

THE CHRISTIAN ETHICIST IN THE COMMUNITY OF FAITH

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AT A MINIMUM, Christian ethics is disciplined reflection on the concrete forms of gospel faithfulness. It presupposes some community of allegiance wherein the mysteries of God are mutually shared in processes of worship, education, and public action. Yet the sheer variety of contemporary Christian life has called into question the cohesiveness, consistency, and decisiveness of the enterprise of Christian ethics. If the Church is nothing more than a vague fellowship of well-intentioned individuals who recapitulate cultural values with a religious gloss, then it might be wondered whether the unique claims of Christian discipleship can be preserved. On the other hand, if the Church is a gathering place for ahistorical reactionaries, cynics, and otherworldly separatists, the power of God's kingdom might never be unleashed in its appropriate human forms. Ethics needs the Church, for only a whole people can exhibit the manifold gifts of the Spirit which together allow for clarity, wisdom, incisiveness, and courageous performance. But the Church needs ethics, since good will and the mobilization of resources is never enough when the complexity of normal decision-making is taken sufficiently into account.

Much of the present discussion in the theological subdiscipline called Christian ethics or moral theology is a function of implicit or explicit views of the Church and of the role of the ethicist within the community of faith. The specificity of moral guidance, the status of norms, principles, and rules, and the nature of authority vis-à-vis the individual conscience can only be resolved within particular ecclesiological frameworks. What this entails is that Catholics and Protestants must remain conscious of the ways in which ecumenical discussion is made more precarious if the divergent views of Church in the respective traditions are not properly taken into account.

This paper will be divided into three parts. First, I will analyze the ecclesiologies of a representative sampling of Protestant ethicists, with a particular concern for how their views of church influence their description of the role of the Christian ethicist in the community. Second, I will turn to the continuing debate in Roman Catholic circles over the relative autonomy and responsibility of the moral theologian in relation to the hierarchical magisterium. Finally, I will summarize the present status of the Christian ethicist in the Catholic and Protestant contexts and indicate

what appear to be major problems that still deter full ecumenical cooperation.

PROTESTANT VIEWS OF CHURCH AND FUNCTION OF CHRISTIAN ETHICIST

In the first part of the twentieth century, Ernst Troeltsch charted the evolution of the fundamental social doctrines of the major Christian churches.¹ In an interpretation which continues to shape the contours of present discussion, Troeltsch claimed that Christianity has known but three main forms of internal organization, each of which has correlative features which distinguish its ethical preoccupation and teachings. The church type, best represented by medieval Catholicism and ascetic Protestantism, is, according to him, superior to the other two alternatives, because it is capable of encompassing all of reality (economic, political, social) within its purview.² The sect type is attractive in its enthusiasm, high standards for membership, perseverance under duress, and scriptural seriousness, but it fails to handle cross-generational continuity and financial prosperity and is incapable of widespread societal integration. The third type, mysticism, betrays the proper social responsibility of Christian commitment by settling for individual piety and the renunciation of cooperative effort in the world.

According to Troeltsch's typology, there were only two significant ecclesiological options worthy of further development in the Christian community, and each had a style of ethics and a concomitant role for the ethicist. Inheritors of the church approach would include Roman Catholics, Lutherans, Anglicans, and, in some instances, established churches in particular geographical regions. Most other Protestants, especially outside of Calvinist Geneva and the Massachusetts Bay Colony, would tend toward a sectarian stance.

It was the genius of H. Richard Niebuhr to recognize that Troeltsch's categories were not expansive enough to account for the variety of Christianity in America. Consequently, he added an intermediate type which he called "denominationalism."³ In this country the Christian

¹ Ernst Troeltsch, *The Social Teaching of the Christian Churches* (2 vols.; New York: Harper & Row, 1960).

² See *ibid.* 2, 1007. It must not be forgotten that Troeltsch's judgment is tempered by his thoroughgoing historical relativism. He pictured each epoch of Christian history as somehow in the presence of God in a unique and irrepeatable way. According to him, it is wrong to yearn nostalgically for the re-creation of some Golden Age of the past. Rather, the challenges of the moment must energize Christians to come together in some entirely new form of institutional life. The Christian ethic is ever emerging within the flux of history.

³ See H. Richard Niebuhr, *The Social Sources of Denominationalism* (Cleveland: World, 1929). Niebuhr was under the strong influence of the Marxist critique at this time in his life. While he subsequently provided a more positive portrait of denominationalism, he still was

religion had divided and expanded in successive waves of evangelization. As a result, no institutionalization of Christian identification had attained the power and extensiveness of the church type, yet most of the sects had become firmly established and capable of sustaining further growth. Congregationalism, Lutheranism, Methodism, and Roman Catholicism were all on a par in one sense; for each had to recognize the existence of the other and the limited impact it had upon the overall social order. Competition for membership, grudging or willing participation in common projects, and the ever-present danger of disenchantment and schism had all become signals of religious pluralism in a democratic political order.

Richard Niebuhr enhanced our descriptive abilities by focusing on the denominational option. In his own work he tended to alternate between favoring a pure sectarian protest against the arrogance of the dominant culture and a transformative attempt to make the voluntary association of the Church a force for amelioration of the ills of the world.⁴

Since the contributions of Troeltsch and Niebuhr, the church-denomination-sect alternatives have become a part of the established wisdom of Protestant ecclesiology, especially among ethicists. However, outside of a few eruptions of sectarian fervor (e.g., among poor blacks and Appalachian whites), the vast majority of American Protestants have become accustomed to the built-in limits of denominational existence. Few expect or would welcome a return to the pattern of church-like institutionalization that prevailed in Europe before and after the Reformation.

So it appears that the Christian community is best seen in the Protestant context as fragmented into diverse, relatively autonomous groups, each with its own unique history and its own distinctive presentation of theology, liturgy, and ethics. While they hold many things in common, there is no higher agency to which appeal can be made to adjudicate disputes.

Bearing this in mind, I want to suggest that there are at least five models of church which are operative in the theoretical perspectives of contemporary Protestant ethicists. Each has a connected role for the ethicist within the faith community. The five are: the congregational church, the church of discriminate response, the church of transition, the church of active service, and the church of formation.

troubled by the continual fracturing of the Church into discrete groups according to their "name." See *The Kingdom of God in America* (New York: Harper & Row, 1937).

⁴ See *Christ and Culture* (New York: Harper & Row, 1951). Niebuhr's fivefold typology in this book is a bit elusive when it comes down to deciding which, if any, he personally recommends. He does explicitly disavow finding "the Christian answer," but the very structure of the book has suggested to many that Niebuhr is a transformationist at heart.

Congregational Church: Ethicist as Clarifier of Moral Argument

In his early writing James M. Gustafson approached the Church from the point of view of the social sciences.⁵ He saw it as a human, natural, political community with a specific language, set of interpretive categories, and common history. What distinguished it most of all was its status as a "moral community," a group of people covenanted to one another and to the living God. It was this voluntary quality (with its attendant dangers of self-absorption, parochialism, and complacency) that gave the members of the Church a confidence in the depth of conviction of the membership. It was inevitably a moral community because the very processes of participation, with great leeway given to the individual congregation, guaranteed, insofar as this was possible, that no belief would go unexamined and no practice uncriticized.

In his subsequent accounts of the shape of this congregational Church, Gustafson has reaffirmed the importance of respectful conversation among equals in the pursuit of just, compassionate, and workable social policies. He describes the Church as a "community of moral discourse," by which he means "a gathering of people with the explicit intention to survey and critically discuss their personal and social responsibilities in the light of moral convictions about which there is some consensus and to which there is some loyalty."⁶ If this level of interaction is achieved, then the dependency on "pronouncements" or official statements of opinion will be less important than the sheer engagement in the formulation of a consensus.

Nevertheless, there is room for expertise. Not every member of the community has sufficient leisure or competence to probe the resources properly. Therefore the task of the theologian and ethicist will be to concentrate their labors in such a way that the overall community might have a fuller exposition of the values at stake and the long-range implications of one choice over another.⁷

In the congregational Church the ethicist is not vested with the mantle of authority per se. He or she can win support for a particular position only by clear exposition and persuasive argumentation. Furthermore,

⁵ James M. Gustafson, *The Treasure in Earthen Vessels: The Church as Human Community* (New York: Harper & Row, 1961).

⁶ James M. Gustafson, *The Church as Moral Decision-Maker* (Philadelphia: Pilgrim, 1970) 84.

⁷ While Gustafson supports the restricted function of formal authority that characterizes the congregational model, he still would have the people with specialized training in theology given a strong voice in the community discourse. "The Christian theologian's ethical task is engaged in for the sake of the community that shares a set of common experiences and beliefs. . . . The Christian community needs some instruction and guidance to determine the sorts of actions that are the morally proper expressions of its experience of God" (*Can Ethics Be Christian?* [Chicago: Univ. of Chicago, 1975] 163).

there must be conscious rapport between those who specialize in ethical deliberation and the rest of the membership.

James Nelson stresses this same kind of communitarian basis of Christian ethics in his book *Moral Nexus*.⁸ Drawing upon the ideal types of Ferdinand Tonnies, he proposes that the Church is best seen as *Gemeinschaft* (communal society) rather than *Gesellschaft* (associational society). It is primary relationships which nurture moral maturity. By sharing a moral ethos and by shaping one another's identities, members of the Church are enabled to face the dilemmas of life with confidence and courage. Ethicists are the bearers of this legacy, not as patronizing religious masters but as fellow pilgrims on the way of the Lord.

In the absence of genuine community no true Christian ethics is possible. But even when a modicum of harmony has been achieved, some principles must be borne in mind.⁹ First, the community has priority over both institutions and rules. Second, it is only from within community that we can make sense of both the institutional structure and the moral tradition. Third, the community and its moral tradition mutually correct each other. Finally, norms learned through community participation must be internalized before they can be made effective. Throughout his book Nelson turns to subcommunities of Christians as the starting point for any church ethics worthy of the name.

A third representation of this congregational understanding of the Church is J. Philip Wogaman.¹⁰ He is concerned, as Gustafson and Nelson are, with the matter of moral consensus. How can we arrive at virtual unanimity of opinion about ethical issues without violating the freedom and integrity of the individual Christian? Wogaman's answer is (once again) that the process of clarification must include all segments of the community with special attention to the need for public articulation of the group's position at some point. What this will mean is that the pronouncements of the Church will have a presumptive status among the faithful. "As members of the community they are obliged to take the church's efforts at moral guidance seriously. This means that they will in some sense place the burden of proof against contrary viewpoints. The more profoundly democratic a community of faith is, the more successful it is likely to be in securing this kind of presumptive support for its formal moral leadership."¹¹

By way of summary, this first understanding of church with its congregational focus stresses the voluntary and egalitarian nature of member-

⁸ James Nelson, *Moral Nexus: Ethics of Christian Identity and Community* (Philadelphia: Westminster, 1971).

⁹ See *ibid.* 194-97.

¹⁰ J. Philip Wogaman, *A Christian Method of Moral Judgment* (Philadelphia: Westminster, 1976).

¹¹ *Ibid.* 165.

ship within this fellowship. The ethicist cannot be expected to issue edicts or provide universally applicable answers. Within the limits of human insight and collective experience the Christian ethicist can only attempt to represent faithfully the best contemporary wisdom. By continual refinement and vigorous discussion the body as a whole will obtain a satisfactory, if tentative, solution.

Church of Discriminate Response: Ethicist as Judge of World

In Troeltsch's analysis the Lutheran tradition is a classic example of the church type, especially in its German and Scandinavian forms. With a two-kingdoms theory of the Christian's simultaneous participation in both church and state, it provided an overarching doctrinal foundation for a variety of ethical judgments. However, since the rise and fall of Nazi Germany, the adequacy of this dialectical approach has been called into question. In his extensive publications Helmut Thielicke has tried to preserve a two-kingdoms position without sacrificing a sensitivity to the seemingly insoluble dilemmas of modern Christian life.¹²

For Thielicke, the Church must be pictured as a two-sided phenomenon. On the one hand, it is "above the times," i.e., of divine origin and never content in this world. But it is also "in time" and thus inevitably immersed in specific cultures and conditioned modes of expression. The Church is powerful and capable of influencing the course of worldly events. Yet, one lesson learned from post-Reformation history is that it does its work best when it avoids direct political action and chooses the route of infiltration and subversion.¹³ By this he means that the Church has the capability and responsibility of challenging all existing strategies from the standpoint of gospel values.

The constraints under which the ethicist operates are best revealed in what Thielicke calls the "borderline situation."¹⁴ In this moral predicament there is no means of escape. The borderline situation exposes the limits of moral principles and inherited guidelines. In the long run it shows that the "normal case" is not the best way for measuring reality. It is only when we recognize the persistence of sin and guilt in the decisions of terrestrial existence that we can be freed from the cavalier presumption that we can solve our problems out of our own resources.

On behalf of the Church, the ethicist must directly confront the exceptional cases in order to judge the world in terms it customarily fails

¹² Helmut Thielicke, *Theological Ethics 1: Foundations* (Philadelphia: Fortress, 1966) and *Theological Ethics 2: Politics* (Philadelphia: Fortress, 1969).

¹³ Thielicke, *Politics* 642 f.

¹⁴ Thielicke borrowed this term from Karl Jaspers. He says: "The borderline situation is characterized above all by the fact that in it one is confronted by an opponent who is known to be bent wholly on the exercise of power, and who is obviously on the side of evil" (*Foundations* 585).

to apply to itself. When injustice reigns supreme, refraining from action may be the most irresponsible thing of all. Yet, in our efforts to preserve the "orders" necessary for human survival, we may employ means which seem to contradict our very goals. In these moments the Church, and the ethicist in its name, reminds us of the power of God in healing our genuine guilt and in enabling us to avoid the progressive moral decline to which we are particularly susceptible.

Christians must use the power that is theirs, both individually and as members of the Church. It is the ethicist who will keep a sense of balance and wholeness by calling into question the standards of the world which allure the community with their promise of success. But the ethicist does not offer prepackaged solutions to every crisis. Instead, he or she provides motivation for risking failure and guilt in a sin-tinged universe. In the struggle with the powers of evil, the most that can be provided in advance is a "casuistical minimum," instances of the limits of permissible behavior.¹⁵

It is to a chastened Church that Thielicke directs his counsel.¹⁶ The time of established religion, with its constitutionally approbated power, has passed. Now the community of faith must discern its possibilities in the world and focus its energy on effective action, even if it entails risking the use of questionable means in the confrontation with evil. The ethicist imaginatively prepares the serious believer for such endeavors by discriminating the parameters of the possible and the tolerable.

Church of Transition: Ethicist as Translator of Religious and Cultural Symbols

Paul Tillich took up, in some obvious ways, Schleiermacher's task of making Christianity credible to its cultured despisers. He relentlessly explored the points of connection between the value orientations of those who professed a formal commitment to Jesus Christ and those who found common cause in service of the deprived and alienated members of the human family. Out of this reflection he distinguished between the "manifest Church" and the "latent Church."¹⁷ Although the Church in

¹⁵ Thielicke refers to three examples of casuistically demonstrable limits, namely, denying Christ or blaspheming God, torture, and the use of truth drugs.

¹⁶ A related thinker, Dietrich Bonhoeffer, continues to be attractive to those outside the Lutheran tradition, because he took on the challenge of Hitler without an adequate theory to account for his involvement in subversion. The relative serenity of *The Cost of Discipleship* (New York: Macmillan, 1959) and *Ethics* (New York: Macmillan, 1955) contrasts sharply with the eschatological pondering of *Letters and Papers from Prison* (New York: Macmillan, 1953).

¹⁷ "A world without the dynamics of power and the tragedy of life and history is not the Kingdom of God, is not the fulfillment of man and his world. Fulfillment is bound to eternity and no imagination can reach the eternal. But fragmentary anticipations are possible. The Church itself is such a fragmentary anticipation. And there are groups and

its fullest sense is the Community of the New Being, it cannot be equated with organized religion nor with those who appear on institutional membership roles.¹⁸

Because the power of the New Being is available wherever people have experienced the boundary situation with its call for a definitive yes or no, the ethicist must be alert to signs of radical transformation under whatever guise they come. For Tillich himself, this meant taking socialism seriously and, in another context, being informed by psychotherapeutic perspectives. The ethicist lives at the fringe of both the Church and the dominant culture in order to keep communication open between each. But most of all, as a believer, he or she seeks to make the language of the gospel comprehensible to those who do not as yet recognize the presence of God in their lives.

A second ethicist, James Sellers, is more dire than Tillich in his predictions of the future role of the Church in an increasingly pluralistic and secularized world. In a time of transition the Church will continue to serve as the bearer of the "criteriological symbols" of promise and fulfilment.¹⁹ But progressively secular wisdom will be the medium through which the Christian claims will be understood. The Church as we have known it is giving way to other forms of community cohesion.

It is through his development of the notion of "public ethics" that Sellers has exemplified the role of the ethicist in this process of cultural interpretation.²⁰ For him, the greater community of the nation is of sufficient size and of pervasive enough bonding to be able to enforce community through shared morals and common manners. In America, at least, the Church has been replaced by a "loose coalition of ethically oriented voluntary agencies." The ethicist will be the one who discerns what is happening and provides a framework of analysis within which Christians might throw in their lot with those groups in society who can achieve true community of purpose.²¹

movements, which although they do not belong to the manifest Church, represent something we may call a 'latent Church.' But neither the manifest nor the latent Church is the Kingdom of God" (*Love, Power and Justice* [New York: Oxford Univ., 1954] 124).

¹⁸ See Paul Tillich, *Theology of Culture* (New York: Oxford Univ., 1948) 205, and *On the Boundary: An Autobiographical Sketch* (New York: Scribner's, 1966) 64 f. A helpful interpretation of this point can be found in Nels F. S. Ferre, "Tillich's View of the Church," in *The Theology of Paul Tillich*, ed. Charles Kegley and Robert Bretall (New York: Macmillan, 1961) 248-65.

¹⁹ James Sellers, *Theological Ethics* (New York: Macmillan, 1966) 95.

²⁰ James Sellers, *Public Ethics: American Morals and Manners* (New York: Harper & Row, 1970).

²¹ In his most recent book Sellers has decried the failure of American efforts to attain an enduring sense of community. Yet he thinks that the fires can be kindled once again if the sources of its original inspiration can be revived. See *Warming Fires: The Quest for Community in America* (New York: Seabury, 1975).

Tillich and Sellers have a tenuous foothold in the existential Church. Both wish to avoid the tendency toward institutional self-preservation which handicaps the Church in its relations with contemporary culture. Therefore they envisage the Church of transition which embodies and celebrates certain religious symbols. Within this mandate it is the role of the ethicist to translate and reinterpret these symbols in a fashion which can find resonance in the experience of many outside the fold.

Church of Active Service: Ethicist as Advocate

The inheritors of the Social Gospel tradition in America have a common preoccupation with issues of social and economic justice. No figure better represents this tendency than John C. Bennett. In his early book *Christian Ethics and Social Policy* Bennett spoke of the Church as a base of operations, as a source of guidance and power, as a bond of union among diverse peoples, and as an ethical laboratory.²² The Church must allow for freedom of expression and diversity of response. But if it would be an effective force for good in the world, it must also mobilize its resources at high levels of co-operation.

It has been through his participation in the meetings of the World Council of Churches and other Christian deliberative bodies that Bennett has sought to forge a common front of social action which would defuse the strains of doctrinal disagreement and allow the churches to serve the world with fitting dedication.²³ In this conception the ethicist functions as advocate and critic of various social policies. In the forum of the large-scale gatherings of the churches, all points of view can be debated by those entrusted with the care of the moral tradition. What emerges might be unprecedented but it will be validated by the consensus of the participants, for they are the living Church in this moment of history.

A similar orientation is proffered by Max Stackhouse in his *Ethics and the Urban Ethos*.²⁴ He is less concerned than Bennett with formal participation in the Church, but he is equally convinced that the true test of religious vitality is the level of identification with, and involvement in, projects of social amelioration.²⁵ That is why the urban ethos, with its

²² John Coleman Bennett, *Christian Ethics and Social Policy* (New York: Scribner's, 1946) 90.

²³ Bennett has described his position as one of "Christian realism" in which the formulation of "middle axioms" is the primary responsibility of ethical consultants. It is only the whole Church gathered representatively in council which can implement these intermediate guidelines relative to specific challenges. See *Foreign Policy in Christian Perspective* (New York: Scribner's, 1966) and *The Radical Imperative: From Theology to Social Ethics* (Philadelphia: Westminster, 1975).

²⁴ Max Stackhouse, *Ethics and the Urban Ethos: An Essay in Social Theory and Theological Reconstruction* (Boston: Beacon, 1972).

²⁵ "Those groups who participate in the process of transforming life in nonapocalyptic and nonutopian ways and who accent creative order, transformed identity and enspirited

concrete manifestations of technological competence and cultural diversity, is the proper arena for the Church. Relative to this endeavor, the ethicist will need to be familiar with the best social and economic analysis, so that the central structures of urban life can be modified and adapted toward more inclusive human flourishing.

Stackhouse judges that the three major ecclesiological options imbedded in American history (Catholic, Calvinist, and sectarian) are quickly being replaced by a new one which he calls "conciliar denominationalism." The precedents of Vatican II, the World Council of Churches, and the National Council of Churches suggest that "a Catholicized Protestantism and Protestantized Catholicism are converging in a new denominationalism centered in a council."²⁶ This assembly need not be a formal entity, for it is present wherever the formation of community and the transformation of life are being promoted by Christians in collaboration with other people of good will. It is through ethical engagement, mediated by the community's functional specialists, that the Church is most truly itself.

A third instance of the Church seen in terms of active service is the "koinonia ethics" of Paul Lehmann.²⁷ The koinonia is the power of Christ present in the world enabling the creation of fellowship. It is neither the same as the visible Church nor entirely separate from it. "Ecclesiola in ecclesia, the little church within the church, the leaven in the lump, the remnant in the midst of the covenant people, the koinonia in the world—this is the reality which is the starting point for the living of the Christian life and for our thinking about Christian ethics."²⁸

What follows from this view of the Church is a contextual ethic in which the responsibility of the ethicist is to discern what God is doing in the world by way of raising the quality of life and enlarging the human prospect. Inevitably, this requires a kind of political involvement where the proper course of action may be known only after trial and error and a degree of frustrating failure. In this task the Christian turns not to principles and precepts but to an analysis of relations and functions. Obviously, this requires maturity and forthrightness. Yet in the deepest realization of its own call in the world, the koinonia can be a "laboratory of the living word" or a "bridgehead of maturity."

A fourth and final ethicist who concentrates on the responsibility of the Church for active service in the world is Gibson Winter. In his major work *Elements for a Social Ethic* he highlights the value biases latent in

community are faithful to the project and the doctrine whether or not the members of such a group confess a particular religious tradition or use the terms 'God' or 'Christ.' In short, this broadened definition does not limit ecclesiology to Christians" (ibid. 148).

²⁶ Ibid. 171.

²⁷ Paul Lehmann, *Ethics in a Christian Context* (New York: Harper & Row, 1963).

²⁸ Ibid. 72.

various social scientific views of reality.²⁹ An effective social ethic must choose its strategies carefully, since even the framing of the questions depends upon the choice of one standpoint over another. For a Christian operating from within the context of the Church, the danger is that one's horizon will be foreshortened and cultural prejudice will be confused with Christian wisdom.

In three studies of contemporary Church life, Winter has sought to point out the advantages and handicaps that accrue to church participation.³⁰ He defines the Church as "that community within the worldly structures of historical responsibility which recognizes and acknowledges God's gracious work for all mankind."³¹ Because the secular sphere is the setting for contemporary discipleship, a new form of the Church, best described as a servanthood of the laity, is aborning. Through trust within the fellowship and commitment to the challenges lying outside, the Church can be a source of skill, energy, and resolve.

The primary danger is that the Church will become captive to its own self-interest, which for Winter is appropriately symbolized by the retreat from the complexity and refractoriness of the city to the privacy and comfortableness of suburbia. But even when sufficient purposefulness is present, the accustomed routes of the Church in resolving social dilemmas—organizational growth and bureaucratic process—suffer from the limitations of depersonalization and routine. The American churches (Catholic, Protestant, and Jewish) have all tended toward a kind of large-scale response to the major issues of the day. The ethicist needs to be so alert to such developments that he or she can both recognize their importance and subject them to the best available critique.

Bennett, Stackhouse, Lehmann, and Winter all focus on the Church as an agent of social change and institutional responsibility. The ultimate criterion of steadfastness and Spirit-filled presence is the courage to risk all in the service of the human community. The ethicist calls to action and engages in a continual process of discernment among the social options of history. The sources of insight and judgment, whether secular or religious, are less important than the synchronization of all our efforts into the most productive pathways. As long as the human family knows genuine community and greater control over its destiny, the Church is somehow present at the cutting edge of history.

Church of Formation: Ethicist as Preserver of Truthfulness

John Howard Yoder stands within a Mennonite tradition which comes closest (among the Protestant perspectives discussed here) to what

²⁹ Gibson Winter, *Elements for a Social Ethic* (New York: Macmillan, 1966).

³⁰ Gibson Winter, *The Suburban Captivity of the Churches* (New York: Macmillan, 1962), *The New Creation as Metropolis* (New York: Macmillan, 1963), and *Religious Identity: A Study of Religious Organization* (New York: Macmillan, 1968).

³¹ Winter, *New Creation* 55.

Troeltsch called the sect type. For Yoder, the Church is a voluntary fellowship of those who acknowledge the Lordship of Jesus Christ and who consequently attempt to live in radical discipleship guided by his scriptural injunctions.³² The nature of the Church's inner life is of critical importance; for it must demonstrate by the quality of the love shared how typical human disagreements and stresses can be resolved. The Church must first form its own members before it can make a claim on the attention of others. Christian ethics is primarily intended for Christians and only secondarily for those attracted by the distinctiveness of their witness.

The duty of the Christian ethicist is to aid the Christian community in recognizing the false allurements of the powers of the world (violence, greed, tyranny, infidelity), so that true liberation might be achieved. But the exercise of this ministry is not done in isolation from the rest of the community. "Decisions in the church are, or at least should be, the expression of a convinced consensus arrived at freely as the result of a common study within the fellowship of believers."³³ The demanding nature of the ethicist's particular vision of the Christian life will only bear fruit if it can be validated by the group as a whole through their sensitive reading of the gospel proclamation. The Christian Church should be the community which tries to make Jesus' vision work. If this makes it look foolish or irrelevant to its contemporaries, then so be it. Ethics in such a configuration must prepare the membership for both the openness required for the discernment process and for the rigors of consistent implementation of the perceptions of God's will.

Yoder's vision of a Church of formation has attracted the attention and support of Stanley Hauerwas.³⁴ The prime temptation of the Church, according to Hauerwas, is to allow the dominant culture to determine the Church's own agenda. When this happens, the Church jumps from cause to cause and issue to issue in a fatal attempt to prove itself relevant and indispensable. What it should be doing, on the contrary, is to offer an alternate witness, so that the pretension, hypocrisy, and shallowness of contemporary life can be exposed for what it is. The very language and grammar of the Church is a precious legacy which must be kept pure from reductionistic attempts to translate it into more acceptable terms. When sin abounds, there is no better category available in the secular sphere by which to account for human malevolence.

³² See John H. Yoder, *The Christian Witness to the State* (Newton: Faith & Life, 1964), and *The Politics of Jesus* (Grand Rapids: Eerdmans, 1972).

³³ Yoder, *Christian Witness* 19.

³⁴ See Stanley Hauerwas, *Vision and Virtue: Essays in Christian Ethical Reflection* (Notre Dame: Fides, 1974), and *Truthfulness and Tragedy* (Notre Dame: Univ. of Notre Dame, 1977).

Hauerwas would have the Church "be itself." It forsakes its own call to integrity when it pursues the ways of megalomania or capitulation.

The church is not called to build culture or to supply the moral tone of civilization, old or new. The church is called to preach that the Kingdom of God has come close in the person and work of Jesus Christ. It is only as the church becomes a community separate from the predominant culture that she has the space and rest from which to speak the truth to that culture. . . . The first word the church always speaks to its culture is a word of incompleteness and finitude.³⁵

The ethicist within this Church of formation must be primarily a truth-teller, that is, a person who does not hesitate to explore the ragged edges, the prevailing deceptions, and the incomplete realizations by which the Church loses its way. To perform this task well, the ethicist must be nurtured on, and in turn retell with sensitivity, the stories of the Christian community—those narratives which provide a context and a framework within which to interpret the meaning and purpose of our lives.

While not sharing all of the ecclesial presuppositions of Yoder and Hauerwas, Paul Ramsey also promotes a basic image of the Church as the community of formation.³⁶ In a sharp response to the 1966 Geneva Conference on Church and Society sponsored by the World Council of Churches, Ramsey criticizes what he calls the "Church and Society Syndrome"—the propensity to issue numerous specific pronouncements on policy questions. For him, this is a fundamental mistake in conceiving the proper role of the Church in the social order. A more satisfactory alternative is for the Church to concentrate on the formation of the consciences of its adherents through the provision of "direction," not "directives." It is only in the crucible of widespread public debate and concrete testing that Christians as citizens can judge how particular policies and strategies might best realize the values and goals of the community of faith.

Ethical reflection within the Church might properly look to the model of Vatican II, where after extensive consultation the fathers issued various documents, most especially the "Pastoral Constitution on the Church in the Modern World," which provide direction at a helpful level of generality. Individual ethicists should feel free to go further (as Ramsey himself has done relative to questions of warfare, civil protest, and biomedical ethics), but the Church as an ethical community must not pretend to more truth than it has the resources to muster. By being itself, the Church can speak words of truth to all of the structural units of the world

³⁵ Hauerwas, *Vision and Virtue* 244–45.

³⁶ See Paul Ramsey, *Who Speaks for the Church?* (Nashville: Abingdon, 1967). The most obvious difference between the first two and Ramsey is their respective judgments about the morality of contemporary warfare. Ramsey is one of the foremost defenders of just-war theory, while Yoder and Hauerwas share a pacifist orientation.

as we know it, but its wisdom is a function of doctrine and liturgy and not of specific policy formulation.

For Yoder, Hauerwas, and Ramsey, the Church of formation shapes the character of those who participate in it. It encourages, corrects, and rebukes. When tender care and loving fellowship are present, it serves as a counterforce to the other powers which vie for human allegiance. Within this setting, the ethicist is the one who must be skilled in applying the Christian story (and its doctrinal elaborations) to the circumstances and dilemmas of daily existence. As a theologian in a community of believers, he or she must persistently pursue the truth and have the courage to speak about it to others.

Conclusion

Just as Protestantism is presently characterized by a multiplicity of denominations, particularly in the pluralistic American context, so in Protestant ethical writings there are diverse images of the Church and of the role of the ethicist within it. We have reviewed five different ways of picturing this relationship. While these categories are more suggestive than definitive, especially since they do not conform to explicit movements or schools of thought, they do indicate that Christian ethics necessarily presupposes some view of the Church in its determination of what questions are worth asking, what differentiation of functions will prevail in the community, and what degree of specific instruction and consensus ought to prevail.

For a Roman Catholic approaching this literature from a separate ecclesiological tradition, certain features of the Protestant self-understanding are encouragements to further analysis. For example, what are the social and economic roots of the congregational model of the Church? Is it simply American democratic theory (with its stress on process and moral egalitarianism) played out under church auspices? Can the Church of transition and the Church of formation be harmonized or are they irreconcilably opposite views of the mission of the community of faith? Is the Church of discriminate response too identified with the preservation of the status quo and the Church of active service perhaps neglectful of doctrinal, spiritual, and internal pastoral concerns? Should the ethicist be first of all competent in scriptural exegesis, doctrinal interpretation, social scientific theory, symbolic reformulation, or concrete strategizing? It is obvious that there is much disagreement about all these issues. Nevertheless, this has not prevented a high quality of ethical reflection from developing in the Protestant churches.

James Gustafson has provided a comparative perspective on this

situation by contrasting the historical evolution of Protestant ethics and Catholic moral theology.³⁷

Protestant ethics has never been developed in a setting in which there is a supreme court of appeals to adjudicate what is morally right and wrong. Nor have Protestant theologians customarily worked under conditions which have so strongly required loyalty to specific moral teachings and doctrines. . . . The major consequence of this is a much greater diversity in the history of Protestant ethics than in that of Roman Catholic moral theology.³⁸

A greater freedom of expression has produced works of deep moral insight as well as theological travesties.

The one thing about which Protestant spokespersons agree is that no church can claim the right of infallibility in judging the status of any particular Christian moral teaching. This contributes to the weakening of the authority of Church instruction. Only the power of theological appeals and compelling argumentation can overcome this condition of perpetual ethical chaos and allow the Church the luxury of deeply-rooted working consensus on specific issues. Gustafson suspects that many Protestants yearn for a greater degree of authority in moral teaching. It may be that one of the impetuses for ecumenical conversation among ethicists is this willingness to search for some middle ground between Protestant voluntarism and Catholic hierarchalism. Let us now turn to the Catholic discussion to see whether this Protestant re-examination of the relationship between ecclesial models and the role of the ethicist has its counterpart in the other theological community.

ROMAN CATHOLIC VIEWS OF THE CHURCH AS MORAL TEACHER

Since at least the First Vatican Council, the magisterium or teaching office of the Catholic Church has been understood largely in hierarchical terms. In matters of morality the claim was made that the pope, speaking *ex cathedra*, could teach infallibly. Simultaneously, a series of popes, especially after Pope Leo XIII (1878–1903), have employed the encyclical form to proclaim values, challenge error, and encourage social reform. In an effort to sort out the different levels of teaching, Catholic theologians came to rely upon the distinction between the ordinary and the extraordinary exercise of the teaching office. The possibility of disagreement and dissent was seen to be a function of the seriousness of the matter being

³⁷ James Gustafson, *Protestant and Roman Catholic Ethics* (Chicago: Univ. of Chicago, 1978). He points out that the Jewish rabbi and the Catholic priest performed the role of examiner of conscience and judge of conduct, whereas the Protestant pastor has had a more indirect influence on the lives of his congregation.

³⁸ *Ibid.* 5.

discussed and the power accruing to the office of the one making the judgment.

As has become clear since the issuance of *Humanae vitae* in 1968, the seemingly placid understanding of church and of theological competence that prevailed for so long has been subjected to a sustained criticism by many segments of the Catholic community. In this second part of the paper, I will examine three topics related to this debate. First, what are the agreed-upon starting points in the mainstream of contemporary Catholic discussion of the teaching office of the Church? Second, what are the areas of disagreement? Third, what problems arise if some of the proposals for change are accepted?

Ecclesial Presuppositions of Catholic Moral Theologians

At a minimum, it seems that Catholic moral theologians share a common acceptance of the pre-eminence of the bishop of Rome as a teacher in the Church and a recognition of the authority residing in the college of bishops to interpret the faith of the community in different cultural settings.

The conservative explanation of how this power might be exercised relative to moral issues stresses the uniqueness of the papal-episcopal prerogative. It is a gift from God and the best protection for the Church against error, relativism, and indifference. As Luigi Ciappi maintains, "The Magisterium, therefore, has full awareness of being above the People of God. . . ."³⁹ Similarly, Austin Vaughan claims that "the local bishop is the touchstone who brings the faith that is catholic and apostolic to the local community, who measures the apostolicity of the response of that community, and who renders the whole of that response, along with its special characteristics and qualities, to the Church catholic."⁴⁰

Even among more progressive moral theologians, the indispensable place of the magisterial role in the Roman Church is acknowledged. But this group is chary of promoting a misplaced emphasis on what should represent the special and most serious forum for the expression of consensus on disputed ethical questions. Charles Curran, who has much to say about what he takes to be the abuse of hierarchical teaching authority, admits that "the magisterial function of the Church can never be reduced to a mere consensus or majority rule, since the criteria for

³⁹ Luigi Ciappi, "Crisis of the Magisterium, Crisis of Faith?" *Thomist* 32 (1968) 170.

⁴⁰ Austin Vaughan, "The Role of the Ordinary Magisterium of the Universal Episcopate," *Proceedings of the Catholic Theological Society of America* 22 (1967) 7. See also John Quinn, "The Magisterium and Theology," *Proceedings of the CSTA* 24 (1969) 255-61; John C. Ford and Germain Grisez, "Contraception and the Infallibility of the Ordinary Magisterium," *TS* 39 (1978) 258-312; and William E. May, *Becoming Human: An Invitation to Christian Ethics* (Dayton: Pflaum, 1975) 65-70.

discerning the Spirit are much more complex than that. Likewise, one cannot merely dismiss papal teaching. . . ."⁴¹ And Timothy O'Connell, in exploring the nature of Christian decision-making, asserts that "the Church and particularly the hierarchical magisterium, has a very positive and very important role to play in the illumination of conscience."⁴²

The following propositions seem to capture the broad cross section of opinion on the Church as moral teacher: (1) The Church has an obligation to teach with discrimination about matters of faith and morals. (2) The pope, in union with the bishops, represents the fullest manifestation of the teaching office. (3) There are various levels of teaching, not all of which partake in the same assurance of universal truthfulness. (4) Dissent is possible within the Church, even about significant moral issues, but it must be preceded by a careful and informed response to the wisdom of the Church as mediated by the magisterium.

Points of Disagreement about Proper Role of Moral Theologians and Others in Magisterial Process

Among Roman Catholic theologians there is little significant protest against the pope and bishops exercising some decisive function in the overall effort of the Church to provide moral guidance and instruction for its members (and potentially for the whole world). The dispute hinges around the nature of the process (who should be involved and how should it be overseen?) and the form the teaching should ultimately take (how specific can it be and what degree of absoluteness can be hoped for?). In this section I will focus on each of these issues in turn.

Ecclesial Process of Moral Discernment

The persistent danger in a rigid understanding of the role of the hierarchy in the Church is that it will promote a passive response by the majority of Catholic people to the demands of moral existence. Obedience to command will be valued over creative struggle and communal interaction. Richard McCormick has warned against the recrudescence of "creeping infallibilism"—a tendency to look to authority for firm and indisputable answers to every moral dilemma.⁴³

From a historical point of view, the magisterium has not been confined to one form.⁴⁴ This suggests that further evolution is possible. And there

⁴¹ Charles Curran, *Contemporary Problems in Moral Theology* (Notre Dame: Fides, 1970) 261. See also Curran, *New Perspectives in Moral Theology* (Notre Dame: Fides, 1974) 154; *Ongoing Revision: Studies in Moral Theology* (Notre Dame: Fides, 1975) 65; and *Transition and Tradition in Moral Theology* (Notre Dame: Univ. of Notre Dame, 1979) 52.

⁴² Timothy O'Connell, *Principles for a Catholic Morality* (New York: Seabury, 1976) 94.

⁴³ Richard McCormick, "Authority and Morality," *America* 142 (1980) 171.

⁴⁴ See Daniel Maguire, "Moral Absolutes and the Magisterium," in *Absolutes in Moral Theology?* ed. Charles Curran (Washington, D.C.: Corpus, 1968) 57-107.

are a variety of proposals for how this transition should take place. Some would highlight the liturgical and spiritual context of Christian life together as the most fruitful source of renewal and moral sensitization. Thus, David Hollenbach proposes that we foster the prophetic dimension of the Church through the structure of its sacramental participation.⁴⁵ Others see the formation of genuine community as the penultimate step to pedagogical enablement.⁴⁶ Both approaches presume that the Church's witness to itself in terms of the quality of spiritual presence and the dynamism of social interaction will prepare the way for the teaching process. As Paul Surlis declares, "The primary 'message' proclaimed by the Church to the modern world comes from what the Church is and does rather than from what she says in the sense of a manifesto or code of behavior."⁴⁷

While it may be true that a fuller vision of how the Church teaches must include an appreciation for the indirect and symbolic forms of this instruction, nevertheless, Catholic moral theologians have also been concerned with more explicit components of the formal process. With an increasingly educated laity and with an emerged tolerance for a wider variety of theological perspectives among professional scholars, the hierarchical magisterium has been confronted with a more complex Church within which to exercise its ministry. For this reason, the role competence of different categories of Christians has become a central issue.

At the end of his study of one of the central motifs of contemporary ethics, Albert Jonsen makes an important application. He says: "If God's first imperative is, 'be responsible,' it is uttered to all human creation: the magisterium, insofar as it partakes in that creation, is bound by that imperative. The magisterium fulfills its responsibility by making men responsible."⁴⁸ What is signaled by that shift in language is a new sense of shared authority for moral discernment in the community.

In this spirit of creating a broader-based process, Richard McCormick

⁴⁵ David Hollenbach, "A Prophetic Church and the Catholic Sacramental Imagination," in *The Faith That Does Justice*, ed. John Haughey (New York: Paulist, 1977) 234-63. See also Rosemary Haughton, *The Transformation of Man* (New York: Paulist, 1977) 262, and Herbert McCabe, *What Is Ethics All About?* (Washington, D.C.: Corpus, 1969) 146.

⁴⁶ See Enda McDonagh, *Invitation and Response: Essays in Christian Moral Theology* (New York: Sheed and Ward, 1972) 53-57; Alois Müller, "Authority and Obedience in the Church," in *War, Poverty, Freedom*, ed. Franz Böckle (New York: Paulist, 1966) 85; Cornelius VanderPoel, *The Search for Human Values* (New York: Paulist, 1971) 123.

⁴⁷ Paul Surlis, "The Church's Message," in *Morals, Law and Authority*, ed. J. P. Mackey (Dayton: Pflaum, 1969) 143. Gregory Baum suggests that the Church teaches by policy (the manner in which it organizes itself internally), priorities (the hierarchy of values guiding its institutional decisions), and action (its explicit involvement with other groups in society) ("Does Morality Need the Church?" *Proceedings of the CTSA* 25 [1970] 170-71).

⁴⁸ Albert Jonsen, *Responsibility in Modern Religious Ethics* (Washington, D.C.: Corpus, 1968) 227.

divides the magisterium into three major components: prophetic, doctrinal, and scientific.⁴⁹ The prophetic charism is open to all and, since it comes from the Spirit of God, cannot be preplanned or coerced into standard channels. The doctrinal-pastoral charism is a function of the hierarchy as representatives of the whole community. The scientific charism is the work of theologians and others trained in the appropriate fields of study. It is only when all three components are interrelated properly and respect one another's competencies that the magisterium as a whole functions properly.

In McCormick's categories the laity will make their contribution through prophetic witness. Another term for this often untapped resource is the *sensus fidelium*, the moral consensus which emerges from Christian values being refracted through the concrete experience of the people of God. In this sense the best theory always originates in reflection on the established practice of Christians. Yet, at some point, theologians as specialists entrusted with care for articulating the moral consensus in comprehensible language must offer their skills to the Church as a whole. Since few bishops have specific competence in moral theology, much of the disagreement about the magisterial process revolves around specifying what the theologian's role should be.

The degree of autonomy and independence that moral theologians in the Catholic Church presently enjoy is symbolized by a number of factors: the extent of dissent from established positions on moral issues; the small percentage of books that carry the imprimatur; a more ecumenical hiring policy on university and seminary theological faculties; cross-fertilization between Jewish, Catholic, and Protestant scholars; and a high level of tolerance for contrary points of view. It must be admitted, however, that paranoia continues to exist and the climate can shift dramatically with the death of a pope or a local ordinary. Consequently, the expressed opinions of moral theologians about their role in the Church relative to the hierarchical magisterium is a product of both ecclesial theories and vested interest.

The relationship that ought to exist between bishops and theologians is variously described. Ladislav Orsy, a canon lawyer, considers the episcopal charism as centered in the criterion of fidelity to the Word of God, and the theological charism as dominated by a willingness to explore the unanswered questions of the age.⁵⁰ Charles Curran bemoans the

⁴⁹ Richard McCormick, "The Teaching Role of the Magisterium and of Theologians," *Proceedings of the CTSA* 24 (1969) 239-54. With reference to the role of the laity, see John Glaser, "Authority, Connatural Knowledge, and the Spontaneous Judgment of the Faithful," *TS* 29 (1968) 742-51, and Bernard Haring, *Free and Faithful in Christ* 1 (New York: Seabury, 1978) 282 f.

⁵⁰ Ladislav Orsy, "Academic Freedom and the Teaching Church," *Thought* 43 (1968) 485-98.

chasm that exists between the methodologies employed by the hierarchical magisterium and many moral theologians.⁵¹ The best solution, in his opinion, is for theologians and not bishops to judge the theological competence and teaching abilities of their colleagues. Only in the extreme case should formal intervention by episcopal authority take place.

One way of defusing the issue of the potential rivalry between bishops and theologians (with the possibility of having two conflicting magisteria in the Church) is to acknowledge the limitation of the scholarly contribution. If the expectation level is too high, if moral theologians are thought of as definitive problem solvers or as the elite specialists of the Church, then disputes, pluralism, and dissent will be a source of scandal and confusion. Avery Dulles recommends a more realistic appraisal: "I would be inclined to say that theologians, by training and temperament, are better equipped to propose theories and arguments than to render judgments about what may be prudently believed and preached in the church."⁵²

Insofar as a new magisterial process is developing in the Roman Catholic Church, it is seen to involve a wider cross section of the community, to require learning on all sides, and to include a humble sense of the limits of human comprehension. Among the multiple functions within the process, the responsibility of moral theologians is to strive for faithfulness to the tradition, clarity of expression, and a creative interpretation of the Christian mystery in a language comprehensible to the contemporary world. This will entail a certain amount of risk and a tolerance for failure. It is unlikely that any one method of theologizing will prevail, but the coexistence of diverse approaches places a greater burden on the theological community as a whole to correct the errors and insufficiencies of individual theologians. As teachers under Church auspices (when this is the case), moral theologians should feel a responsibility to distinguish their own theories from the prevailing consensus of the whole Church.

Form and Status of Church Teaching about Morality

The Church teaches through prayer, preaching, and institutional example. It also teaches through creeds, conciliar decrees, and encyclicals. Most commonly it teaches through the ministry of individuals who represent and interpret the shared convictions of the community. One refrain heard quite frequently in the contemporary discussion is that no

⁵¹ Charles Curran, *Transition and Tradition* 18 f.

⁵² Avery Dulles, "Heresy Today?" *America* 142 (1980) 163. Walter J. Burghardt puts the whole problem in a pithy way when he declares: "the only theologians who have never written anything wrong are those whose writings are few, undistinguished and dreadfully boring" (*Catholic Mind* 75, no. 1315 [Sept. 1977] 46). See also Enda McDonagh, *Doing the Truth: The Quest for Moral Theology* (Notre Dame: Univ. of Notre Dame, 1979) 189.

one of its representatives has ever taught infallibly about a moral issue.⁵³ For those who hold this position, all moral teaching in the Church is, at its highest level of import, an exercise of ordinary magisterium. This claim implies the possibility of incompleteness and the need for later revision and correction.

By and large, theologians of a progressive persuasion are not dismayed by the imputed limitations on the moral magisterium. They consider restraint to be called for as a result of the very nature of moral existence. But noninfallibility does not preclude an overall sense of reliability, for a Church in which the proper checks and balances are built into the process of moral discernment can be confident that the gift of the Spirit will preserve it from serious error.

Interestingly enough, theologians who concentrate on the complex questions of social justice seem to especially prize the power of the Church's public proclamation. David Hollenbach, for example, declares that "the Roman Catholic Church is notable for the degree to which it has developed an approach to human rights which is both activist and theoretically rigorous."⁵⁴ Gustavo Gutierrez, reflecting on the dilemma of the poor in Latin America, sees the Church as the most viable institution to proclaim the road to true solidarity and liberation.⁵⁵ Joseph Gremillion, in his long introduction to a collection of Church documents on peace and justice, suggests eight innovative reforms through which the Catholic community might become a more effective teacher in this regard.⁵⁶

Perhaps members of the Catholic Church will rest content with the formulation of basic values and general guidelines in questions of the economic and political order. But when it comes to decisions related to sexuality, family life, truth-telling, scandal, and violence, the precedents are all in the direction of more specific and absolute judgments. This is why the revisionist theologians attempt to recast the discussion in terms which presume a lower level of expectation for how much guidance the magisterium is capable of providing. As Joseph Fuchs argues, "norms have a pedagogical value, precisely because they are an accretion of Christian communitarian existence across time."⁵⁷ But they do not enable

⁵³ Charles Curran writes: "in the entire history of the Roman Catholic Church, there has never been a clearly infallible pronouncement or teaching on a specific moral matter; the very nature of specific moral actions makes it impossible, in my judgment, to have any infallible pronouncements in this area" (*Contemporary Problems in Moral Theology* [Notre Dame: Fides, 1970] 257). See also Richard McCormick, "Authority and Morality," *America* 142 (1980) 169.

⁵⁴ David Hollenbach, *Claims in Conflict: Retrieving and Renewing the Catholic Human Rights Tradition* (New York: Paulist, 1979) 34.

⁵⁵ Gustavo Gutierrez, *A Theology of Liberation* (Maryknoll: Orbis, 1973).

⁵⁶ Joseph Gremillion, *The Gospel of Justice and Peace* (Maryknoll: Orbis, 1976) 129 f.

⁵⁷ Joseph Fuchs, "The Absoluteness of Moral Terms," in *Readings in Moral Theology* No. 1, ed. Charles Curran and Richard McCormick (New York: Paulist, 1979) 94-137.

us to overcome completely the existential circumstances of our particular lives and thus do not remove the burden of ultimately having to make moral decisions in a personal fashion.

Problems with a Modified View of the Moral Magisterium

In his relatively harsh analysis of the difference between Catholic and Protestant ethics, Roger Mehl accuses Catholic moral theology of being driven by an ultimate fear of falling into a situational ethic.⁵⁸ As a result, it has tended to retreat into a legalism that is alien to the scriptural perspective. While not sharing Mehl's presuppositions, Catholic defenders of the traditional understanding of the magisterium do have a recurring fear that ethical relativism will be the eventual result of an abandonment of an authoritative teaching office in the Church.

Thomas Dubay has issued a ringing challenge to the revisionists in just these terms.⁵⁹ He pictures a contradictory pluralism in ethics as a disaster for the authentic mission of the Church. For him, recent directions in moral theology are a sign that the gospel is being watered down. The cross and self-denial are being replaced by adolescent rebellion and cultural capitulation. In the same vein, J. M. Cameron wonders whether the Church is not naively buying into the prevailing ideology of the liberal intelligentsia.⁶⁰

The basic problem for a Catholic critic of the new mode of understanding the moral magisterium can be phrased in a variety of ways: (1) How can the claim that the Church provides the way to eternal life be sustained if there is no recognized forum for articulating clearly and uncompromisingly the radical demand of the Christian ethic? (2) How can the Church preserve its international character if the factors of race, culture, and geographical location are decisive variables in the form of teaching? (3) Will the Church be able to offer coherent moral catechesis to the young and to catechumens if variety and disagreement characterize the Christian witness? (4) Does not the stress on discussion and democratic process in the development of moral consensus betray a strong Western bias? (5) Can the papal office remain a viable and unique institution in the Christian community if its occupant can only speak in the most general platitudes? (6) If there are no actions which can be described in advance as inherently wrong, will the Church's ability to

⁵⁸ Roger Mehl, *Catholic Ethics and Protestant Ethics* (Philadelphia: Westminster, 1971) 106. Mehl's study is based largely on pre-Vatican II representatives of Catholic theology.

⁵⁹ Thomas Dubay, "The State of Moral Theology: A Critical Appraisal," *TS* 35 (1974) 482-506.

⁶⁰ "Many liberal groups in the contemporary church have gone in for a *Weltanschauung* that links questions of theology with questions about how society is going and even questions about 'life styles' current among educated middle class of Western society" (J. M. Cameron, "Liberalism and Orthodoxy," *America* 142 [1980] 167).

protest vigorously against human abuses be hamstrung? (7) Does the experience of Protestantism give one confidence that a multifaceted magisterium will be listened to or exercise any significant influence on the opinions and lives of Catholic Christian people?

All of this debate in the Catholic world, which presupposes a compact definition of church (even in its progressive versions), has been interpreted by many as bringing the situation of the Protestant ethicist and the Catholic moral theologian closer together. As more freedom of expression and room for dissent have been tolerated in Catholic theology, the inevitable question has arisen: Are there no limits? In the final section of this paper, I will draw some conclusions from the comparison of the Protestant and Catholic experiences in regard to the role of the theological specialist in ethics.

ECUMENICAL OVERVIEW OF FUNCTION OF CHRISTIAN ETHICIST IN COMMUNITY OF FAITH

In the formal sense of the term, it seems that one cannot be a Christian without conscious and free participation in one of the Christian churches. While an individual's personal Christian identity might allow for affiliation with all the baptized or all who profess Jesus as Lord or the whole communion of saints throughout history, he or she must also stand within a describable and specific gathering of believers. This membership might be accounted for in terms of a gift of God or an accident of birth and upbringing. Yet once such a sense of self has been nurtured, it is the starting point for any further determination of one's possibilities of communitarian existence. To be Catholic, Protestant, or Orthodox, to be Lutheran, Baptist, or Mennonite (once firmly established), is not lightly given up.⁶¹ There is a way of intending the world, a special vocabulary and set of symbols which, though available to a large extent outside of one's denominational affiliation, still tend to characterize specific groups of Christians.

Part of the difficulty in sorting out the differences between Catholic and Protestant views of the role of the ethicist is that practitioners of this discipline in the respective communions, having attained a degree of cordial and mutually beneficial interaction, may presume a kind of convergence of perspective which belies other interpretations of the evidence. Charles Curran, for instance, makes the future look rosy for ecumenical co-operation. "In general, there has been a remarkable breaking down of the barriers and differences between Catholic and Protestant

⁶¹ "It still seems true *for me*, the way of finding Christ is in the Roman Catholic Church. It is *my* ordinary means of salvation. I advance the thesis for human, pragmatic, empirical reasons" (John Giles Milhaven, *Toward a New Catholic Morality* [Garden City: Doubleday, 1970] 204.

ethics so that often there is agreement across denominational lines on both methodological and content questions. The factor contributing the most to this change is the breakdown of a monolithic Roman Catholic moral theology."⁶² From the Protestant side, James Gustafson, in his nuanced evaluation of the points of convergence between the ethical traditions, summarizes the present situation in these terms; "to say the least, Roman Catholics and Protestants share common questions that provide the agenda for Christian ethics; they also share a perplexity about how to answer them, and they increasingly share a common set of considerations to be taken into account in answering them."⁶³

In order to gain some perspective on these developments it will be helpful to isolate some of the trends in the Catholic and Protestant ethical contexts.

Among Catholic moral theologians:

1) There is no longer a concentration on questions of conscience related to the sacrament of penance. This has broadened the range of interest and extricated moral theology from a preoccupation with categories of sin.

2) Advanced training in canon law is not perceived as a prerequisite, or even a desirable background, for teachers of moral theology. This has shifted the frame of reference away from legal categories and exhaustive casuistry.

3) Moral theology, which may have been the least reformed subdivision of Catholic theology at the time of Vatican II, has had to face a range of methodological issues relative to the use of Scripture, systematic theology, liturgy, and the social and natural sciences. As a result, there have been numerous false starts and naive enthusiasms.

4) Participants in the discipline are more and more diverse in both personal background and educational experience. They are male and female, clerical and lay, single and married, Western and Eastern, First World and Third World. This variety has never been present before.

5) The ability of the hierarchy to control the direction of theological reflection is severely curtailed. The previous penalties of refusing an imprimatur, stripping of priestly faculties, or removing from academic appointment now only apply to a small percentage of moral theologians. As a result, while pressures may be intense in one place or another, unwelcome opinions will surely surface elsewhere. It remains to be seen how much the new Code of Canon Law will affect the climate of theological discussion and the freedom of Catholic institutions to promote theological exploration.

⁶² Charles Curran, *New Perspectives in Moral Theology* (Notre Dame: Fides, 1974) 37.

⁶³ James Gustafson, *Protestant and Roman Catholic Ethics* 159.

6) Moral theology in its most influential forms is practiced more typically in the university than in the seminary setting. The various freedoms and protections that normally accrue to faculty membership in academe will therefore be appealed to in situations of conflict with authority.

7) The media of communication are ever alert for controversy in the major institutions of modern society, including the Church. It has become next to impossible to invoke secrecy as a way of suppressing dissent. In addition, theological opinion expressed in even the most obscure journals will be propagated in popular form if there is sufficient interest.

Among Protestant ethicists:

1) While there is no ultimate forum for the settlement of moral disputes in the pan-Protestant world, there are dominant figures and schools of thought within which individual theologians can find a responsive audience.

2) The persistence of the Church and Society division of the World Council of Churches and the National Council of Churches, as well as the generally positive reaction to Vatican II, indicate that many ethicists are desirous of co-operating in the formulation of basic principles and practical guidelines which might win support across a broad spectrum of churches.

3) The disenchantment with both biblical fundamentalism and civil religion among mainstream Protestant ethicists has opened the way for an analysis of how theological convictions and systematic theories inform moral discourse. This has sparked an interest in Catholic and Orthodox theorizing.

4) More Protestant ethicists are employed outside of Church-supported institutions. As a result, their work is often directed at a nonreligious audience or, at least, a diverse one. The tendency then is to use specifically theological concepts only sparingly.

5) There is no necessary connection between the pastoral ministry and the ministry of theological scholarship. Although many Protestant ethicists have seminary degrees and have served in the ordained ministry of the Church, they often cease such direct responsibility after obtaining an academic appointment. This may mean that their focus of loyalty shifts from the ecclesial community as such to the intellectual community.

6) Except for the more conservative denominations, the normal response by the Church to theological incompetence and/or unorthodox speculation by ethicists is either total neglect or sustained professional criticism. In the long run, every ethicist must create a constituency for himself or herself.

Having reviewed a few of the basic factors influencing the role and status of Christian ethicists in the Catholic and Protestant churches, I

will now propose three theses which seem to me to focus perspectival differences between Catholics and Protestants. Unless these factors are dealt with successfully, some limits to ecumenical co-operation will persist among ethicists.

Thesis 1: *Roman Catholic moral theology traditionally has been, and continues to be, interested in providing concrete moral guidance for its members (and all people of good will). Protestant ethics, on the other hand, is more concerned with the grounds for moral judgment and the factors that contribute to effective ethical analysis.*

The debate about the comparative worth of these approaches tends to be strong on rhetoric. On one side, terms are invoked such as ethical responsibility, freedom of conscience, moral maturity, and existential risk-taking. Here priority is given to the individual and/or small-group processes of specific discernment. On the other side, the dominant phrases are faithful obedience, collective wisdom, shared insight, and humble acceptance. In this instance, the Church as a universal institution is seen as a guard against self-deception, cultural blindness, and rampant individualism.

A significant percentage of Roman Catholic ethicists advocate a meta-ethical (or methodologically oriented) discourse on moral issues closer to the Protestant model. But the opposite trend can be found in Protestant circles, where some would like to move from the more typical working consensus to definitive judgment.

The primary objections to the Catholic model seem to be two. First, the very nature of moral existence (where the subjective component can never be adequately accounted for in advance) precludes the possibility of extensive and adequate rule-making. Second, the diversity of opinion in the Church about many controversial topics disallows the claim that only one position is the true one. The primary objections to the Protestant model focus on reverse aspects. First, the ultimate test of norms, principles, and guidelines is how they aid a consistent moral posture relative to a variety of concrete judgments. In the absence of this exemplification, theories tend to have a largely abstract status. Second, when no agent or agency attempts to represent the moral position as a whole, then inevitably either substitute magisteria appear or morality begins to appear arbitrary and confused.

Revisionist Catholic moral theologians find themselves in the ironic position of asking for a stronger voice in the formulation of moral consensus (relative to the hierarchical magisterium) at the same time that they offer their ethical reflections more hesitantly and with less absoluteness. In contrast, many Protestant ethicists are desirous of moving toward ecumenical agreement about certain issues like economic

justice, torture, nuclear warfare, and capital punishment, even though their methodology makes certitude on these matters difficult.

Thesis 2: Roman Catholic theology, with its stress on mediation and incarnational principles, supports the necessity of a moral magisterium in a way that Protestant transcendental theology does not.

Characteristically, the liturgical life of a religious community reveals its basic orientation to reality. In the Catholic tradition, the sense of sacramentality and the instrumental role of material creation on the path to God suggests that various intermediary structures can serve the common good in the pursuit of moral wisdom. From this point of view, the magisterium is not primarily a political construct set up to preserve papal-episcopal authority, but a realistic means of intervention by which the Church overcomes the diffuse and variegated nature of corporate ethical reflection.

In the Protestant tradition, the fear that human institutions and processes will usurp the divine prerogative and become obstacles and sources of scandal, rather than clarifiers of vision and promoters of benevolent activity, militates against their ready acceptance. Since the Church is not (and in this world can never be) the kingdom of God, undue confidence in the Church and its leadership can be a form of idolatry. Only a proper stance of critical participation in the structures of the Church can deter this seductive possibility, since the desire for absolute certitude is a common human trait.

Very few moral theologians want to rid the Church of the teaching office altogether. Instead, they desire to refashion the manner in which it operates. Liberal Catholics commonly give the papal social encyclicals unusual reverence while abhorring the edicts on sexual ethics from the same sources. Conservative Catholics fall into a reverse paradox. Liberal Protestants, while opposing restrictive policy statements by Church conclaves about abortion, euthanasia, and homosexuality, nevertheless urge a common front against repressive political regimes and firm condemnations of ecological neglect, overpopulation, and sexism. Depending on the cause, it seems that a centralized teaching authority in the Church can be seen as either a God-given means of moral collaboration or as a deceptive surrogate for the struggle of the individual conscience with the complexity of the value-laden universe.

Thesis 3: Roman Catholics tend to focus the concept of Church on the universal community of believers. As a result, they appreciate the value of a world-wide magisterial office. Protestants tend to define the Church in terms of the local congregation. As a result, they favor a more restricted context for the resolution of disputes.

It is the sense that the Roman Catholic Church is transnational,

transcultural, and above barriers of race and sex (at least at the theoretical level) that has made a consistent moral theorizing imperative. Whatever the deficiencies of the local pastor or episcopal leadership, contemporary Catholics can point to the grand tradition of scholarship and religious culture that allows the believer to transcend the aberrations of the moment. The mystics and saints of the past, the radical movements and the cathedral splendors continue to inspire and illumine the work of the present. Such a Church is more Catholic than Roman, although Roman in the sense of historically rooted. Its continuity and consistency in moral education is enough to reveal why a narrower frame of reference is inherently insufficient.

Protestants may at times express a loyalty to the Church as such, with minimum attention to its specific form, but on the whole, participation is a function of the attraction to some concrete local community. The tenuous identification with particular denominational backgrounds among Protestants is a sign that often a more encompassing view of the Church is a secondary concern. As long as this particular congregation witnesses to the moral demands of the gospel, then the Church as such is a dynamic force for good in the world.

Conclusion

These three theses suggest that ecclesiological rapprochement is a necessary precondition to further ecumenical co-operation in Christian ethics. As long as our theories of Church differ, so will expectations for the services to be rendered by specialists in the moral sciences. In the Protestant framework, I have pointed to five major models describing how the Christian ethicist might function. There is no reason to suspect that this exhausts the possibilities. In the absence of a higher court of appeal, ethicists can engage in whatever kind of speculation they might choose. On the other hand, Catholics have tended to presuppose the very givenness of the teaching office in the Church. Their disagreement is more at the level of reforming the process by which consensus is expressed and of stating the limits that inhibit the Church from excessive definitiveness and absoluteness in its moral judgments.

There seem to be three ways by which the ecumenical dilemma might be resolved. One option is for ecumenical Christian ethics to become concentrated at the university and at research institutes. In this case interference will be minimized and ecclesial barriers de-emphasized. But the price to be paid will be a separation from immediate concern for the pastoral ministry of the Church. The free atmosphere of ivied detachment can breed an elitist contempt for the practical ramifications of theological theory.

A second possibility is for the Church to establish various categories of scholarly endeavor and different descriptions of teaching mandates. In this scenario some would be entrusted with popular preservation of the moral legacy of the tradition. Others would be given encouragement to tackle the more abstruse, and therefore risky, task of probing the most influential intellectual currents of the day to find points of contact and alternate ways of expressing Christian theory. A third group would concentrate on formulating viable expressions of Church teaching for the perusal of the hierarchical magisterium (or various Church conclaves and agencies in the Protestant context), in order that its contribution might be solidly grounded in the most reliable current theology.

A final alternative is for each of the ecclesial traditions to preserve its own distinctive form of ethical reflection and teaching, but in a spirit of open conversation with other denominations. Thus, Catholics and Baptists might find common ground on abortion but disagree about divorce and remarriage. United Church of Christ members might find themselves mobilizing to support the activities of Catholic radicals in Latin America. Lutherans and Mormons might develop a national strategy for highlighting the importance of Christian family life. Protestants might applaud the Pope's efforts at world peace but bemoan his opposition to the ordination of women.

What contribution specialists in Christian ethics might make to the Church in the future will be largely determined by the ways in which the Christian churches grow closer together or find themselves facing one another as partial strangers professing the same Lord. I suspect that the inability of Protestant theological centers to find a common ethical methodology (or even a conducive forum for such a pursuit) is indicative of the fragmented and pluralistic condition of the discipline which will continue to prevail. Catholic moral theologians who look favorably upon this state of affairs will have to accustom themselves to a more indirect influence on the beliefs and practices of Catholic people.