

CURRENT THEOLOGY

MORAL THEOLOGY: THE PRESENT STATE OF THE DISCIPLINE

In the light of the enormous changes that have occurred in Catholic moral theology in the last decade, this study will attempt to describe the present self-identity of the discipline. The methodological approach will involve a dialogue with, and response to, the understanding of Catholic moral theology proposed by Roger Mehl in his recent *Catholic Ethics and Protestant Ethics*.¹ Mehl indicates both the recent convergences and continuing divergences between Roman Catholic and Protestant ethics. The divergences, according to Mehl, are the following: nature and supernature—the anthropological problem; natural law and natural morality; the meaning of secularization; soul and body.² What Mehl calls persistent divergences and what others commonly describe as the distinctive characteristics of Catholic moral theology can be reduced to three generic headings: natural law, authoritarianism, and theological presuppositions.³ A consideration of these three fundamental questions will indicate the present state of the discipline of Catholic moral theology.

NATURAL LAW

The category of natural law will include the philosophical questions of methodology, the meaning of nature, the place of law in ethics, and the role of norms or principles in the solution of practical questions. This consideration prescind from the more theological questions connected with natural law such as the relationship of nature and grace, the role of sin, the connection between the order of creation and the order of

¹ Roger Mehl, *Ethique catholique et éthique protestante* (Neuchâtel, 1970). Future references will be to the English translation, *Catholic Ethics and Protestant Ethics*, tr. James H. Farley (Philadelphia, 1971). As will become evident in the article, I believe that Catholic moral theology has changed more drastically than Mehl realizes. His book developed from a series of lectures originally given at Princeton Theological Seminary in 1968, so that the author is really reflecting his understanding at that time. However, even at that time and earlier, other theologians were aware of the incipient changes in Roman Catholic ethics even in those areas of divergences developed by Mehl. See, e.g., Franz Böckle, *Law and Conscience* (New York, 1966), which grew out of a series of lectures delivered in 1963. From the Protestant and American perspective, see James M. Gustafson, "New Directions in Moral Theology," *Commonweal* 87 (Feb. 23, 1968) 617-23.

² Mehl, p. 65.

³ For a succinct statement and critique of these three aspects of an older Catholic moral theology, see *Love and Justice: Selections from the Shorter Writings of Reinhold Niebuhr*, ed. D. B. Robertson (New York, 1967) pp. 16-18, 46-54.

redemption. These topics will be discussed under "Theological Presuppositions."

In general, the critiques against natural law presuppose a monolithic philosophical system based on a "nontemporal and imperceptible nature" and a "reason that is incorrectly postulated not to have a history." "Catholic moral theology seeks a foundation in an original and ontological given, which seems difficult to grasp. It is also led to call certain exigencies eternal, which in fact are relative and sociologically conditioned."⁵

Catholic theology itself in the last decade has been involved in a serious critique and revision of the natural-law theory as found in the manuals of moral theology and incorporated into the hierarchical magisterium's pronouncements, especially the papal encyclicals.⁶ In this ongoing discussion there are some who reject any change in the methodology or the practical conclusions of the manuals of moral theology.⁷ The vast majority of Catholic ethicists today, however, refuse to accept the natural-law approach of the manuals. Some have abandoned the concept of natural law altogether and adopted newer and different methodologies; others, retaining the concept of natural law, have tried to show how the manuals departed from the true natural-law approach of the past as seen now in a better appreciation of the exact position adopted by Aquinas and not the one espoused by later scholastics. The concept of natural law as a deductive methodology based on eternal and immutable essences and resulting in specific absolute norms is no longer acceptable to the majority of Catholic moral theologians writing today.

J.-M. Aubert stands out as an example of the approach which seeks a revision of the natural law more in accord with its understanding in St. Thomas and not the conception developed by a later scholasticism. The major problem with the concept of natural law as found in the manuals of moral theology and in papal pronouncements stems from the failure to recognize and employ the Thomistic distinction between *lex naturalis*

⁴ Mehl, p. 65.

⁵ *Ibid.*, p. 63.

⁶ For an extensive bibliography on recent literature on natural law with a heavy emphasis on German and French publications, see Jean-Marie Aubert, "Pour une herméneutique du droit naturel," *Recherches de science religieuse* 59 (1971) 490-92.

⁷ E.g., John F. Kippley, "Continued Dissent: Is It Responsible Loyalty?" *THEOLOGICAL STUDIES* 32 (1971) 48-65; Cahal B. Daly, *Morals, Law and Life* (Chicago, 1966). For a summary of diverse reactions, especially in the United States, to Pope Paul's Encyclical *Humanae vitae*, see William H. Shannon, *The Lively Debate: Response to Humanae vitae* (New York, 1970).

and *jus naturale*. *Lex naturalis* for Thomas is human reason seeking to regulate the total human reality (body and soul), whereas *jus naturale* comprises the basic human tendencies and inclinations which need to be studied empirically and then regulated and directed by reason.⁸

According to Aubert, the textbooks reduced natural law to the given aspects of *jus naturale* and thereby downplayed the creative and regulative role of reason as well as the function of empirical discovery. Modern natural-law theoreticians have concentrated almost exclusively on the naturalist and the a priori aspects of human existence, whereas Thomas stressed the rational aspect and an open and changing understanding of the basic human tendencies and inclinations. Aubert thus shows that Thomas did not advocate the physicalism which has characterized so much of Catholic moral theology until the present time. Scholastic thinking after Thomas considered nature in a universal and closed way, whereas for Thomas man as a spiritual being cannot be understood as a simple nature closed and formed once for all, since a spiritual being transcends his given order and is challenged to grow and develop.⁹ Personally, I believe Aubert is somewhat one-sided, for he fails to appreciate that Thomas did employ Ulpian's understanding of natural law as that which is common to man and all the animals.

Aubert also criticizes a legalistic, voluntaristic interpretation which sees natural law as a source of obligation and restraint rather than a rational guide for the free development of man's existence. A further critique concerns a dehumanization of natural law resulting from the triumph of purely metaphysical and abstract concepts of natural law, thus ignoring the historical and cultural conditioning of the existence of man in this world.¹⁰

In the light of these inadequacies and misunderstandings of the true Thomist concept of natural law, Aubert proposes a more functional understanding. Natural law should express the being of man, but the being of man is more complex, open, and changing than was admitted by an essentialist view of man. The reflexive and transcendental aspects of man emphasize the subject more than the object, so that human nature is conceived as always deeper and more vast. The empirical and existential character of natural law must become more evident. All these different aspects will bring about a pluralism in our understanding of man, so that there can no longer be a monolithic view of human reality.

⁸ Jean-Marie Aubert, *Loi de Dieu—Loi des hommes* (Tournai, 1964) pp. 43-47; Aubert, "Le droit naturel: Ses avatars historiques et son avenir," *Supplément de la Vie spirituelle* 20 (1967) 300-303; Aubert, *Recherches de science religieuse* 59 (1971) 464-67.

⁹ Aubert, *Recherches de science religieuse* 59 (1971) 464-67.

¹⁰ *Ibid.*, pp. 471-74.

Different interpretations of human and social reality in the more theoretical realm will result in a growing diversity on the level of conclusions and opinions about a particular moral question.¹¹

Such a view of natural law obviously responds to many of the critiques proposed by Mehl and others. Aubert's theory of natural law, which he claims to be based on the true interpretation of Thomas, relies on a historical, inductive, and empirical understanding of man. As mentioned above, I do not completely accept Aubert's interpretation of Aquinas.

The emphasis on the empirical element is also found in the natural-law theory proposed by Germain Grisez, who has vigorously defended traditional Catholic teaching on artificial contraception and on abortion, and has generally been a severe critic of newer approaches in moral theology.¹² He acknowledges the first prescription of practical reason as enunciating that good should be pursued. But towards what definite goods should practical reason direct human action? To determine the goods that man should seek, one must examine all the basic tendencies and inclinations of man. Grisez thus admits that man is endowed with basic tendencies prior to acculturation and free choice of his own, but only empirical inquiry can determine what these inclinations are.¹³

Other Catholic theologians have discarded the concept of natural law and proposed other moral methodologies which do not claim to be revisions of the natural law, even though there are many similarities with the natural-law revisionists. Generally speaking, these newer approaches agree in their rejection of the natural-law approach of the manuals. Although these approaches implicitly or explicitly reject natural law, they do share natural law's insistence on the capacity of human reason to arrive at ethical truth. Differences do appear about the metaphysical and epistemological underpinnings of ethics and also about the general ethical models proposed.

At the present time these newer theories are somewhat sketchy and tentative, thus reflecting the fact that they are the first efforts on the part of Catholic theologians to develop newer ethical approaches in the light of the dissatisfactions with the past approach and the rapidly changing historical and cultural circumstances of our contemporary human existence. Many of these newer approaches have appeared in books which are not truly systematic studies but rather collections of essays (e.g., Johann, Milhaven, Antoine), which again underscores the incipient

¹¹ *Ibid.*, pp. 474-88.

¹² Germain G. Grisez, *Contraception and the Natural Law* (Milwaukee, 1964); Grisez, *Abortion: The Myths, the Realities and the Arguments* (New York, 1970) esp. pp. 267-346.

¹³ Grisez, *Contraception and the Natural Law*, pp. 62-67.

and fledgling state of such developments.¹⁴ However, the basic fact is very clear: there now exists in Roman Catholic ethics a plurality of ethical theories and methodologies which will only expand and become more numerous in the future.

A quick survey reveals the diversity already existing. Robert Johann employs a more relational moral model rather than the teleological model of Thomism and acknowledges a strong dependence on American pragmatism.¹⁵ A different philosophical approach emphasizes a transcendental method which has become popular in Catholic theology through the works of Rahner, Lonergan, and Coreth. The transcendental method begins not with the object but with the human knowing subject and the process by which man experiences, understands, judges, and decides.¹⁶ Rahner's development of the discernment of the Spirit in decision-making corresponds to his transcendental philosophy.¹⁷

John Giles Milhaven has proposed and developed a love ethic based on a proper empirical evaluation of the consequences of our actions in the light of love.¹⁸ Milhaven recognizes a close relationship between his theory and that proposed by Joseph Fletcher, who also acknowledges that Milhaven is in basic agreement with his own approach.¹⁹ Herbert McCabe has argued against both a love-centered, situation ethic derived from empirical consequences and a natural-law theory based on the understanding of man as a member of the human community. McCabe views ethics as language and communication which sees meaning in terms of ways of entering into social life and ways of being with one another.²⁰ A more phenomenological basis marks the Christian ethics proposed more than six years ago by William VanderMarck.²¹ Enda

¹⁴ Robert O. Johann, *Building the Human* (New York, 1968); John Giles Milhaven, *Toward a New Catholic Morality* (Garden City, 1970); Pierre Antoine, *Morale sans anthropologie* (Paris, 1971).

¹⁵ Johann, *Building the Human*.

¹⁶ Donald H. Johnson, S.J., "Lonergan and the Re-Doing of Ethics," *Continuum* 5 (1967) 211-20. For a most interesting attempt to show continuities in seemingly different ethical theories, see Robert O. Johann, "Lonergan and Dewey on Judgment," published in *Language, Truth and Meaning*, ed. Philip McShane, S.J. (Notre Dame, 1972) pp. 79-92. This paper was originally delivered at the International Lonergan Congress, St. Leo's College, Florida, April 1970.

¹⁷ Karl Rahner, *The Dynamic Element in the Church* (New York, 1964); Avery Dulles, S.J., "Finding God's Will," *Woodstock Letters* 94 (1965) 139-52.

¹⁸ Milhaven, *Toward a New Catholic Morality*; Milhaven, "Objective Moral Evaluation of Consequences," *THEOLOGICAL STUDIES* 32 (1971) 407-30.

¹⁹ Milhaven, *THEOLOGICAL STUDIES* 32 (1971) 409 ff., nn. 3, 5, 6, 8; Joseph Fletcher, "Reflection and Reply," in *The Situation Ethics Debate*, ed. Harvey Cox (Philadelphia, 1968) pp. 255-60.

²⁰ Herbert McCabe, *What Is Ethics All About?* (Washington, D.C., 1969).

²¹ William H. VanderMarck, *Love and Fertility* (London, 1965); *Toward a Christian Ethics* (Westminster, Md., 1967).

McDonagh has recently outlined a moral theology built upon reflection on the experience of the moral call in the human situation which has interpersonal, social, and historical dimensions. McDonagh likewise ~~rejects the teleological approach as well as the ontology which under-~~girded the manualist teaching on natural law, for moral obligation is discovered in experience. McDonagh goes from the experience of the "ought" to the "is" and not the other way around.²²

The radical departure from the natural-law theory of the manuals is well illustrated in the theory proposed by Pierre Antoine, S.J., which he negatively describes as a "morality without anthropology" and positively as "praxeology" or "a pragmatic calculus."²³ Morality today cannot be based on anthropology, because we cannot develop a model of man or vision of the world which is applicable. The dimensions of our understanding of man today include artificiality rather than nature, the experimental state of man rather than the fixed essence, relational rather than substantialist understandings. These new emphases call not for newer applications of older methodologies and principles, but for a more radical change in the methodology itself. No a priori models of man can exist today. Morality concerns practical reason, which involves a pragmatic calculus. Antoine denies the existence of a hierarchy of values and prefers to view morality under the controlling rubric of cost.²⁴

This survey has indicated various approaches and methodologies which have been emerging in Catholic moral theology in the last few years. In general I agree with the strictures made against the approaches of the past, but it is important to develop some critical stance in the light of the plurality of approaches. One important critical point of reference concerns the importance of considering all the elements which must enter into a theory. Especially in developing newer approaches and at the beginning stage of development, one is acutely conscious of the danger of failing to consider the complexity of the moral reality and all the elements which must enter into moral theology. For example, some approaches based on a transcendental method fail to give enough importance to the societal and political aspects of reality.²⁵ Theories based on interpersonal relationships occasionally do not give enough importance to societal elements, as is evident in discussions of particular

²² Enda McDonagh, "Toward a Christian Theology of Morality," *Irish Theological Quarterly* 37 (1970) 187-98; McDonagh, "The Structure and Basis of the Moral Experience," *Irish Theological Quarterly* 38 (1971) 3-20.

²³ Pierre Antoine, S.J., "Une morale sans anthropologie," *Lumière et vie* 18 (1969) 48-68; Antoine, "Morale et décision calculée," *Projet* 42 (1970) 131-41.

²⁴ *Lumière et vie* 18 (1969) 48-68.

²⁵ Johannes B. Metz, *Theology of the World* (New York, 1969) pp. 107-25; Metz, "Foreword," in Karl Rahner, *Spirit in the World* (New York, 1968) pp. xiii-xviii.

questions such as sexuality.²⁶

I have also criticized some approaches because of their consequentialism, but in the light of ongoing dialogue I can try to express better my basic concerns and correct some inadequate argumentation. Milhaven has developed more extensively than any other Catholic theologian in this country a moral methodology based on love as known through the consequences of our actions. At times I have felt that such an approach too easily identifies the moral judgment with the findings of empirical and human sciences.²⁷ Such an approach seems to deny the creative and transcendent aspects of any truly human and Christian moral theory. It is not enough just to know the consequences as indicated by the empirical sciences; one must also have a creative and practical intelligence to direct things to a better future. All human morality needs this transcendent and creative aspect which is stressed in transcendental approaches. From a Christian perspective, the limitations and sinfulness of the present call for us to work in the direction of an eschatological future which must transcend the present. A practical example: one who is planning the future of our cities must have not only the relevant sociological data but also a creative intelligence which can attempt to form new ways for men to live together in cities.

A consequentialist model, especially when it depends so heavily or almost exclusively on the findings of the behavioral sciences, seems to be too similar to a technological view of man. Today people are rightly reacting against such a model of human existence. There is also the danger of seeing man primarily in terms of his productivity and contributions to life and society. These are important considerations, but they are not the ultimate reasons for the values we give to human existence. Too often our society wants to treat man only in terms of his ability to contribute to and be productive for that society. One has only to think of recent welfare proposals and the facile distinctions between the deserving and the undeserving poor.

The ultimate ethical model for a consequentialist approach is a teleological model, which H. Richard Niebuhr has referred to as the model of man-the-maker.²⁸ Perhaps because of the somewhat pejorative description proposed by Niebuhr and in light of the obvious analogies

²⁶ See illustrations of this in *Sexual Ethics and Christian Responsibility*, ed. John Charles Wynn (New York, 1970).

²⁷ See my articles, "Homosexuality and Moral Theology: Methodological and Substantive Considerations," *Thomist* 35 (1971) 447-81; "La théologie morale et les sciences," *Recherches de science religieuse* 59 (1971) 419-48. Milhaven in his latest article tries to avoid such a danger, but I still find some dissatisfaction with his approach, as will be explained below.

²⁸ H. Richard Niebuhr, *The Responsible Self* (New York, 1963) pp. 49-52.

with a technological view of man, I tend to reject a teleological model as the ultimate model in theological ethics. Despite all the control he does have over his life and future today, man does not have the same control over his life that the artisan has over the raw material out of which he is fashioning his product. The limit situation of death too often becomes glossed over in such a concept of man. This model does not seem to express enough the aspects of creativity and transcendence. From the *Christian perspective it does not seem to do justice to the Christian realities of suffering, death, and resurrection, and the hope which always transcends the limits of the present situation.*

Rather than the teleological model of man-the-maker or the deontological model, I would opt with Niebuhr for the relational-responsibility model as more fundamental in describing the Christian life—if only because it allows one to incorporate the best elements of the other models. In practical matters the relationality model would share the same diffidence towards absolute norms, because one cannot absolutize what exists in terms of relationships. Nor would such a model accept a static hierarchy of values, because of the multiple and changing relationships seen within a more historical perspective. Such a model realizes the importance of both empirical data and the creative and transcendent aspects of human existence, even though these can never exist in a vacuum or merely in the abstract.

Perhaps some forms of consequentialism do not necessarily involve the negative aspects I have seen in consequentialism. John G. Milhaven has recently insisted that human experience must include affective and creative aspects which correspond to the aesthetic judgment.²⁹ There seems to me to be a difference between the scientific and the aesthetic judgment which roughly corresponds to the greater emphasis on creativity and transcendence in the aesthetic judgment. *However, I do have some difficulties with the way Milhaven develops his insistence on experience.*

Milhaven rightly implies that we have often been insensitive to moral problems because we have not experienced these things ourselves.³⁰ I personally realize my lack of sensitivities at times because I have not experienced racial discrimination, war, poverty, or hunger. *However, as a limited human being I cannot experience all these realities. Sometimes experience of only one side of a question will definitely prejudice my understanding of the total human situation with which I am confronted. Actual experience of reality is helpful and important, but it is not sufficient. There is the need for a creative sensitivity and moral sense*

²⁹ Milhaven, *THEOLOGICAL STUDIES* 32 (1971) 424–30.

³⁰ *Ibid.*, pp. 426–28.

which does not have to actually experience something before it can morally react. The insistence on actual experience seems again to be an indication of the lack of creativity and transcendence in the theological method employed. Especially in the midst of the great complexity existing today and the impossibility of actual experience, the ethicist as well as the individual person must develop a creative moral sensitivity which enables him to go beyond the boundaries of his own limited actual experience. Today we can perhaps accuse our predecessors of white racism, but what will our successors rightly accuse us of? It is always necessary to critically examine our experience.

Perhaps part of the disagreement arises from two different perspectives. Milhaven originally was concentrating primarily on the question of absolute norms in moral theology, and he denies such norms on the basis of his appeal to the ultimate importance of consequences in determining our actions in these cases. The perspective I have outlined considers rather a very basic posture for our total moral life and thus does not want to reduce our total ethical posture to the model of consequences or of man-the-maker.

Richard McCormick has recently acknowledged the decisive role of consequences in moral theology, but he realizes the importance of Christian intentionalities and ethos in the light of which consequences are weighed and evaluated.³¹ In this way he avoids some of the problems I have with other types of consequentialism, although at least part of the problem may result from the different perspectives mentioned above.

This type of dialogue, discussion, and disagreement among Catholic moralists on methodological issues will continue to grow. One must expect to find continuing diversity in the search for more adequate moral theologies. The thrust of this brief survey is to show the diversity of moral methodologies already existing among Catholic moral theologians.

Perhaps the most frequent complaint of Protestant ethicists against Catholic moral theology has been the charge of legalism. The last few years have seen Catholics make the same charge about their own theological tradition, or at least the tradition as it was interpreted in the manuals of moral theology. The discussion has developed from a context of positive law to the context of natural law. Are there certain actions which are always and everywhere wrong?

In the context of the situation-ethics debate in the 1960's Catholic theologians have reexamined the role and place of absolute norms in moral theology. I agree with an increasing number of Catholic theo-

³¹ Richard A. McCormick, S.J., "Notes on Moral Theology," *THEOLOGICAL STUDIES* 33 (1972) 90.

gians who deny the existence of negative moral absolutes: that is, actions described solely in terms of the physical structure of the act (a material piece of behavior) which are said to be always and everywhere wrong. There are a variety of reasons for such a denial, including both a re-examination of the teaching of the past, which does not appear to be as absolute as presented in the manuals, and newer methodological approaches to meet our changing understandings of man and reality. Obviously, such a denial stems from a more inductive, relational, and empirical approach to moral problems. Milhaven, followed now by Crotty, would understand moral norms as empirical generalizations.³² Note here how some Catholic theologians are departing from the ontological foundations upon which the theology of the manuals was based. Others, however, such as McCabe, would deny that absolute moral norms are just empirical generalizations.³³

Perhaps one of the most important principles in the older Catholic moral theology was the principle of the double effect, which decided conflict situations in which an action would have both good and bad effects. As generally understood in the manuals, the differentiation between direct and indirect was based on the physical structure of the act itself, as illustrated in such descriptions of the direct effect as the *finis operis* of the act or the act which by its very nature does this particular thing.³⁴ The literature on the question has been growing in the past five years, with more and more Catholics disagreeing with the older understanding of direct and indirect.³⁵

On more specific ethical questions there is an ever-growing divergence of opinions among Catholic moral theologians. In many ways the criticism of the older teaching on contraception marked just a beginning. The arguments proposed against the teaching on contraception presupposed different theological methodologies which would also lead to different opinions on other complex, specific moral problems. These divergencies are illustrated in the contemporary literature. On the question of abortion there now exists among Catholics a plurality of opinions, even though the gamut of these opinions at the present time

³² Nicholas Crotty, C.P., "Conscience and Conflict," THEOLOGICAL STUDIES 32 (1971) 223-31. As noted above, I have some difficulties with that approach.

³³ McCabe, *What Is Ethics All About?* pp. 29 ff.

³⁴ John McCarthy, *Problems in Theology 2: The Commandments* (Westminster, Md., 1966) 119-22, 159, 160.

³⁵ For a perceptive summary and critical analysis of the present state of the question, see Richard A. McCormick, S.J., "Notes on Moral Theology," THEOLOGICAL STUDIES 32 (1971) 80-97; 33 (1972) 68-86.

does not seem to be as broad as the spectrum of opinions existing among the population at large.³⁶

Catholic theologians frequently deny the existing teaching of the hierarchical magisterium on such issues as contraception, sterilization, artificial insemination, masturbation, and the generic gravity of sexual sins.³⁷ Newer approaches have been taken to the question of homosexuality.³⁸ Some Catholic theologians have argued against the moral norm condemning all sexual relationships outside marriage.³⁹ In this particular area, there is not a great number of theologians proposing such views nor is there the range of opinions which exists among the population at large, but there is some divergence from the heretofore accepted norm. Another absolute norm in Catholic moral teaching that has been questioned is the prohibition of euthanasia in all cases as distinguished from the traditional teaching on the need to employ only ordinary means to sustain human life.⁴⁰ All these questions in medical and sexual morality are being rethought today, because some theologians believe that the absolute prohibitions define the forbidden action in terms of the physical structure of the act seen in itself apart from the context, the existing relationships, or the consequences.

A plurality of opinions also exists in other questions where previously there was *the* Catholic opinion. Contemporary theologians are calling for a rethinking of the absolute prohibition against divorce and openly favoring a more benign moral and pastoral attitude to people who are

³⁶ Diversity existing among Catholics is illustrated by two contributions to *Abortion in a Changing World*, ed. Robert S. Hall, Vol. 1 (New York, 1970): Thomas J. O'Donnell, S.J., "A Traditional Catholic's View," pp. 34-38; Joseph F. Donceel, S.J., "A Liberal Catholic's View," pp. 39-45. For a quite comprehensive view of abortion, with great emphasis on the empirical data but also summarizing more recent Catholic opinions, see Daniel Callahan, *Abortion: Law, Choice and Morality* (New York, 1970).

³⁷ For an overview of recent writing in these areas, especially in the United States, see John F. Dedek, *Contemporary Sexual Morality* (New York, 1971).

³⁸ John J. McNeill, S.J., "The Christian Male Homosexual," *Homiletic and Pastoral Review* 70 (1970) 667-77, 747-58, 828-36; Pierre Claude Noppey, "An Open Letter on Homosexuality," *Cross Currents* 20 (1970) 221-37; Joseph A. McCaffrey, "Homosexuality in the Seventies," *Catholic World* 213 (1971) 121-25.

³⁹ David Darst and Joseph Fargue, "Sexuality on the Island Earth," *Ecumenist* 7 (1969) 81-87; Gregory Baum, "A Catholic Response," *ibid.*, pp. 90-92. Personally, I do see some exceptions in the general norm, but the exceptions are quite limited. Arguments in favor of premarital relationships too often forget about the societal dimension as well as the sinful dimension of human existence. See *Contemporary Problems in Moral Theology*, pp. 159-88.

⁴⁰ Kieran Nolan, O.S.B., "The Problem of Caring for the Dying," in *Absolutes in Moral Theology?* pp. 249-60; Hugh Trowell, "The 'Good Death' versus 'Euthanasia,'" *New Blackfriars* 52 (1970) 346-51; Benjamin Downing, "The Case for Voluntary Euthanasia," *ibid.*, pp. 351-54.

divorced so that they are not excluded from the sacramental life of the Church.⁴¹ In questions of social and political morality there is also a divergence of opinions among Catholic theologians. On the question of war, actual Catholic opinions include pacifism, nuclear pacifism, and just-war theory.⁴²

The conclusion of this brief overview is evident. Within the context of Roman Catholic moral theology there is not only a growing plurality of ethical methodologies but also an ever more noticeable divergence on particular moral questions. There is a connection between the two statements, for the newer methodologies obviously lead to different conclusions, especially in complex issues which are not as simple as they were once thought to be. Recently an American bishop has recognized the fact of this growing pluralism, although his reaction to the fact is much different from the general approving tone of this paper.⁴³ Thus the myth of a monolithic Roman Catholic moral theology with *the* Catholic opinion on specific, complex matters is exploded.

AUTHORITARIANISM

A second source of critical concern for Protestant ethicists has been the authoritarian intervention of the Roman Catholic Church in moral matters to direct and even bind the consciences of her members. The Catholic Church has claimed a unique competency to interpret authoritatively even the natural law for its adherents and thus supply a sure and reliable guide for conscience in moral matters.

Here again both a re-examination of the tradition and contemporary theological opinions have joined forces to change quite radically the understanding of the role of the teaching authority of the Church in matters of morality. There is also emerging within the Catholic Church a proper discussion about the meaning of infallibility as it pertains to the Church and to the papal office, but our discussion can neatly dodge the present furor over infallibility. In my judgment there has never been an infallible, ex-cathedra pronouncement or an infallible teaching of the ordinary magisterium on a specific moral matter. Our concern is with the so-called authentic or authoritative, noninfallible hierarchical magisterium.

This expression—the authoritative, noninfallible teaching authority

⁴¹ For a survey of recent literature on the subject, see William W. Bassett, "Divorce and Remarriage: The Catholic Search for a Pastoral Reconciliation," *American Ecclesiastical Review* 162 (1970) 100-105; Richard A. McCormick, S.J., *THEOLOGICAL STUDIES* 32 (1971) 107-22.

⁴² James Finn, *Protest: Pacifism and Politics* (New York, 1967).

⁴³ John F. Whealon, "Questions and Answers on the Ethical and Religious Directives for Catholic Hospitals," *Hospital Progress* 52 (Oct. 1971) 75.

—apparently first appears about the time of the famous letter of Pope Pius IX to the Archbishop of Munich in 1863 on the occasion of the conference of intellectuals held under the leadership of Döllinger with the intention of bringing Catholic thought into dialogue with the philosophy and science of the modern world.⁴⁴

The theologians of the time developed this teaching on the authoritative, noninfallible teaching authority and the consent to such teaching required of Catholics. The faithful owed to this teaching an internal religious assent of intellect and will as distinguished from the absolute assent of faith. The nineteenth- and twentieth-century theologians generally granted that this assent was conditioned, even though they were rather general in describing the conditions. Thus, in general, the theologians admitted the possibility of error in such teaching and even pointed to historical precedents for error in the Church's teaching authority: e.g., Liberius, Vigilius, Honorius, as well as Celestine III and the heralded Galileo case. Lercher admits at least the possibility of the Church correcting the pope.⁴⁵ Thus the theologians who wrote the theological manuals of the day conceded the possibility of error in papal teaching, with the corresponding possibility of nonacceptance on the part of the faithful.

The twentieth century witnessed a growing entrenchment of an overly juridical and authoritative understanding of the Church and of the hierarchical magisterium ever since the insistence in the nineteenth century against a real dialogue with the modern world. The Encyclical *Humani generis* in 1950 was an attempt to clamp down on the "New Theology" and to reassert the papal teaching authority as a means of controlling theological speculation. In this letter Pius XII applied to the ordinary papal teaching authority as found in encyclicals the biblical words "He who hears you hears me." If the pope goes out of his way to deliberately speak on a controverted subject, the subject can no longer be regarded as a matter for free debate among theologians.⁴⁶

Changes occurring in the intervening years are reflected in the teaching of Vatican II and its differences with the teaching of *Humani generis*. It is interesting to note that conservative opposition to some of the teaching of *Mater et magistra* brought momentarily to the surface the right of Catholics to dissent from the authoritative, noninfallible

⁴⁴ *Enchiridion symbolorum definitionum et declarationum de rebus fidei et morum*, ed. H. Denzinger—A. Schönmetzer, S.I. (32nd ed.; Barcelona, 1963) nos. 2875–80. Hereafter cited as *DS*.

⁴⁵ This paragraph summarizes the study of Joseph A. Komonchak, "Ordinary Papal Magisterium and Religious Assent," in *Contraception: Authority and Dissent*, ed. Charles E. Curran (New York, 1969) pp. 101–48.

⁴⁶ *DS* 3885.

teaching of the pope.⁴⁷ The first draft of Vatican II's Constitution on the Church did contain the teaching of *Humani generis* mentioned above.⁴⁸ The final version of the Constitution purposely left out that teaching. The final document employs the terminology of the manuals in distinguishing the religious assent owed to noninfallible teaching from the assent of faith and describes this religious assent in terms of a religious submission of intellect and will.⁴⁹ That the section is to be interpreted in the light of the teaching of the manuals is evident from the response given by the doctrinal commission to the query about an educated person who for solid reasons cannot give internal assent to a noninfallible teaching. The commission responded simply: "For this case approved theological explanations should be consulted."⁵⁰

The ensuing development of this teaching has some interesting aspects. In 1967 the American bishops issued a collective pastoral letter "The Church in Our Day." One section is devoted to religious assent, but the matter is presented in a confused and inaccurate manner. This document speaks of religious assent as owed to both infallible and noninfallible teaching, but in the first case the religious assent is definitive, while in the second case such assent is required but not definitively. "A Catholic abides not only by the extraordinary decisions of the Church but by its ordinary life as well where faith and discipline are concerned."⁵¹ Such an assent includes questions touching on dogma, "but it is also required for certain decisions bound up with the good ordering of the Church."⁵² In addition to the novel use of religious assent and the confusion between faith and discipline, there is no explicit mention of the possibility of dissent.

On September 22, 1967 the German bishops issued a pastoral letter which also took up the question of the assent due to noninfallible papal teaching. "To protect individuals and ultimately the substance of faith, the Church must make doctrinal pronouncements which are binding to a limited degree, despite the danger of error in particular matters. Since these are not definitions of faith, they are to some extent provisional and entail the possibility of error. . . . In this kind of situation the individual

⁴⁷ Garry Wills, *Politics and Catholic Freedom* (Chicago, 1964).

⁴⁸ *Schemata constitutionum et decretorum de quibus disceptabitur in Concilii sessionibus: Series secunda, De ecclesia et de B. Maria virgine* (Vatican City, 1962) pp. 48-49.

⁴⁹ Dogmatic Constitution on the Church, no. 25, in *Documents of Vatican II*, ed. Walter M. Abbott and Joseph Gallagher (New York, 1966) pp. 47-49.

⁵⁰ *Schema Constitutionis dogmaticae de ecclesia: Modi a patribus conciliaribus propositi a commissione doctrinali examinati 3: Caput III: De constitutione hierarchica ecclesiae et in specie de episcopatu* (Vatican City, 1964) p. 42.

⁵¹ *The Church in Our Day* (Washington, D.C., 1968) p. 71.

⁵² *Ibid.*, p. 72.

Christian and indeed the Church as a whole is like a man who has to follow the decision of an expert who he knows is not infallible."⁵³ Thus the German bishops rightly interpret the authoritative, noninfallible teaching as provisional.

Before the issuance of Pope Paul's *Humanae vitae* in 1968, theologians had been developing the possibility of dissent from such authoritative, noninfallible papal teaching. Theologians such as Donlon, Rahner, and Schüller explicitly affirmed the right of public dissent which had not been found in the earlier manualists.⁵⁴ Perhaps the most perceptive discussion of the moral magisterium was by Daniel Maguire, who realized that the very nature of the search for moral truth argues for the possibility of dissent from papal moral teaching on specific issues. Maguire pointed out that the hierarchical magisterium could not continue to function in an overly juridical and legalistic style, and constructively suggested ways for the hierarchical magisterium to proceed in carrying out its function in the changed theological understandings of the post-Vatican II Church.⁵⁵

The negative reaction of theologians and even bishops to the papal encyclical on artificial contraception issued in the summer of 1968 brought to the attention of all Catholics, to many perhaps for the first time, the right to dissent from authoritative, noninfallible papal teaching when there are solid reasons for so doing. This same reality can and must be understood in a somewhat broader context and in a more positive manner. Even when the hierarchical magisterium has spoken on a particular issue, there can still be a pluralism of Catholic thinking on this issue. Thus, from the viewpoint of a proper understanding of the moral teaching office of the hierarchical magisterium, it will be impossible to speak about *the* Roman Catholic position on a particular moral issue as if there could not be any other possible position.

One must understand the reason for such a pluralism not only in methodology but also concerning practical questions. The basic reason for such a pluralism is the complexity of moral issues and the need for relational and empirical considerations, which involve many aspects and afford the possibility of arriving at different ethical judgments. In the

⁵³ Karl Rahner, S.J., "Disput um das kirchliche Lehramt," *Stimmen der Zeit* 185 (1970) 73-81.

⁵⁴ S. Donlon, S.J., "Freedom of Speech," *New Catholic Encyclopedia* 6, 123; Bruno Schüller, S.J., "Bemerkungen zur authentischen Verkündigung des kirchlichen Lehramtes," *Theologie und Philosophie* 42 (1967) 534-51; Karl Rahner, "Demokratie in der Kirche," *Stimmen der Zeit* 182 (1968) 1-15.

⁵⁵ Daniel C. Maguire, "Moral Absolutes and the Magisterium," in *Absolutes in Moral Theology?* pp. 56-73.

past, when forbidden actions were described solely in terms of the physical structure of the act, it was possible to speak about certain actions which were always and everywhere wrong. A relational understanding of morality or an empirical calculus cannot admit such absoluteness. In the midst of all the circumstances which must be considered in complex questions, one must admit a possible diversity of concrete, ethical judgments.

The fundamental reason for this possible diversity—the many elements to be considered in the final decision and the complexity of the situation itself—had been acknowledged by Thomas Aquinas. Thomas admitted that, although the first principles of the natural law were always the same, the proper conclusions of these principles can admit of exceptions because of the complexity of the situation and the diverse elements entering into the final decision. The more one descends into particulars, the greater is the possibility of exceptions because of the complexity of the situation.⁵⁶

THEOLOGICAL PRESUPPOSITIONS

Theological presuppositions of Protestant and Catholic ethics seem to be a source of divergences in the two traditions, but even here the differences are much less today than in the past, and in some cases are negligible, so that there really are no outstanding pertinent theological differences between some Protestant and some Catholic ethicists. Unfortunately, Mehl reflects more of the past divergences than of the present convergences in his assessment.

The question often referred to as the nature-supernature question is of paramount significance in this area. Catholic theology has generally accepted the goodness of man, a continuity between nature and grace as well as between creation and redemption, and the possibility of going from man to God which has been the basis for a natural theology and a natural law. An earlier section has considered the philosophical aspects of natural law, which included the precise understanding of man and nature with the different operative methodologies developed as a result of such understandings. From the theological perspective the natural-law theory has asserted that the Christian can arrive at true ethical wisdom and knowledge through his reason and his understanding of man. Some forms of Protestant theology, especially in the orthodox and neo-orthodox traditions, have denied or denigrated the place of reason and the natural in Christian ethical consideration, although often some substitute has been proposed.

⁵⁶ Thomas Aquinas, *Summa theologiae* 1/2, 94, a. 4.

Mehl rejects the Catholic position, which he describes as seeing man under two aspects: man as natural being and man as a being with a supernatural vocation. Thus there seems to be the possibility of two separate ethics for man: a purely human and a supernatural.⁵⁷ Although there will continue to be certain differences in this area between some Catholic and some Protestant theologians, certain developments have emerged in Catholic thinking which can and do bridge the former gap, at least with some Protestants.

Catholic theology today willingly admits the impossibility of proposing two ethics: an ethic of natural law for those living in the world and an ethic of evangelical perfection for those who choose to enter the religious life. Contemporary Catholic theology recalls that all Christians are called by God in Christ to change their hearts and follow Him.⁵⁸

One can notice even in the documents of the hierarchical magisterium a real move away from the notion of an existing natural order to which the supernatural is then added. The Pastoral Constitution on the Church in the Modern World is most instructive in this area: the expression "natural law" appears only three times.⁵⁹ The anthropology described in this document marks a definite advance over the older anthropologies. The essential nature of man, the same in all possible states of human existence, is not the fundamental concept to which the supernatural order is added. Man is described in terms of the history of salvation, which sees man and reality in terms of the work of creation, the reality of sin, the redemptive work of Jesus, and final resurrection destiny. I have some difficulties with this particular presentation. The older concept of the two separate spheres of the natural and the supernatural is overcome, but the tension and ambiguity of our present existence in the light of the full Christian horizon do not appear. Some chapters of Part 1 (specifically 1, 2, and 4) fail to give enough importance to the eschatological future and the discontinuity existing between now and the future. The eschatology of this document puts too much emphasis on realization now that Jesus has come. Correlatively, not enough importance is given to sin and its effects on human life.⁶⁰

Even in the document itself, but especially in the light of my personal critique, one can understand the nature-supernature question or the

⁵⁷ Mehl, p. 46.

⁵⁸ John D. Gerken, *Toward a Theology of the Layman* (New York, 1963).

⁵⁹ Pastoral Constitution on the Church in the Modern World, nos. 74, 79, 89; *Acta apostolicae sedis* 58 (1966) 1096, 1102, 1111. The Latin text employs the word *lex* in no. 74 and no. 89, while no. 79 uses *ius*.

⁶⁰ These criticisms were made in the course of the conciliar debate by a few of the Council fathers. See Philippe Delhay, "Histoire des textes de la Constitution pastorale," in *L'Eglise dans le monde de ce temps*, ed. Yves Congar, O.P. (Paris, 1967) Vol. 1, 267-73.

Christ-and-culture question in terms of H. Richard Niebuhr's classification of Christ transforming culture or of grace transforming nature rather than the Christ-above-culture model which characterized Catholic thought in the past.⁶¹ My criticism is that this Constitution and Paul VI's Encyclical *Populorum progressio* do not stress enough the transforming aspect, because sin and the eschatological future as somewhat discontinuous with the present do not receive sufficient attention. The fact that nature-supernature can be understood in terms of a conversionist or transformationist model in Catholic thought obviously indicates a broad area of agreement with many Protestants.

The ramifications of a transformationist motif have appeared in an interesting way in a study of human sexuality by J.-M. Pohier. He rightly acknowledges the unfortunately negative understanding of sexuality in the Catholic tradition, which apparently comes from too easily equating sin with sexuality. Christians should understand sexuality the same way they understand justice, truth, and love. The eschatological future does not call for one to deny these realities or to die to them but rather to transform them. A reconsideration of sexuality calls for a reconsideration of some basic understandings of the Christian faith, especially the resurrection.⁶²

In this light Pohier denies the fact that man is by nature immortal. To believe in the resurrection is to believe that God will do to us as His gracious gift what He has done in Jesus. This is entirely different from asserting the natural immortality of man or the soul. These different understandings of immortality affect our understanding of sexuality. If man is by nature immortal, if death is punishment, if recovery of immortality demands that man willingly accept and inflict upon himself the penalty of death, the repression or abolition of sexuality signifies and realizes par excellence this recovery of immortality. If, on the contrary, the resurrection is the work of God, if it is a property of the love of God and not a property of the nature of man, and if it implies a change of man, then sexuality is neither more nor less than all the other dimensions of the present existence of man and the object of this future change.⁶³

Certainly it is part of the Catholic theological tradition to uphold a basic goodness present in man, the power of human reason to arrive at some speculative and practical truths, and some continuity between man and grace. Thus Mehl correctly asserts that the Catholic tradition would not accept a total opposition between *agapē* and *erōs*.⁶⁴ There is some

⁶¹ H. Richard Niebuhr, *Christ and Culture* (New York, 1956) pp. 116-48, 190-229.

⁶² J.-M. Pohier, "Recherches sur les fondements de la morale sexuelle chrétienne," *Revue des sciences philosophiques et théologiques* 54 (1970) 3-23, 201-26.

⁶³ *Ibid.*, p. 226. ⁶⁴ Mehl, pp. 52-54.

continuity between human love and divine love which both transforms and perfects human love. For the same reasons, the Catholic theological tradition would have some problems with the theological presuppositions of Paul Ramsey's ethic such as obedient love, the stress on fidelity with no attention to some notion of fulfilment, and his basic insistence on order because of the prevailing presence of sin.⁶⁵ Today Catholic theologians must correct some of the overemphases of the recent past by realizing also the discontinuity between nature and grace and some discontinuity between the present and the eschatological future. Such an insistence makes it easier to adopt a transformationist or conversionist model.

Intimately connected with the nature-grace question is the reality of sin. There is no doubt that Lutheran Protestant theology has generally placed much more emphasis on sin than the Catholic tradition has, and in my judgment has overstressed the reality of sin at the expense of the basic goodness of creation and of the power of grace and redemption. The insistence on order in some Protestant social ethics is derived from their understanding of the pervading power of sin.⁶⁶ Catholic theology can legitimately be criticized for not giving enough importance in the past to the reality of sin, although such a consideration was not always lacking in Catholic thought. Aquinas, for example, acknowledged the existence of the right to own private property not on the basis of the dignity and needs of the human person, as was done by later popes, but because of human sinfulness. Peace, order, and the care of goods would be better provided for if each person owned his own property, even though all property retains a relationship for all mankind, so that one's use of one's right to private property is limited by this communal consideration.⁶⁷

Today Catholic theologians are trying to develop a better understanding of the reality and moral significance of sin. Böckle here presents a more adequate picture of the developments in Catholic theology than does Mehl, who is obviously writing from within a different theological tradition.⁶⁸ Catholic theology has learned especially in dialogue with Protestant theology to place more emphasis on sin and the sinner than on sins. Relying heavily on biblical theology and more personalist and

⁶⁵ Paul Ramsey, *Basic Christian Ethics* (New York, 1950); Ramsey, *Christian Ethics and the Sit-In* (New York, 1961) pp. 40-98.

⁶⁶ Helmut Thielicke, *Theological Ethics 1: Foundations*, ed. William H. Lazareth (Philadelphia, 1966) 434-51. Practical implications of this teaching are developed in Thielicke, *Theological Ethics 2: Politics* (Philadelphia, 1969). A somewhat similar emphasis is found in Ramsey, *Christian Ethics and the Sit-In*, pp. 40-98.

⁶⁷ Thomas Aquinas, *Summa theologiae* 2/2, 66, a. 2.

⁶⁸ Böckle, pp. 117-31.

existential themes, as well as a revival of older Thomistic notions, contemporary theology has developed the reality of sin in terms of the fundamental option.⁶⁹ Catholic theology has also tried to recover a way in which it can accept and incorporate the insights of the *simul justus et peccator* concept of the Reformation, with the corresponding call for continual conversion on the part of the Christian.⁷⁰ Likewise, the natural order does not continue to exist as if it were unaffected by sin; rather, the very fact that sin has not destroyed man and the human is the work of God's gracious love.⁷¹

The effect of sin in the moral life of man is seen in the attempts by some Catholic theologians to come to grips with conflict situations in the light of the presence of sin.⁷² The overly rationalist approach of the manuals, according to Nicholas Crotty, denied the very existence of the possibility of a conflict of values in moral decision-making. In the older approach there could be no conflict of values because there is a perfectly ordered plan for the world in which all things are arranged in proper relationships and order, and reason can perceive this order. In all situations, including those which apparently involve conflicts, there is an objectively valid moral decision which can simply be called good. Moral duties can never really conflict.⁷³

Crotty points out that some Catholic theologians deny such a view of reality because there are true conflict situations which are brought about by the presence of sin. Some might still object that these are not real moral evils but only physical evils or premoral evils.⁷⁴ In some cases I would readily agree that the evil is premoral (e.g., contraception), but in other cases the social dimension of sin so affects reality that there is the necessity of accepting some moral evil as a consequence of the presence of sin in the world. It seems to me that those who deny this fact or say the values involved in all cases are only premoral have too individualistic a view of sin and repentance. The reality of sin in the world affecting man in all his relationships serves as the basis for a theory of compromise, which realizes that in the presence of sin men might do things which

⁶⁹ For complementary summaries and further bibliography, see Josef Fuchs, S.J., *Human Values and Christian Morality* (Dublin, 1970) pp. 92-111; John W. Glaser, "Transition between Grace and Sin," *THEOLOGICAL STUDIES* 29 (1968) 260-74.

⁷⁰ Bernard Häring, C.S.S.R., "Conversion," in *Pastoral Treatment of Sin* (New York, 1968) pp. 87-176; Karl Rahner, "Justified and Sinner at the Same Time," in *Theological Investigations 6: Concerning Vatican Council II* (Baltimore, 1969) 218-30.

⁷¹ Böckle, pp. 122, 123.

⁷² Norbert J. Rigali, "The Unity of the Moral Order," *Chicago Studies* 8 (1969) 125-43.

⁷³ Nicholas Crotty, C.P., "Conscience and Conflict," *THEOLOGICAL STUDIES* 32 (1971) 209-12.

⁷⁴ Such objections are made by McCormick, *THEOLOGICAL STUDIES* 33 (1972) 80, 81.

should not be done if sin were not present.⁷⁵ Above all, in these days we must understand the real existence of corporate guilt and repentance. Theories of this type in Catholic theology obviously owe much to the ongoing dialogue with Protestant ethicists.

IMPLICATIONS

This paper has attempted to describe and evaluate the present state of Roman Catholic moral theology, with heavy emphasis on those aspects which have previously been considered as characteristic of Catholic moral theology. The conclusions of this study show that Catholic moral theology as a monolithic theological system does not exist any longer; there exist now and will increasingly exist different Catholic moral theologies as well as different opinions on particular moral questions. The implications of this are enormous both for theology and for the life of the Church. Even though as astute a Protestant theologian as Roger Mehl seemed to be unaware of these changes three years ago, there is no doubt in my mind that theologians, both Protestant and Catholic, will become increasingly aware of what I describe as the present state of moral theology and the obvious future directions implied in such an understanding.

The problem seems more acute on the level of the life of the Church, especially in terms of a recognition of the present self-understanding of moral theology by the hierarchical magisterium. If the assessment of contemporary moral theology elaborated in this article is accurate, then there must be important repercussions and changes in the life of the Roman Catholic Church. The differences between theologians and the hierarchical magisterium on the condemnation of artificial contraception in *Humanae vitae* does not represent merely one isolated and unfortunate event; it points to the understanding of moral theology developed in these pages. Perhaps the most obvious recent indication of the gap between the bishops in the United States and moral theologians is the controversy engendered by the bishops' issuance of new ethical directives for Catholic hospitals.⁷⁶

In the words of the chairman of the bishops' Committee on Doctrine, these new directives amount to a mere updating of the 1955 directives. In such matters there can never be essential but only accidental changes.⁷⁷ However, many theologians and a committee of the Catholic Theological Society of America have expressed grave reservations about these

⁷⁵ For my latest exposition of the theory of compromise, see *Catholic Moral Theology in Dialogue* (Notre Dame, 1972) pp. 209-19.

⁷⁶ *Ethical and Religious Directives for Catholic Hospitals* (Washington, D.C., 1971).

⁷⁷ Whealon, p. 75.

directives.⁷⁸ In my judgment, the directives fail to recognize three significant realities stressed in this paper: the pluralism of ethical methodologies in Catholic moral theology; the possibility of dissent on specific questions, which is formulated more positively in terms of a growing pluralism on specific moral questions; and particular moral conclusions which are no longer accepted by a growing number of Catholic moral theologians, e.g., the condemnations of contraception, direct sterilization, masturbation for seminal analysis, artificial insemination with the husband's seed and even with a donor's seed, the application of the principle of the double effect to solve conflict situations.

In my judgment, the present state of moral theology as described here is in keeping with the best of the Roman Catholic theological tradition. The greatness of Aquinas was his willingness to enter into dialogue with the contemporary thought of his day and to understand and express the Christian faith in and through these thought patterns. Catholic theology today must do for its times what Thomas did for his. The genius of Catholic theology has been its theoretical openness to accept and incorporate human wisdom and truth wherever it is found, even though at times, especially from the nineteenth century to Vatican II, Church authority has tried to prevent dialogue with contemporary thought.

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⁷⁸ E.g., Richard A. McCormick, S.J., "Not What Catholic Hospitals Ordered," *America* 125 (Dec. 11, 1971) 510-13. For a presentation of both sides of the discussion, see articles in *Linacre Quarterly* 39 (1972) and *Chicago Studies* 11 (1972) 227-318. Cf. "Catholic Hospital Ethics," The Report of the Commission on Ethical and Religious Directives for Catholic Hospitals Commissioned by the Board of Directors of the Catholic Theological Society of America, *Proceedings of the Catholic Theological Society of America* 27 (1972) 241-69. For a negative critique of this report, see Donald J. Keefe, S.J., "A Review and Critique of the CTSA Report," *Hospital Progress* 54 (Feb. 1973) 57-69.