

After the Council: Transformations in the Shape of Moral Theology and 'the Church to Come'

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Abstract

This paper seeks to explore the impact that the Council had upon moral theology, and vice versa, along with some of the main debates and methodological questions that have preoccupied Catholic ethicists since. Seeking to chart both that, as well as how, moral theology was transformed, four key points arise. First, the emergence, even prior to the council of a more participatory approach to moral theology. Second, the retrieval of an understanding of the provisionality of much moral teaching. Third, an appreciation of the circular relationship between ethics and ecclesiology. Fourth, the 'work to be done' in relation to continuing disagreements over method and the 'yearning for continuity' that emerged in reaction to the transformations in moral theology and indeed the Council in general. We close with consideration of constructive proposals for the future concerning whether and how Catholics might live with difference and indeed with less certitude, reminding ourselves that morality is not a precise and exact science, as if any such thing exists.

Keywords

Moral theology, Vatican II, Ecclesiology, Doctrinal Change

There is a passage in Rahner's *Shape of the Church to Come* which, for this reader at least, particularly helps contextualise the nature of the debates concerning Vatican II, moral theology and the challenges facing the Church in the post-conciliar and contemporary period,

In future we must take the risk, not only of a Church with 'open doors', but of an 'open Church'. We cannot remain in the ghetto nor may we return to it. Anyone who experiences and endures the confusion, partly unavoidable, partly avoidable, in all dimensions of teaching and practice, which undoubtedly exists in the Church, is certainly tempted to long for the Church which older people among us knew under the four Pius's and up to the last Council. We are then tempted, in such

movements as that 'for Pope and Church' [Pro Ecclesia et Pontifice], in what is in fact in the last resort a sterile pseudo-Orthodoxy, to 'purify' the Church as rapidly as possible and by administrative measures to draw clear frontiers, to 'restore' the old order: in a word to enter on the march into the ghetto, even though the Church would then become, not the 'little flock' of the gospel, but really a sect with a ghetto mentality.¹

Within this citation we see reflected differing views of what constitutes the faith and, by implication, the role of Catholic theologians in serving and interpreting it. Indeed, we have two contrasting understandings of the Church displayed here. One would not wish to divide people into binary oppositional camps but both alternatives presented by Rahner do capture respective ecclesial and, in turn, moral visions of the Church and of its mission. In this paper I wish to explore not simply the impact that the Council had upon moral theology, and vice versa, but also some of the main debates and methodological questions that have preoccupied Catholic ethicists since. I believe there are four key points that emerge from a consideration of this topic.

First, I wish to touch upon and underline the fact that the manner in which Catholics engage in moral discernment was already undergoing fundamental change before the Council and such change became more 'mainstream', if that is not too loaded a term, in the decades following the Council. A more participatory understanding of the moral quest emerged in the light of new challenges and pastoral realities.

Second, a recognition of the *provisionality* of much Church teaching, along with the need for attention to those changing contexts and those new challenges, was as much a part of the Council's legacy to moral theology as it was to the Church and theology in general.

Third, I particularly wish to underline the circular interplay between the transformations in Catholic ecclesiology and moral theology during this period. One cannot bring about significant changes in Catholic ecclesiology and not expect them to have a bearing upon how Catholics approach moral challenges. By the same token, one cannot change Catholic teaching concerning moral challenges and not have an impact upon the Church's self-understanding, upon the Catholic sense of mission, catechesis, evangelisation and so on. Ecclesial life is life – so if morality is concerned with the challenges of life then moral theology also has to be related to ecclesial life.

Our fourth point involves one of the main divisive issues in Catholic moral theology and moral teaching in the post-conciliar period and beyond, a problem that emerged as everybody knows even before the Council had completed its proceedings: namely, the

¹ Karl Rahner, *The Shape of the Church to Come*, translated and introduced by Edward Quinn (London, SPCK, 1974) p. 93.

disagreement concerning continuity and change in Church teaching and practice. The Papal Commission on Birth Control and *Humanae vitae* of course provided the sharpest focus for such divisions. But these disagreements over continuity and how, for some, change is seen to be a negative thing, have featured prominently in much debate concerning moral theology, canon law and indeed ecclesiology from the close of the Council to this day. Let us turn, then, to our first issue. . .

Vatican II and A New "Ethical Horizon" for the Church (Gregory Baum)

Obviously, the Council itself was made possible and took on the form it did, leading to the discussions that took place and the documents that emerged to transform the Church and the expression of its self-understanding, thanks to currents of change already present in the Church prior to the 1960s. So, also, were there transformations in Church teaching and indeed of ecclesial life in general, because there had long been developments in the world of theology in general and moral theology in particular, that made *aggiornamento* as much a necessity in moral terms as it clearly was in ecclesial, organisational and general doctrinal terms.

The Council, of course, was permeated by moral questions, considerations, debates, exchanges and disagreements throughout. Papal documents and other Church teaching issued in the years leading up to and following the Council, including during the papacy of Pius XII, were frequently concerned with moral and social issues. And if few parts of the conciliar texts could be described as primarily moral theology in the normal understanding of such, then by the same token the vast majority of conciliar texts and each of the main texts are concerned with issues of moral concern and aspiration to a great extent.

Thus we might even say that *aggiornamento* was *driven* by a sense of moral as well as ecclesial *purpose*. So while it may be self-evident that moral theology has changed dramatically in the last forty or so years, it is equally important to remember that it was changing long before the Council began. The Council and the decade or so following its closure in many ways represented the pinnacle of a particular period of transformations across the Church and theology alike. The moral theologians who would help bring about some of the most significant and lasting achievements of the Council were obviously undergoing their own formative years prior to the Council itself.²

² Of course, some theologians may have "jumped on the progressive bandwagon", at least for a time, only once the Council began and the progressive conservatives as opposed to the more obstinate and retrogressive conservatives began to hold sway [Adrian

My good friend, erstwhile colleague and inspirational teacher and pastor alike, Kevin Kelly, tells a wonderful story about his own days of seminary study of moral theology, where, despite his admiration for his professor in this field,

much of [the] course was light-years away from the approach to moral theology that emerged from Vatican II. The three-volume moral theology manual by Noldin was our text. Its sub-title was *Secundum mentem S. Thomae* ('according to the mind of St Thomas'). When, after ordination, I studied moral theology in Fribourg from the actual text of Aquinas I discovered that Noldin was very far from the mind of Thomas. In addition, a great deal of the course was devoted to canon law – not unnaturally, since Noldin's treatment of the sacraments was largely based on canon law. The manual's coverage of sexual ethics was in a separate volume on the sixth and ninth commandments and said little about sexual maturity and healthy relationships. Its main aim was to specify as accurately as possible all the kinds of sins against chastity and to offer guidance on determining what guilt was involved.³

Of course, Kelly here also points towards a significant transformation in moral theology that was already taking shape by the time of his own graduate studies. For, as stated earlier, moral theology, like Catholic theology in general, was already undergoing profound changes. It is a not infrequent assumption that the emergence of new theories in moral theology such as personalism were innovations of the 1960s or at the earliest the 1950s. However, people such as Louis Janssens, for example, were already working on their personalist theories in relation Catholic moral theology certainly in the 1930s and neither were working in a vacuum, but rather building upon and interacting with the thought of earlier and contemporaneous philosophical and theological thinkers such as Max Scheler, Martin Buber and Jacques Maritain. But, crucially, Janssens, originally a patristics scholar and then a professor of dogmatics, was moved to explore the methods of moral theology by his engagement with the original texts of Aquinas as opposed to the neo-scholastic interpretations that Kelly and numerous others have rightly indicated frequently diverge from the mind of the Angelic Doctor himself.

Hastings famously reminded us that everyone at Vatican II was a conservative of one sort or another!, see Adrian Hastings (ed.), *Modern Catholicism: Vatican II and After* (Oxford and New York: Oxford University Press, 1991)]. However, in terms of moral theology, the changes that took place could not have been ushered in overnight. And while some have either lauded or regretted how skilfully some *peritii* and Council Fathers sought to persuade others that these "innovations" were actually more in tune with much of the older tradition in the Church, they were sincere and I believe correct in so doing.

³ Kevin Kelly, 'The Role of Personal Story in the Teaching of Moral Theology' in Julie Clague, Bernard Hoose and Gerard Mannion (eds.), *Moral Theology for the 21st Century: Essays in Celebration of Kevin Kelly* (London and New York, T&T Clark, 2008) pp. 279–80.

The influence which leading moral theologians had upon the Council and its documents is sometimes overlooked in favour of the contributions from scholars working in what was then called dogmatic theology. But considering, for example, the influence that people such as Janssens had not simply upon documents such as *Gaudium et spes*, but also upon the Declaration on Religious Liberty, *Dignitatis humanae*, then the influence of moral theologians can indeed be seen to have left their imprint upon documents concerned with more than simply the most obvious areas of moral theological enquiry and concern. Or, as a further example, Bernard Häring's contribution can also not be overstated – his tired eyes during his lectures each morning at the Council being not the product of CTA-style late night revelry but rather the sheer demands placed upon him into the small hours by bishops seeking his advice.⁴ We could go on with still further names: Joseph Fuchs and John Courtney Murray perhaps spring most readily to mind. And away from the macro-ecclesial, there are the many unsung heroes and heroines (here the late Monika Hellwig especially deserves to be remembered) in the national, diocesan and local church contexts which helped their bishops and Episcopal conferences prepare pastorally sensitive statements and guidance with regard to implementing the changes brought about by Vatican II.⁵

Even if moral theology was undergoing its own *aggiornamento* in various quarters prior to the Council,⁶ what the Council facilitated was the integration of particular approaches to and methods in moral theology into the heart of the Church's teaching and indeed ecclesial life in general. This in turn transformed the pastoral mission of the Church.

Indeed, the Council further helped transform moral theology through its affirmation of collegiality, the laity, the encouragement of national and diocesan and ecumenical and interfaith initiatives and, of course, through the changes it helped bring about in ministerial, as well as theological formation and indeed in Catholic education and catechesis on a wider basis.

How the Council helped transform Catholic approaches to and understanding of moral dilemmas is further underlined by the status of the Council as a primarily pastoral council. No new dogmas were defined at Vatican II and deliberately so. In that decision lay a clue also to the direction in which the approach to moral questions was to

⁴ As recounted by Richard McBrien, *New York Times*, July 11th 1998.

⁵ But we should equally note that even some of the so-called "dogmatic" theologians helped usher in new ways of considering moral and social questions and of exercising moral discernment. Karl Rahner, himself, of course, looms large here, not least of all his contribution to the theory of "fundamental freedom" which moves moral reflection away from acts towards considerations of being.

⁶ As, indeed, was Catholic ecclesiology.

change. Cardinal Suenens declared in 1968 that the Council's greatest legacy was the recognition and indeed affirmation of co-responsibility in the Church. Or so many believed at the time, lest we forget too long the debates about continuity.

That Moral Theology Changed and How Moral Theology Changed

Many have already charted the story and history of moral theology in the years preceding, during and since the Council. Julie Clague at Glasgow has offered much insight here. She reminds us that, although not all changes in moral theology and teaching are as obvious as the Church's *volte face* on slavery, they are nonetheless very significant,

In truth, though the changes are often less dramatic, the Church's moral doctrines are constantly subject to frequent if less obvious updating and fine-tuning as humanity learns more about how to be human. So numerous now are the instances of changed Church teaching and so aware are Christians of the historical and cultural contingency of humanity's moral values, that doctrinal change has itself become an object of theological reflection and hermeneutical scrutiny. Changed teachings have changed our understanding of Church teaching itself and its relation to humankind's search for the truth.⁷

Further helping to illustrate the broader context here, that and how the Church's teaching on key moral issues changed is summarised particularly well by Gregory Baum (who lived through and played a key role as a conciliar peritus in many such developments), here summarising the impact of the Council,

... as the church entered a new ethical horizon, it had to review its official teaching. Challenged by the egalitarian culture of modernity and its betrayals in conquest, colonialism and death-dealing exclusions, the Catholic Church, reflecting anew on the Word of God, affirmed some modern aspirations and rejected others – both on theological grounds. I repeatedly expressed my amazement at the extraordinary evolution of the Church's official teaching. The ecclesiastical magisterium changed its mind regarding religious liberty and human rights in general, and moving beyond its previous teaching, it recognizes freedom, equality and participation as values sustained by divine revelation. New in the

⁷ Julie Clague, 'Moral Theology and Doctrinal Change' in *Moral Theology for the 21st Century*, p. 68. Clague is author also of a forthcoming full-length study of this topic, *Catholic Tradition and Moral Change*. Indeed, in the UK, alone, in addition to Julie Clague's recent work, groundbreaking studies from people such as Jack Mahoney, Kevin Kelly and Bernard Hoose have covered much of the pre- and post-conciliar ground, and recent and ongoing researches by Jayne Hoose amongst others promise to chart further the nature of how Catholic moral theology has not simply developed but also changed and why that is no bad thing. Jack Mahoney's *The Making of Moral Theology: A Study of the Roman Catholic Tradition*, (Oxford and New York: Oxford University Press, 1987) has attained the status of a classic in the field.

Church's official teaching is the understanding of human beings as historical subjects responsible for their own lives and their society.⁸

Perhaps more succinctly, still, we might summarise the changes brought about in relation to ethics by reflection upon the corpus of work from another moral theologian who lived through and embodies so much of the history and development of Catholic moral theology in this period, including the many travails of Catholic moral theologians during it. Casting his mind back across much of his own experience, Charles E. Curran summarises the shape of much post-Vatican II moral theology as being characterised by a shift from an "act-centred" to a "life-centred" moral theology, along with a more conscious and sustained focus on scripture and engagement with other branches of theology. Dialogue with philosophical ethics, and also with other Christian attempts as discerning moral norms were further positive innovations.⁹

Of course, with the qualified exception of that final characteristic (and even in this case, the Church of Rome has always learned from churches elsewhere, whether they have been under the oversight of its Supreme Pontiff or not), these characteristics could all be said to be a retrieval of how Catholic moral reflection and discernment was done in the past, as opposed to especially radical innovations.

The Irish moral theologian and good friend to the CTA, Enda MacDonagh offered some more immediate reflections which are especially telling because he was writing in the immediate aftermath of the Council itself. Such bear the hallmarks of the time and indeed of many conciliar documents themselves in both doffing the cap to more 'traditional' doctrinal stances at one and the same time as indicating just how profound a transformation in Catholic moral theology had actually now been assumed into the mainstream understanding of the Church and its teaching. What is especially significant is that he offers contemporaneous support for each of the four key theses outlined at the start of this paper.

So in this essay, published in 1968 but presumably penned in 1967 and hence prior to Gutierrez's now legendary paper 'Toward a Theology of Liberation',¹⁰ and equally before many feminist theologians were echoing similar sentiments, MacDonagh already spoke in the following terms: "Presented as an ethic of freedom or liberation,

⁸ Gregory Baum, *Amazing Church: A Catholic Theologian Remembers a Half Century of Change* (Maryknoll, Orbis, 2005) p. 135.

⁹ Charles E. Curran, *Loyal Dissent* (Washington DC, Georgetown University Press, 2006). As James Keenan writes "Curran has always defined the church itself as the starting point of moral theology, and reminds us that it is largely the work of systematic theologians that has brought theological ethics to where it is today", James F. Keenan, 'Moral Notes: Crises and Other Developments', James F. Keenan S.J., 'Moral Notes: Crises and Other Developments', *Theological Studies*, 69 (March 2008) p. 139.

¹⁰ Delivered in 1968 and published in pamphlet form in 1969.

the Christian ethic emphasizes the liberating or saving power of God's activity in revelation".¹¹

MacDonagh helps confirm the thesis concerning a pluralistic approach to moral issues, reminding his readers of a fact he feared was overlooked in some debates at that time: given the inexhaustible riches of God's revelation and word, along with the complexity of the late modern human person, "no one approach to the Christian ethic can do complete justice to the God-man [human] relationship and the way of life it involves".¹² He thus affirms a plurality of approaches, models and methods as being necessary to illuminate such a relationship from different angles. The significance of this for our contemporary considerations cannot be overstated.

Many questions which perplexed the earliest Christians are no longer issues of concern, but new issues, such as common worship, mixed marriages, pluralist societies, the bomb and population control, are.¹³ New questions "demand new answers" which nonetheless seek to maintain the divine-human relationship made known through Christ and which equally build upon "the inherited wisdom and reflexion of previous generations".¹⁴ All the resources at the disposal of the community can be utilised in this task, including those of the wider human community and "secular" world. The "historical condition" of human being means that development is a given to the "community understanding".¹⁵ There is also both a personal and a creative aspect to the task of moral discernment as well. For each person has their own "unique vocation" and "irreducible personality", which legalistic approaches to ethics frequently ignore.¹⁶

Also offering support to the thesis concerning the interrelation between ecclesiology and ethics, MacDonagh stresses that if there is anything distinctive about the Christian ethic, it not just that but also the way in which it is an ethic of community. Thus, writing long before the appearance of Avery Dulles' classic *Models of the Church*,¹⁷ MacDonagh also states that one of the key shifts brought about by the Council was the shift from understanding the church "primarily as an organisation, a juridically structured group, to thinking of it as a community, a people united above all by bonds of love in

¹¹ Enda MacDonagh, 'The Christian Ethic: a Community Ethic', in L. K. Shook (ed.), *Renewal of Religious Structures*, Introduction by Leon-Joseph Cardinal Suenens, vol. 2 of *Theology of Renewal, Proceedings of the Congress on the Theology of the Renewal of the Church*, (New York, Herder & Herder, 1968) pp. 307–27, at p. 310.

¹² *Ibid.*

¹³ *Ibid.*

¹⁴ *Ibid.*, p. 320.

¹⁵ *Ibid.*, p. 321.

¹⁶ *Ibid.*, pp. 321–22.

¹⁷ Avery Dulles, *Models of the Church*, first published in New York by Doubleday in 1974, with a second edition following (Dublin, Gill & Macmillan) in 1998.

Christ”.¹⁸ MacDonagh further explicates the *participatory* nature of this community and also notes that the preoccupation with the human as a community being in secular thinking had also, in turn, influenced conciliar and papal documents.¹⁹

MacDonagh even has reflections of relevance to our thesis concerning continuity. He affirms that God’s self-gift does “not destroy” human understanding, but rather “illuminates it” (grace and nature) and so “The implications of revelation can only be progressively understood by the community” which obviously is subject to the “laws of human understanding” and hence the community task of understanding revelation is an ongoing one that is furthermore an historical task “as successive generations of Christians, building upon the understanding of their predecessors, try to understand and explain God in his living Word in a way relevant and intelligible to their time”.²⁰ For ethics, that is to say for the “*way of life*” God calls us to, such a “process of historical development applies in a particularly complex way”. Just as societies change and develop, so, too do the problems that they must face and reflect upon.

So, if we have briefly established that and how moral theology in a broader sense was transformed, what of the outcomes of such a transformation? Let us consider some examples and work towards some concluding reflections in the light of our theme – the Church to come.

Discerning ‘Milestones’ in the Transformation of Moral Theology

Here is one place where it is necessary to return to ‘adding footnotes’ to or at least to standing on the shoulders of giants. Another moral theologian who has helped shape and chart the history of Catholic moral theology in the second half of the twentieth-century is Richard A. McCormick, whose ‘Notes on Moral Theology’ kept generations of readers of *Theological Studies* abreast of developments, both theoretical and practical. When asked to set down his own survey of the era *in toto*, he produced a typically comprehensive, informative and yet succinct survey in which he identified and outlined ten “significant developments” that have impacted upon Roman Catholic moral theology since 1940.²¹ Some we have already touched upon, but let us detail McCormick’s full list here. The items on it range from the aforementioned theology of Karl Rahner and the notion of “fundamental freedom”, to revisions in method and new ways of

¹⁸ MacDonagh, ‘The Christian Ethic’, p. 311.

¹⁹ *Ibid.*, p. 313.

²⁰ *Ibid.*, p. 319.

²¹ Richard A McCormick, ‘Moral Theology 1940–1989: An Overview’ in *Theological Studies*, 50 (1989), pp. 3–24.

examining and articulating moral norms (e.g. the development of proportionalism²² and the transformation of natural law moral theology).

The ten also includes the Papal Birth Control Commission of the 1960s along with the subsequent encyclical, *Humanae vitae* and its aftermath. The emergence of feminism and then the "maturation of bioethics" come next, followed by the influence of liberation theology. McCormick then turns to the emergence of personalism – "The person as criterion of the morally right and wrong",²³ before discussing – vis-à-vis public dissent from "some authoritative but non-infallible [official church] teaching" – the controversy over his friend and fellow moral theologian, Charles Curran, who was eventually dismissed from his post at the Catholic University of America over his public opposition to *Humanae vitae*.

Before dealing with the two remaining items on McCormick's list that I have not yet mentioned, it is obvious that, nearly twenty years after that list was compiled, we would obviously need to supplement it and indeed to expand the remit of such a task, as no doubt the late professor himself would agree, but space prevents our doing so in an exhaustive fashion here. So, also, does it prevent more extensive treatments on subsequent developments in relation to areas such as liberationist and contextual theologies, bioethics and so on. But if we were to continue to supplement McCormick's sketch, then we would certainly need to consider the subsequent developments at the official and doctrinal level, such as the moral and social encyclicals of John Paul II, where some "puzzling" methodological goings-on can be witnessed and there appear to be contrasting influences at work in terms of the character of, say, the late Holy Father's devastating critique of the evils of liberal capitalism, and the 'return' to a certain form of natural law thinking applied to other moral questions in *Veritatis splendor* (1993) and *Evangelium vitae* (1995) (accompanied by an unjust denunciation of proportionalism as somehow being a consequentialistic moral theory).

The revision of the *Code of Canon Law* (1983), the release of the *Catechism of the Catholic Church* (1993, final version, 1998) and, more recently, the release of the *Compendium of the Social Doctrine of the Church* (2005) have all played their part. This trend towards

²² Proportionalism refers to an appropriate response to moral issues that involves considering the full circumstances and 'proportionate reason' (a good) for acting in a given way (focusing on the *end* of a moral act, although proportionalism is not a consequentialist theory in the main, but rather is more nuanced in its approach than many such theories and than many deontological approaches). Any good achieved through an action must be proportionate to any 'evil' involved in achieving it. So to ignore or breach a moral rule or principle, one would need 'proportionate reasons' to justify such an action.

²³ Personalism places the emphasis in moral discernment upon the value and dignity of each individual person. In such an approach there is an emphasis upon dialogue and solidarity.

codification and assembling of a body of teaching, the definitive or at least authoritative status of which proves often to be in the eye of the beholder, has proved to be something of a double-edged sword for Catholic moral discernment and pastoral practice alike. One might also note, on the one hand, the further developments in natural law theory and the reassertion of absolute moral norms in the work of those such as Germain Grisez and John Finnis to name but two example in the English-speaking world – what Todd Salzmann, Michael Lawler and others have termed the ‘new natural law theory’ (NNLT).²⁴ And, on the other hand, we have a continuation of and further development of the shift away from perceived ‘legalism’.

Related to such developments, from the conciliar documents themselves onwards, we have seen a transformed understanding of conscience and the impact this has had upon numerous moral norms in the discourse of Catholic moral theology. Of course, that subject upon which we have already paused for deliberation, the fallout from the reactions to *Humanae vitae*, looms large here in a profound fashion, perhaps brought to a head in what McCormick, himself has termed ‘the Curran Affair’ and outlined in many excellent studies.²⁵

This area of discussion brings us nicely back to McCormick’s sketch itself, for his tenth and final “significant development” describes the prevailing situation in the official church, whereby there has once more been increasing centralisation in the Church upon Rome, and theologians, above all moral theologians, are “policed” anew, most notably through the *Congregation for the Doctrine of the Faith*, but equally by those legions of willing letter writers, and, more latterly, bloggers and would-be ‘heresy-hunters’ across the globe. Recall that these developments were still new and the focus of much attention at the time McCormick was writing. It seems they sadly do not enjoy as much sustained discussion and reflection in more recent times.

McCormick uses the term “restoration” to describe this re-emergence of an authoritarian form of conservative governance of theology (and indeed the Church in general). This “significant development”, I believe, is one of two amongst McCormick’s ten which are of the greatest relevance to our own reflections on this issue. The second is the very first item on McCormick’s list of ten.

This key development relates to our third thesis and is, of course, “Vatican II and ecclesiology”. To some this might prove a strange and less obvious choice. Yet to others, it is *the* most obvious development with which to begin his survey. McCormick himself explains:

²⁴ Salzmann and Lawler do so from a particularly critical perspective, whilst other Thomists such as Ralph McInerney do so primarily to critique the novelty of the use of the thought of Aquinas here.

²⁵ E.g. Linda Hogan’s *Conscience in the Catholic Tradition* (London, DLT, 2000).

The Council said very little directly about moral theology. Yet what it said about other aspects of Catholic belief and practice had an enormous influence on moral theology. *These other aspects of Catholic belief and life are largely, though not exclusively, ecclesiological.* For Vatican II was, above all, an ecclesiological council.²⁶

In other words, each and every one of these developments likewise marked an *ecclesiological* development and/or influenced substantial changes in ecclesiological and ecclesial thinking alike. McCormick tells us as much, himself, in quoting approvingly Richard McBrien's account²⁷ of the *six* most important developments in Roman Catholic *ecclesiology* to emerge from Vatican II, namely, the church as mystery or sacrament; the Church as people of God; the Church as servant; the Church as collegial; the Church as ecumenical; the Church as eschatological. Thus, McCormick states, "I believe McBrien is absolutely correct when he asserts that these ecclesial metaphors affect both the substance and method of moral inquiry in very profound ways".²⁸ But what of their enduring effect?

I turn to discuss the extent to which the story of moral theology and of ethics in this period is bound up with the story of Catholic *ecclesiology*, and in a circular fashion that continues to this day.

The Interplay of Ethics and Ecclesiology in the Catholic Church

We have already heard and it is now taken for granted that the Second Vatican Council witnessed a radical transformation in the *ecclesiological* thinking of the Roman Catholic Church. First, as I have been seeking to suggest, this was in part necessitated by *moral* challenges and problems pertaining to social ethics²⁹ in the wider world of the decades preceding the 1960s (at both the macro and micro level, e.g. the Depression, the rise of State Totalitarianism, the Holocaust, WWII and its aftermath, etc., along with changes in patterns of social life, human relational and sexual norms and aspirations, advances in health care and so on).³⁰ Thus our thesis on the moral necessity of *aggiornamento*.

²⁶ McCormick, 'Moral Theology 1940–1989: An Overview' (my italics) p. 7.

²⁷ Given to a gathering of Moral Theologians at the University of Notre Dame in June, 1988.

²⁸ McCormick, Richard A.: 'Moral Theology 1940–1989: An Overview' p. 8.

²⁹ In recent times, some often seem to treat Catholic social teaching as somehow separate from other concerns of moral theology, but the Church's contributions to social and political ethics are, of course, an inseparable part of its moral tradition.

³⁰ The moral *necessity* of Vatican II has recently been further underlined by scholars such as James F. Keenan and Stephen Schloesser, c.f. James F. Keenan, 'Moral Notes: Crises and Other Developments', *Theological Studies* 69 (2008), pp. 125–43, who cites, approvingly (at p. 125), Stephen Schloesser, 'Against Forgetting: Memory, History, Vatican II', *Theological Studies* 67 (2006) pp. 275–314.

In much the same way as we have charted the circular relationship between the Council and moral theology, in a wider sense, still, this new ecclesiological situation in turn led to a radical transformation in much Roman Catholic *ethical* thinking (moral theology, social ethics and social teaching etc.). Furthermore, in recent years this utterly transformed moral theology has been at the forefront of the thinking of those providing a (moral) critique of present ecclesiological thinking and thus ecclesial life (particularly in relation to the magisterium and structures of authority, governance and leadership in the Church). This has led to new thinking and new developments, once again, throughout every level of the Roman Catholic Church. So let us explore the precise nature of this inter-relationship between Roman Catholic moral theology and Roman Catholic ecclesiology a little further. First, let us account for some tensions in this area before turning to more constructive developments.

A Yearning for Continuity

Debates about continuity have elicited many contributions in recent times in relation to the Council and its enduring legacy, summed up in the title of John O'Malley's wonderful essay of 2006, 'Vatican II: Did Anything Happen?'.³¹ Here we are concerned with answering this question in relation to moral theology.

Gregory Baum indicates that the story of the Church in this period, in relation to its new ethical horizon, is both wonderfully exhilarating and also sadly depressing. Baum believes it was the ('official') magisterium's "openness to new pastoral experiences and new ideas fostered by various movements in the church" which helped to bring about a transformation.³² This, despite the determination of many within the Church, including within the hierarchy, to refuse to embrace such "new teaching".³³ Baum is adamant that such a transformation in the most important areas of teaching would not have come about had not certain theologians, despite censure at the hands of the Holy Office, the forerunner of the CDF, "remained faithful to their inspiration [and] yet rendered a service to the Church and eventually helped the magisterium to formulate its new teaching".³⁴

³¹ John O'Malley, 'Vatican II: Did Anything Happen?', *Theological Studies* 67 (2006) pp. 3–33. There followed a collection of the same title with various responses by John W O'Malley, Joseph A. Komonchak, Stephen Schloesser, Neil J. Ormerod, and David G. Schultenover (New York and London, Continuum, 2007). O'Malley, himself, has just published an expanded treatment of his own essay, *What Happened at Vatican II?*, (Cambridge, MS, Harvard University Press, 2008).

³² Baum, *Amazing Church*, p. 140.

³³ *Ibid.*, p. 139.

³⁴ *Ibid.*, p. 140.

Not everybody would agree that those changes in moral theology have been for the better. As with all change, there has been much opposition to the changes in moral theology and means of moral discernment in the Church of recent decades. As we know, very soon after the Council a parallel set of developments began to take shape which would seek to counter many of the changes which had been witnessed, and to do so in an increasingly programmatic and comprehensive fashion, whether in terms of method, teaching, practice, education and so on.

The questions of continuity and discontinuity preoccupy so many of the discussions about Vatican II and are complicated by the fact that many believe Vatican II was as much a Council of 'retrieval' as it was of renewal or change. This raises the further question concerning the status of key developments subsequent to the Council. Again we can only focus upon but a few of these questions in relation to moral theology.

The need that some Catholics feel (and not just Catholics) to cling to some notion of changeless norms and seamless continuity has influenced subsequent changes in the understanding of Catholic theology itself and of the ecclesial vocation of the theologian. The understanding and exercise of magisterium have thus been equally transformed and Catholic formation and education, including that of priests, have again been drastically revised in attempts to counter perceived negative developments unleashed by the Council, at least by many who have sought to implement it in particular ways. That most famous of case studies should be touched upon here.

One could not hope to deal with the topic in hand and not mention *Humanae vitae* – forty years on. In one sense, the whole debate about this encyclical, its formation and the various responses to it relate to the issue of continuity vis-à-vis change. Despite Paul VI's veto, the topic was much discussed at the Council and often formed the subject of heated debates.³⁵ Many European and especially English-speaking bishops were decried as being out of touch with pastoral realities by their counterparts from the two-thirds world.

We must not forget that moral theologians prior to 1968 took a much more open and, some might say, objective approach to the subject of artificial contraception. For example, many experts thought that the progesterone pill was simply a means by which the woman's natural period of infertility was extended and *therefore*, could be utilised by Catholics in good conscience, as the Church had no problems with couples having sexual intercourse during this "natural" period when conception was impossible. In the "outside

³⁵ E.g., c.f. Jan Grootaers, 'The Drama Continues Between the Acts: the "Second Preparation" and its Opponents', in Giuseppe Alberigo and Joseph A. Komonchak (eds.), *History of Vatican II*, vol. II, 1997, pp. 482–3.

world”, Catholics from all walks of life, including experts in the requisite medical fields, canon lawyers, magistrates, civil lawyers and biochemists all appealed for a revision of Church teaching on sexual morality.³⁶ Hence, before *Humanae vitae* there was obviously a much more diverse set of attitudes towards the subject at large in the church.³⁷

Throughout the Council, moral theologians such as Bernard Häring and Louis Janssens worked tirelessly to ensure that the conciliar documents reflected a more personalist and pastorally oriented understanding of marriage, relationships and the family.³⁸ Ecumenical observers who reported on the conciliar debates were divided in their assessment – one found it depressing to hear “two thousand celibates” debating “the morality of birth control”,³⁹ whilst another thought the whole debate “exciting” and welcomed the shift in perspectives on marriage and sexuality that some of the Fathers were expressing.⁴⁰

Of course, the publication of *Humanae vitae* was to bring about significant transformations in Catholic moral discourse of a very different nature. So this offers a good summary of our fourth main issue of concern, for *Humanae vitae* and the differing responses to it encapsulate so many of the key challenges for the Church to come.

Thus, at the risk of understatement, the transformation in church teaching and the approach to moral issues “after the Council” has obviously not been a journey without disagreement and pain in the Church. Such struggles are far from over. With regard to the parallel, and one might say reactionary, developments mentioned earlier, what has been frequently witnessed throughout the period in question – and increasingly so in the last thirty years – are attempts to declare “closure” on many moral topics that had been considered less settled. This has not been a pleasant or edifying experience for the Church. It has also hardened divisions across differing schools of method within moral theology.

³⁶ As reported by Henri Feswuet in *Le Monde*, – see Norman Tanner, ‘The Church in the World (*Ecclesia ad Extra*)’, in Giuseppe Alberigo and Joseph A. Komonchak (eds.), *History of Vatican II*, vol. IV, 2003, p. 308.

³⁷ Cf., here, David Lodge’s novel, *The British Museum is Falling Down* (published in 1965) for a grassroots depiction of the range of attitudes towards the subject.

³⁸ Bernard Häring, *Meine Erfahrung mit der Kirche: Einleitung und Fragen von Gianni Liechert* (Freiberg-Nasel-Vienna, 1989) p. 58, cited in Wittstadt, ‘On the Eve of the Second Vatican Council’, p. 453. Note a link, here with similar themes and sentiments later expressed in various writings by not only Joseph Ratzinger, in the early chapters of his *Called to Communion. Understanding the Church Today* (San Francisco, Ignatius Press, 1996) and even his teaching since his elevation to the papacy. There he points out that the call to be Church, to Christian community, mirrors the call to love and communion of married couples and bears testimony to the being of the God who is love, as testified to in the New Testament.

³⁹ A. A. MacArthur, cited in ‘The Church in the World’, p. 312.

⁴⁰ Lucas Vischer, cited in ‘The Church in the World’, p. 312.

Ethics and Ecclesiology in Constructive Perspective

However, what emerged anew after the Council, perhaps more than during many periods of the church's history since the Council of Trent, and certainly since the late nineteenth-century, is a clear demonstration of the fact and unavoidability of a degree of pluralism within the Church's fields of intellectual and doctrinal enquiry. The Church by and large lived more happily (at least relatively speaking) with such plurality in many of the centuries prior to the Reformation. It can continue to do so into the twenty-first century and beyond.

Attempts to draw "lines in the sand" with regard to issues that either do not feature prominently in the "hierarchy of truths" or are merely adiaphora, or which are issues that cannot or should not be considered closed due to their nature or to changes in knowledge and understanding or indeed circumstance, is not the best way for the Church to bear witness to the gospel in these challenging times. Many of the Fathers at Vatican II recognised this. Some schools of doctrinal and, more specifically, ecclesiological and moral interpretation in recent times have argued otherwise. They wear doctrinal rigidity as a badge of honour.

Yet there are also many in the Church who continue to argue, in the spirit of Vatican II, that dialogue and debate and a more participatory understanding of authority in general and of magisterium in particular might point towards a better way forward for the Church to come. The transformations in moral theology in the period around the Council have both reflected and helped provide further resources to ground such arguments in the rich traditions of the Catholic Church itself.

The Yale moral theologian, Margaret Farley, for example, has offered an insightful proposal with regards to how the Church may embrace an ecclesiology more suited to a "morally discerning and acting church".⁴¹ Catholic moral discourse (indeed one might say the Church in general) should abandon any pretence to certitude⁴² and also, while recognising core common values and obligations, acknowledge the *limitations* of moral insight, accept the legitimacy of moral disagreement and dissent, and recognise that the Church can

⁴¹ Margaret Farley, 'Ethics, Ecclesiology and the Grace of Self-Doubt', in James J. Walter, Timothy E. O'Connell and Thomas A. Shannon (eds), *A Call to Fidelity: On the Moral Theology of Charles E. Curran*, (Georgetown, Washington: Georgetown University Press, 2002), 66.

⁴² Cf. Charles Curran, "Ecclesiologically, the total teaching function of the church is not exhausted by the hierarchical teaching office and function. Theologically, these specific moral questions are not core and central to the faith, so that in disagreeing with them one is not denying faith. Epistemologically, on such complex specific questions one can never achieve a certitude that excludes the possibility of error", *Toward an American Catholic Moral Theology* (Notre Dame, Indiana, University of Notre Dame Press, 1987) pp. 18–19.

also be a "community of moral doubt".⁴³ Farley thus commends to the Church the "grace of self doubt" which,

... is what allows for epistemic humility, the basic condition for communal as well as individual moral discernment.... It is a grace that is accessible to those who struggle for understanding, those who have come to see things differently from what was once seen, those who have experienced the complexity of translating convictions into action.⁴⁴

This grace does not question our fundamental shared moral convictions, but rather recognises the "contingencies of moral knowledge when we stretch towards the particular and the concrete". This grace allows us to listen to others and their experiences, to acknowledge differing viewpoints and experiences to our own: "It assumes a shared search for moral insight".⁴⁵ None of this would water-down the Church's commitment to its most central moral values and to tackling the most pressing moral challenges.

So perhaps we can learn from some of the pain and struggles of recent decades and traverse the path towards the Church to come in a more constructive fashion – committed alike to intra- and extra-ecclesial dialogue (itself a major legacy of the Council). Can we learn to live with difference, without "closure" and certitude? To recognise that "lines in the sand" are not always necessary? There are certainly signs of hope that such may be possible and that some surprising fruits of the Council have yet to blossom fully. Given the transformations we have here been reflecting upon, changes which the Council set in motion and/or embraced, an affirmation of the plurality that has been ever-present throughout God's creation is perhaps the most promising legacy of the constructive interplay between ethics and ecclesiology in recent decades.

Moral Theology and the Church to Come: Some Concluding Reflections

Where have our various deliberations thus led us? Let us return to O'Malley's question: did anything dramatically significant happen in the early-mid 1960s with regard to moral theology? Yes of course it did, just as it did Catholic ecclesiology.

The norms and provisions of pastoral care were transformed. To take but one major example, consider the understanding of married life, human relationships and especially the sexual expression of love. For neither the fact that *Humanae vitae* countered many of

⁴³ Farley, 'Ethics, Ecclesiology and the Grace of Self-Doubt', p. 60.

⁴⁴ *Ibid.*, p. 69.

⁴⁵ *Ibid.*

the changes that moral theologians and pastorally sensitive Fathers fought hard to bring about at the Council, nor the subsequent adoption of NNLT as a preferred method of official Catholic teaching on ethics, as witnessed in many of John Paul II's teachings and various documents issued by the CDF, negate the fact that Vatican II was the prism through which Catholic approaches to such issues were significantly transformed.

One might compare the difference between David Lodge's two novels *The British Museum is Falling Down*, penned largely from a pre-conciliar perspective, and his *How Far Can You Go?* (1980), written a decade and a half after the Council had finished but set before, during and after the Council and reflecting many of the struggles and divisions within the Church of the period. In the latter book, Lodge speaks of 1968 as being the time when Catholics "lost their fear of hell".

In *From a Parish Base*, Kevin Kelly speaks of how Vatican II allowed priests to move from being stern judges to being "compassionate confessors" attentive to the realities of day to day struggles. Kelly there urges them to go further still and be yet more compassionate by not focusing upon people's sins primarily *at all*; instead pastors should look to the gifts and achievements in the ordinary lives of people.⁴⁶ Only through such an approach can we understand that pastoral theology will explore matters pertaining to morality compassionately, but moral theology must also be pastorally oriented and sensitive to moral growth and particular contexts.⁴⁷

In that same work, Kelly shows how the notion of 'sin' can actually be employed in a positive way, pointing towards the compassion of God that *is* the love of God. Indeed, Kelly suggests that those Christians who condemn, for example, people who are living in a second marriage, or couples using artificial contraception, or those who are in "life-giving" same-sex relationships because they contradict the teachings of the church are missing the point entirely,

In reality, what scandalizes many people outside the church, as well as within, is the fact that a church of sinners which professes belief in a God of forgiveness and compassion seems to condemn groups of people for whom most in our society would feel great compassion.⁴⁸

Vatican II helped affirm theological pluralism in moral theology as much as elsewhere. It helped bring the provisionality of so much of our moral discourse into 'mainstream' consciousness. Numerous

⁴⁶ Kevin T. Kelly, *From a Parish Base: Essays in Moral and Pastoral Theology*, (London: Darton, Longman and Todd, 1999), ch. 7, pp. 97–110.

⁴⁷ The parable of the wheat and darnel forms the basis for his reflection here, "Sometimes what might look like a puny and undeveloped plant might, in fact, be a miracle of growth, given the adverse conditions under which it has had to struggle". *Ibid.*, p. 109.

⁴⁸ Chapter 6 'Co-responsibility and Accountability within a Sinful Church', p. 90.

Catholic moral theologians have sought to reverse these trends, but in a postmodern world is this the best way in which to seek to fulfil the gospel mission? Vatican II also clearly demonstrated that ethics and ecclesiology are inseparably intertwined. It also affirmed that continuity is not always a virtue but can sometimes be a hideous vice.

I believe that one of the saddest things in the Church today and among the biggest obstacles to its fulfilment of the mission to preach and live out the gospel is the prevalence, seemingly everywhere, of self-styled and self-appointed "guardians of orthodoxy". The history of the Church tells us that such characters usually bring more harm than good to the gospel and to the ecclesial community alike. They forget that the Spirit gives life – too rigid an interpretation and enforcement of the letter kills.

What Catholic moral theology demonstrates at its best is the sheer humility and total compassion of God. Let Catholic theologians, then, shun any "sterile pseudo-Orthodoxy", as Rahner urged us to shun it. Let us help ensure, through constructive, sometimes even conflictual and sometimes exhilarating exchanges that the shape of the Church to come is one where the gospel of Jesus of Nazareth, a light to enlighten all the Gentiles, is first and foremost our guiding principle. Morality is not a precise and exact science, as if any such thing exists. That is why nobody among us should rush to throw stones. What the New Testament and the ongoing Christian tradition teach us, along with the vast resources offered by collective human experience and the reasonable reflection upon the same, is that we should first look at our own faults, many though they might be. Again and again we see the key imperative (some might say the only one) is above all else to love the other, our neighbour, as we love God and ourselves. Upon this hangs so much, not only, of the "law and the prophets", but also the wisdom of countless ancient cultures, as we learn increasingly from our encounters with religious others.

The words of Bernard Häring to students at the Catholic University of America take us full circle: "All of us dislike a fellow who always speaks to us and never listens. . . . If the church doesn't listen to the world, then the world will never listen to the church".⁴⁹

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⁴⁹ As reported in Barbara Stewart, 'Bernard Häring, 85, is Dead' *New York Times*, July 11 1998.