theories presuppose and reinforce Robert Bellah’s claim that “individualism is the ‘first language’ of American life.”<sup>51</sup> Hollenbach worries about an “eclipse of the public” that discards “the good that can be achieved in the shared domain of public life.”<sup>52</sup> Massingale views the complex issues of racism first in the context of an African-American president and the browning of America, but also of libertarian backlash and anxiety over feelings that “America is being morphed into something they don’t understand, and desire even less.”<sup>53</sup>

On one assessment of the “signs of the times,” all seem to agree: our social order is characterized by an atomistic individualism that is contrary to Catholic beliefs, and this individualism is quite harmful to our ability to engage in right action. How so? Take just two examples. Hollenbach’s argument for the common good is framed by his description of the “eclipse” of this idea by the “reigning” public phi-

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<sup>48</sup> Grabowski, *Sex and Virtue*, 8-9.

<sup>49</sup> Cahill, *Sex, Gender, and Christian Ethics*, 10-11.

<sup>50</sup> Cahill, *Theological Bioethics*, 8.

<sup>51</sup> McCarthy and Lysaught, “Introduction,” in *Gathered for the Journey*, 18.

<sup>52</sup> Hollenbach, *The Common Good and Christian Ethics* (Cambridge: Cambridge University Press, 2002), 10.

<sup>53</sup> Massingale, *Racial Justice and the Catholic Church*, 12.

losophy that “gives priority to protecting space for private, autonomous choice.”<sup>54</sup> While this prioritization of tolerance certainly has attractive features, he questions whether it leads to a “couch-potato politics” which cannot handle substantive social questions. His book moves toward naming those “pressing social problems emerging today [that] will require a considerably stronger commitment to the common good than we already have.”<sup>55</sup> Bennett begins her argument about our cultural “frenzy” over marriage by identifying the “societal ideal” that “I could not be a complete person (especially as a woman in this patriarchal culture) unless I was an individual, free to do whatever seemed right and good to me within the bounds of state laws and common decency.”<sup>56</sup> Her book elaborates an alternative to this atomistic individualism by rooting a theology of marriage within the baptismal identity that initiates us into the genuine “household” of God, the Church. From this place, cultural dichotomies generated by individualism—especially married/single—look different. Thus, in two very different arguments, we see the critique of excessive individualism as a crucial frame.<sup>57</sup>

But we also begin to see telling differences, perhaps best described as competing research programs within the renewal of Catholic moral theology. The most obvious difference is between those who characterize the societal situation in starkly negative terms and those who are more ambivalent in their descriptions.

For many of our authors, the situation is quite bleak, not only because of the depth of the problems in the world, but even more so because those problems have infiltrated the Church’s own discourse and experience. Far from painting a picture of a pure community in the midst of a fallen world, these authors are alarmed at the failures within the Church that mirror and accentuate the broader cultural deficiencies. Bennett not only diagnoses a vision of family life in “the world” that is discordant with the Christian household, but also worries about how frequently Christians adopt such models as their own.<sup>58</sup> Grabowski speaks not only of the “alienation” experienced in today’s sexual culture, but also of the “twofold alienation” brought on by the Church’s history of “legalism” that has hampered attempts to engage pastorally on sexuality.<sup>59</sup> Similarly, *Gathered for the Journey*

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<sup>54</sup> Hollenbach, *The Common Good and Christian Ethics*, 10.

<sup>55</sup> Hollenbach, *The Common Good and Christian Ethics*, 31.

<sup>56</sup> Bennett, *Water is Thicker Than Blood*, vii.

<sup>57</sup> Most, but not all, of the authors connect this concern about liberal individualism to a concern about consumerism and the dominance of economic ways of thinking, which are also individualistic.

<sup>58</sup> Bennett, *Water is Thicker Than Blood*, 8.

<sup>59</sup> Grabowski, *Sex and Virtue*, 19.

characterizes modern modes of moral philosophy as barren, but also castigates individualistic conceptions of faith and belief that are prevalent within the Church. William Cavanaugh's chapter on ecclesiology exemplifies this by beginning with the problem of the dichotomy of spirituality and "organized religion," which leads to a consumerist ethos of the Church's "service" to individual "spiritual needs."<sup>60</sup> What is crucial to note is that none of these texts suggest that the contemporary cultural context offers us hopeful signs of negotiation; it is overwhelmingly "the griefs and the anxieties of the men of this age" that predominate.<sup>61</sup>

On the other hand, other authors show more appreciation of certain "joys" and "hopes" of the modern world<sup>62</sup>—for example, gender equality and human rights—while still offering cautionary interpretations of the moral blindness (or perhaps we might say half-sightedness) that arises if these ideas are not placed within a "thicker," more comprehensive framework. Rather than emphasizing how elements of "the world" are even corroding "the Church," these authors recognize more positive resources evident in the world, mixed with ailments that can then be treated with resources from the Church.

Each of these evaluations then corresponds to a different characterization of the urgent task at hand for the Church in relationship to the world. Those who identify more "joys and hopes" focus on how the Church's resources can be of service to the world, while those who sense more acutely the "griefs and anxieties" attend first and foremost to matters of the Church's own identity in order to serve the world truly. Both are interested in the Church serving the world, carrying on "the work of Christ" who "came into the world... to serve and not to be served."<sup>63</sup> But the pressing theological work to be done to this end is understood somewhat differently. One seeks to enhance the availability of the resources; the other is more concerned about the sustainability of the resources.

Let us turn to some specific examples of each. For Cahill and Hollenbach, the task is to commend Christian resources to the ailing public square. In *Theological Bioethics*, Cahill suggests that, in response to the question of "[h]as the Christian message or worldview made any difference," one should look for evidence in "the meshing

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<sup>60</sup> William Cavanaugh, "Pilgrim People," in *Gathered for the Journey*, 88-105, here 88-89.

<sup>61</sup> *Gaudium et spes*, 1.

<sup>62</sup> Again, see *Gaudium et spes*, 1: "The joys and the hopes, the griefs and the anxieties of the men of this age, especially those who are poor or in any way afflicted, these too are the joys and hopes, the griefs and anxieties of the followers of Christ."

<sup>63</sup> *Gaudium et spes*, 3.

of faith-inspired ventures with other invested groups and communities in the public sphere.”<sup>64</sup> Specifically Christian themes, such as “a transcendent horizon of meaning, solidarity, and special attention to the most vulnerable,” are not thereby exclusively Christian themes.<sup>65</sup> Hollenbach argues that “social ethics should be based neither on theology and ecclesiology in an unmediated way, nor purely on a rational, natural law foundation.” Instead, “Catholic social ethics needs to be grounded in the particularity and distinctiveness of Christian belief, while it is simultaneously engaged in wide-ranging dialogue and interaction with the diverse modes of thinking and cultures in which it is immersed.”<sup>66</sup> Catholics must insist in the public square that “a free society” need not mean “a thoroughly secularized society,” while at the same time insisting that a commitment to the common good need not mean “reorganizing all of society around a single, integrating value scheme” which one group possesses.<sup>67</sup>

By contrast, Grabowski and the authors of *Gathered for the Journey* seek to thicken and deepen the Christian character of moral language. They are less interested in making it accessible in the “public square,” but rather more concerned to keep it vital and alive in forming Catholics in their own tradition. While not denying service to the world, they are admittedly more skeptical about the world “receiving” such resources, and so this endeavor should not happen without the more urgent task: formation in a distinctive identity, especially in the face of alien ideas and practices. Grabowski’s final chapter is entitled “Teaching Sex: Education, Sexuality, and Character,” urging that “prohibitions” be seen as “but one aspect of a larger vision of the dignity and value of the life of every human person created in the image of God, redeemed by the blood of Christ, and called to share in the communion of the Trinity.”<sup>68</sup> This is thickly theological language, which seeks to form the Christian’s understanding of sexual dignity as rooted in the most fundamental theological claims of the tradition. His work on natural family planning also exemplifies this, narrating it as a practice that best achieves the goods of covenantal marriage evident in sources from Scripture through Aquinas and to Pope John Paul II. *Gathered for the Journey*’s programmatic introduction adopts

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<sup>64</sup> Cahill, *Theological Bioethics*, 120.

<sup>65</sup> Cahill, *Theological Bioethics*, 130.

<sup>66</sup> Hollenbach, “Catholic Ethics in a World Church,” in *Catholic Theological Ethics*, ed. Keenan, 145.

<sup>67</sup> Hollenbach, *Common Good and Christian Ethics*, 114-115. See also *The Global Face of Public Faith*, 4-6, where Hollenbach relies on the work of sociologist Jose Casanova to offer a far less dire diagnosis of broader society concerning secularism, including therefore the amenability of broader society to Christian influence.

<sup>68</sup> Grabowski, *Sex and Virtue*, 167.

the language of “hospitality” as key, “sharing a way of life with others in such a way that God’s offer of grace in Jesus Christ is visible and God’s love for the world is acted out.”<sup>69</sup> “Hospitality” is particularized as an imitation of Christ. Bennett’s work on marriage and singleness is driven mainly by a refusal to let a contemporary American vision of “natural marriage” be determinative of the shape of Christian households. Her work on ensuring a proper place for single believers in the life of the Church culminates similarly in a final chapter, “At Home in Christ,” which suggests “alternate views of households” that display “how the liturgical life of the Household of God spills over to daily households.”<sup>70</sup>

One could (wrongly) fall into a Troeltschian dichotomizing of church-type/sect-type here. Yet *Gathered for the Journey* does not neglect “the world,” nor does Cahill, for example, neglect the Church and the task of formation. How then ought we to characterize this divergence? We would propose that the difference here, while partially based on different pragmatic evaluations of “the signs of the times,” also involves a subtly different answer to the prior question of “What is the Church?” Put simply, one group sees the Church as offering distinctive resources for a pluralist body (“the world”), whereas the other group sees the Church as a distinctive body, which by its existence as distinctive thereby also offers resources to the pluralist body of “the world.” Again, one must be careful not to overstate the difference here. Neither group denies what the other affirms. Still, we think the bodies of theological ethics generated by the groups display significant enough differences to suggest that they might be identified as different research programs, which is to say that, while they are both marked by the commonalities of method described in American Catholic moral theology here, they proceed with differing questions, assumptions, and priorities, which then affect the visions offered as ways forward. We will return, at the end of the essay, to the question of the extent to which they are in competition.

The two research programs above share in common a very vivid concern for the Church’s context in the contemporary world. However, here we might suggest a third research program that would perhaps be perplexed and a bit cautious about both of the prior programs, fearing that “the tail is wagging the dog.” That is, attention to context in a more political sense has become so important that an invaluable resource of the Catholic theological tradition (i.e., the intellectual resources enabling a subtle and rich analysis of the complexities of human action and motivation) is being neglected. Put in

<sup>69</sup> McCarthy and Lysaught, “Introduction,” *Gathered for the Journey*, 14.

<sup>70</sup> Bennett, *Water is Thicker Than Blood*, 159.

an intentionally exaggerated way, the concern here is the disappearance of the agent and the agent's soul, lost in a consideration of the dynamics of structures, whether ecclesial or societal. This loss entails inadequate attention to the dynamics of human action.

It might seem this program is somehow a retreat from the Church and Church/world themes, but not so. For example, the renaissance in the study of Thomas and of virtue may seem less overtly political but its concern to "get it right" with regard to human action has enormous import for inquiry into the Church/world relationship. This latter issue is addressed more explicitly in the context of discussion of the relationship between nature and grace, between faith and reason. Porter's work exemplifies this research program. Her work on natural law addresses both those who contest the moral importance (or even existence) of the "natural" from the perspective of secular thought, and those Christians who are wary of any robust articulation of the natural lest it threaten the necessity and distinctiveness of grace.<sup>71</sup> Porter's subtle response on both fronts is in effect a defense of a natural order with its own integrity that nonetheless neither precludes nor demands the transformation that occurs in the graced (ecclesial) life. She adjudicates contemporary debates in practical reasoning in a manner that can remain philosophical and yet is completed without distortion by attention to humanity's supernatural end.

In Titus we also see this technical attention to the relationship between nature and grace.<sup>72</sup> His work on resilience and the virtue of fortitude with attention to social scientific research is attuned to differences between the infused (i.e., graced) and acquired virtues.<sup>73</sup> His research on the status of the passions (i.e., emotions) in Jesus Christ demonstrates not only a commitment to the importance of Christology for moral theology, but also a concern to carefully delineate the intersection of human nature and divine life within an agent. Finally, a comparable approach is seen in the work of Michael Sherwin, O.P. His *By Knowledge and By Love* is not only an examination of the importance of faith for charity, but is more broadly an argument about the relationship between intellect and will in human rea-

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<sup>71</sup> See her *Nature as Reason*, 53-139 for the former audience and 378-400 for the latter audience. See also her *Natural and Divine Law: Reclaiming the Tradition for Christian Ethics* (Grand Rapids, MI: Eerdmans, 1999).

<sup>72</sup> In addition to the work described presently, Titus' current position as professor at the Arlington, VA Institute for Psychological Sciences, an institution training clinical psychologists in a manner attuned to Catholic anthropology and moral theology, is further evidence of this careful attention to the intersection between nature and grace.

<sup>73</sup> Titus, *Resilience and the Virtue of Fortitude*, 143-187 and 267-299.

soning, a relationship evident in “natural” practical reasoning as well as in the interplay of faith and charity in the life of grace.<sup>74</sup> More recently he has analyzed the persistent commonalities as well as discontinuities between the virtues of those whose activities are or are not transformed by grace.<sup>75</sup>

As with Porter, the technical precision of these latter inquiries reveals a conviction that “getting right” the relationship between nature and grace not only enables us to more accurately describe how the Christian life is (and is not) distinctive, but also enables the Christian to better understand how the graced life properly informs and is informed by nature as created by God and ultimately to be renewed by God. In both these ways, the work here illuminates the Church/world relationship, based as it must be on the activity of the one God in the transformation of persons, and not simply in the structural relations of church and society. It is true that this research program seems less contextual, less driven by the events of the world. Put another way, this third program resists what might be called “the turn to politics” in Catholic moral theology. By “politics,” we do not mean only larger governmental structures, but the fact that both of the programs addressed above insist that the moral life is inherently a “political” enterprise—an enterprise involving the formation and action of social groups. Joseph Ratzinger, in his *Introduction to Christianity*, suggests that the modern age is marked by a shift away from a concern for “what is true” to a concern for “what can be done or made.”<sup>76</sup> As is evidenced in his encyclicals and other statements, this should not be read as a rejection of political action of any sort, but instead a recognition that the primary concern should be to root action in truth.<sup>77</sup> The pope’s caution here is not a call to quietism; however, it is a warning that our urgent concerns for effective practical change ought not quickly dash past the hidden, powerful work of

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<sup>74</sup> Michael Sherwin, O.P., *By Knowledge and By Love: Charity and Knowledge in the Moral Theology of St. Thomas Aquinas* (Washington, D.C.: The Catholic University of America Press, 2005).

<sup>75</sup> Michael Sherwin, O.P., “Infused Virtue and the Effects of Acquired Vice: A Test Case for the Thomistic Theory of the Infused Cardinal Virtues,” *The Thomist* 73 (2009): 29–52

<sup>76</sup> Ratzinger, *Introduction to Christianity* (San Francisco: Ignatius Press, 2004; orig. 1968), 57–69.

<sup>77</sup> The pope’s complex argument in *Caritas in veritate* is meant to display exactly this connection—that charity detached from truth eventually becomes subject to sentimentality and/or expediency: “Truth needs to be sought, found, and expressed within the ‘economy’ of charity, but charity in its turn needs to be understood, confirmed, and practiced in the light of truth. ... Without truth, charity degenerates into sentimentality. Love becomes an empty shell, to be filled in an arbitrary way” (nos. 2–3).

God in the depths of the person, and the careful, precise delineation of those dynamics.

Needless to say, the importance of Thomas, the revitalization of virtue, and a concern to “get it right” are hardly limited to the research program presented here through this third group of thinkers. Like those above who have a more positive assessment of the amenability of the world to contributions of Christian tradition, the third group describes continuities between natural life and graced supernatural life. Like those above who emphasize the distinctiveness of Christian life and concomitantly focus on thoroughgoing formation as Church, the third group is careful to maintain the gratuitousness of grace and important differences between nature and grace. Nonetheless, this third research program focuses primarily on the (communally-situated) dynamics of the human agent in relation to God as the arena for what is described in this section as the Church/world relationship.

By identifying these three research programs, we highlight the different questions and assumptions each makes, but we should again note that these questions and assumptions arise in response to a common attention to the Church/world theme of *Gaudium et spes*. Further, all three affirm the distinctiveness of Christian ethics, and therefore the prior concern with the ecclesial character of moral theology, in attending to the relationship between that graced ecclesial life and the world. Their emphases in doing so do, as described here, differ.

## CONCLUSION

In pointing out some of the differences among contemporary American moral theologians, we conclude with some caveats and questions for the future of the discipline. The most obvious caveat here is that this review does not purport to characterize the entire scene of global Catholicism. We noted Keenan’s work in developing a more worldwide conversation, and certainly our ideas and themes here (say, of inclusion or of the dangers of individualism or of nature and grace) are relevant to any moral theology, in any context. But the attention to context characteristic of contemporary moral theology means that we should reiterate that the focus of this essay is *American* Catholic moral theology.

Further, in recognizing the “research programs” above, we might also point out that they are significantly, though not absolutely, correlated with institutions of doctoral formation. This should not be surprising, for reasons both sociological and genealogical. Sociologically, the formative impact of a doctoral program is worth noting, especially as the field becomes more populated by lay scholars, whose

primary formation is not, say, in a religious order but in a doctoral program. Of course thinkers throughout history have always evidenced the influence of their mentors in their thought. And it would be utterly false to suggest that people from doctoral programs today merely “mimic a program.” Yet it is reasonable to assume that the character of doctoral programs will continue to be particularly influential on Catholic moral theology as a discipline in light of the sociological fact of the increasingly lay demographics of the field.<sup>78</sup>

The correlation between different research programs and different doctoral institutions is also unsurprising in the context of the “genealogical” method of this volume. This volume attempts to present methodology in American Catholic moral theology today by having current mentors in the field reflect on people who have been influential on them. Some of our authors were literal students of these figures, but all were influenced by the persons about whom they write. Awareness of that influence is helpful in understanding our authors’ own thought. Similarly, then, this essay’s survey of distinct research programs among our authors is intended to be helpful in understanding these authors’ work, especially given the enormous influences these authors have in shaping the future of Catholic moral theology in the United States.

We therefore think it would be a mistake to avoid identifying differences among research programs, and correlatively among doctoral programs producing current and future Catholic moral theologians. We are aware of the sad fact that this could short circuit rather than prompt and nourish engagement with individual thinkers and their work. It is not our intention to identify these differences so as to pigeon-hole groups of thinkers, enabling some to summarily dismiss, or unreflectively endorse, their work. Indeed, quite the opposite: our hope is that naming differences allows for further constructive inquiry into the nature of, significance of, and compatibility of those differences. In the fragmented state of the postmodern academy, it is all too easy for different conversations to remain separated, or to come into contact in trivial ways. We believe that moral theology as a whole will be stronger if we confront these difficult questions on which there are differences. It should also be kept in mind that, as we have shown throughout this essay, commonalities abound. Indeed, it may not be a matter of “which research program is right.” Presumably each program can be seen to have a place in the life of the Church

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<sup>78</sup> For reflections on how changes in the life of the Church impact American Catholic moral theology through its practitioners, see David Cloutier and William C. Mattison III’s “Introducing New Wineskins,” in *New Wine. New Wineskins: A Next Generation in Catholic Moral Theology* (Lanham, MD: Sheed and Ward, 2005), ed. William C. Mattison III, 1-23.

(and the discipline) as a whole. To the extent that the Church neglects service to the world, it is failing in its identity; to the extent that the Church neglects the importance of communal identity formation in a manner driven by the primary language of the Gospels, it is failing in its identity; to the extent that the Church neglects its profound intellectual resources in carefully delineating the continuity and difference between nature and grace in the agent, it neglects the truth that grounds charity and sets us free, and thus fails in its identity. Elsewhere, we have considered how the younger generation of moral theologians has worked to both engage these differences and grow from the potential mutual correction in charity that can come from their differences.<sup>79</sup> In this inaugural issue of the *Journal of Moral Theology*, we hope this overview can spur further discussion of these differences.

As we noted at the outset, there is no “search for a unitary method” here. In delineating some of the differences among research programs, with all the usual caveats about the limitations of typologies, our hope is that distinct conversations in the discipline can become more mutually enriching, so that the resources of all the work being done in various research programs can better serve the life of the Church. Identifying these distinctive emphases allows for conversation and for further work on these important questions. Moreover, we must not overlook all the ways we have identified commonality in Catholic moral theology in this age of renewal. By employing two important lenses from Vatican II, we have sought to highlight key questions which bring out these shared assumptions about who we are as Church and how we characterize the Church’s mission and stance in the modern world. Ultimately, all involved in the work of reform in Catholic moral theology are pursuing a vocation of service to Church and world. In the course of the last century, the scope of that service has widened considerably. But we hope such a widening, while inevitably messy, has also (re)opened many possibilities for envisioning the Christian life in all its fullness and “splendor.” Much good work is ahead of us, especially in “translating” these possibilities into the everyday life of Catholic parishes and households. Let us hope, as the Gospel indicates, that the harvest might be abundant (Matt. 9:37).<sup>80</sup> **M**

<sup>79</sup> See Cloutier and Mattison, “Introducing New Wineskins.”

<sup>80</sup> The authors would like to thank David McCarthy, Joseph Capizzi, and John Berkman for their helpful comments on an earlier draft of this essay.



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